

# 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:	20/7/2020
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):

The Proposed Plan has identified land at OP2, to the north of Memsie for the provision of 20 homes. While support is given to this designation, under a separate representation, objection is made to the failure of the Proposed Plan to identify the entire land holding in this location.

Site OP1 in the Proposed Plan is both constrained and incapable of connecting to the necessary drainage infrastructure and is therefore incapable of delivery. Site OP1 should therefore be removed from the Local Development Plan and the entire site to the north of Memsie identified for a total of 40 units. This would compensate for the removal of the OP1 site and ensure the delivery of an appropriate level of housing in the settlement.

As such, it is requested that the boundary of the OP2 site in Memsie (as contained on page 246 and 247 of Appendix 7a of the Proposed Plan) should be extended and the housing numbers increased to 40 units. Appendix 6: Housing Land Allocations should also be amended to take account of this change.

**Reason for change:**

## Background

Two development bids related to land at Memsie were submitted to Aberdeenshire Council on 13<sup>th</sup> March 2018 on behalf of JNF Developments. The first, which forms the basis of this objection, covered the entire area and was promoted for 40 homes (Appendix 1). The second formed phase one of the larger allocation and was considered suitable for 20 homes. The Main Issues Report (MIR) was published in January 2019, which identified the entire site as BB002, with the phase 1 site identified as BB003.

Aberdeenshire Council Planning Officers identified the phase 1 site (BB003) as an Officer's Preference for the provision of 20 homes. It was stated that this site would be a logical extension of the settlement given that the site has the potential to connect to the communal drainage system located on this site. Strategic landscaping was identified to the north of this site to contain development within the Draft Proposed Local Development Plan.

The wider BB002 site was not identified as it was seen as a significant extension in the open flat countryside in comparison to the scale of the village. It was suggested that this would have a detrimental impact on the landscape and visual setting of Memsie. It was also stated that the designation of this site could prevent existing properties from connecting to a communal drainage system located on the site.

Representations (Appendix 2) were submitted to the Main Issues Report and while support was given to the identification of the first phase development of 20 units, objection was made to the failure of the plan to identify the entire site. It was argued that the Doolie Burn to the north would contain development and there was an opportunity to provide landscaping along that boundary. Objection was also made in relation to the communal drainage system which was implemented by JNF Developments as part of their development to the south. It was argued that identifying the entire site would make efficient use of that infrastructure, especially as it was not possible for any other sites, other than the bid site to connect to it.

This representation should therefore be read in conjunction with the development bid submitted at the pre-MIR stage (Appendix 1) and the representations to the Main Issues Report (Appendix 2), which demonstrate that the site is suitable for the development proposed. It should also be read in conjunction with the development bid and representations submitted for the phase one site (BU003) which has been allocated in the Proposed Plan for 20 units.

## Justification

Support has given to the identification of the phase 1 site within the Proposed Plan (OP2). The text for that allocated states that *"consideration should be given to the landscape impact of the development due to the site's location in open flat land, in particular the visual impact when approaching Memsie from the north. As such, strategic landscape buffer strips are required to be planted to the north and east of the site"*. The Proposed Plan goes on to state that *"an area of land for strategic planting is identified as P2 along the Doolie Burn to the north of the site. This straightened watercourse has the potential to be restored to provide an attractive landscape feature. This also provides a logical future settlement boundary line should there be future expansion of this development northwards"*.

The Council previously identified the location of this landscaping immediately to the north of the first phase of development, rather than along the northern boundary of the entire site as suggested in the development bid and MIR representation. Aberdeenshire Council therefore accept that the Doolie Burn is a more appropriate boundary to the settlement of Memsie and acknowledge that there is scope for northwards expansion of Memsie in the future. It is argued that this expansion should be allowed for in the Local Development Plan now, rather than awaiting a further LDP cycle in the future.

It was argued at the MIR stage that the OP1 designation was constrained and should be removed from the Local Development Plan. This site continues to be identified for housing in the Proposed Plan and objection is also made to this. This site was included in the 2017 Local Development Plan, but identified in the 2018 Housing Land Audit as constrained due to ownership and marketability issues. It continues to be identified as constrained in the 2019 Housing Land Audit. These two issues would need to be overcome to allow the site to be delivered and it is uncertain if this could happen.

The Proposed Plan states that, in relation to OP1, that *“private septic tanks in Memsie should be avoided as there have been a number of ineffective soakaways identified in the village”*. As a result, the development of OP1 would require connection to the communal drainage, on the JNF Development bid site, which is not possible. The delivery of OP1 within Memsie is therefore questioned, even if marketability and ownership issues could be addressed.

Scottish Planning Policy at paragraph 10 place a sharp focus on the delivery of allocated sites. The deliverability of OP1 in the Proposed Plan is not considered possible and should be removed from the Plan going forward. To compensate for this and ensure adequate homes are delivered in Memsie, site OP2 should be extended to include the entire BB002 land (as identified in the MIR) and the capacity increased to 40 units.

These sites are controlled by the same developer, who also built the site to the south. They have demonstrated the ability to deliver housing in this area, through the completion of that development. The increased capacity on that site would not significantly increase the housing numbers in Memsie but ensure that housing is delivered in this area, rather than relying on long term constrained land that has little prospect of ever being built.

The larger site has the ability to connect to the communal drainage facility. This was provided by the developer as part of the development of the housing site to the south, in order to resolve sewage problems affecting Memsie. As a result of that, SEPA, Scottish Water and the Council's Flood Prevention Units confirmed that there were no drainage issues in Memsie. It is understood that there is capacity to connect the entire site to the works and Scottish Water would initiate a growth project at Cairn Stone Septic Tank if demand exceeds the available capacity.

The identification of the entire site for housing would make efficient use of the investment made by the developer and it seems unfair that the developer, who funded and provided the infrastructure would be restricted from making the maximum return from it. Scottish Planning Policy states that **“decisions should be guided by optimising the use of existing resource capacities, particularly coordinating housing with infrastructure investment, for example water and drainage”** (paragraph 40). The identification of the entire site would therefore make sound commercial sense and ensure that new properties could connect to appropriate services. The Council's assessment of the first phase of this site (BB003) accepted that Rathen School would be able to accommodate the numbers proposed on this site. The identification of the entire site for 40 units, would only increase housing numbers by 20 units. It is argued that the school would have capacity for the increased housing numbers as it is understood that the OP1 site has already been considered in the school roll forecasts. The entire site would take up that capacity and there would be no significant additional pressure on the school that could not be mitigated by developer obligation contributions.

In terms of vehicular access to the site, the OP2 designation within the Proposed Plan requires a second point of access to the A981. Objection has been made to this in a separate representation on the basis that a second point of access is not required, given the site can be adequately serviced by the existing access through the residential development to the south. Further to this, a direct access onto the A981 is not possible due to the requirement for strategic landscaping along the eastern boundary of the site and the fact that the site boundary does not extend as far as the A981 it is to provide access to.



It is argued that the site can still be adequately accessed even with the extension of the boundary to include the BU002 site and an increase to 40 units. Aberdeenshire Council's Roads Guidelines suggests that residential developments over 100 units would require a permanent 2<sup>nd</sup> point of access. The existing residential development to the south of the site has delivered 36 units. Therefore the land to the north could be developed for up to 64 units before a permanent second point of access would be required. As part of the previous development, the developer made provision for an emergency access to the east to the A981 which should satisfy the need for links in that direction. As such, it is argued that there is no need for a second point of access for the delivery of the entire site to the north of Memsie.

### Conclusion

To conclude, while support was given to the identification of site OP2 in the Proposed Plan for 20 units, it is argued that the site boundary should be extended and the capacity increased to 40 units.

The principle of development in this location has long been accepted through the identification of land to the south of OP2 in previous Local Development Plan's. The text associated with the OP2 designation also accepts that further land could be developed to the north of OP2 with the Doolie Burn forming a defensible boundary. It makes commercial sense to allow that development now, rather than await a future Local Development Plan review.

The OP1 designation in the Proposed Plan has been constrained for a number of years and it is argued that it will never deliver the required linkages to the drainage infrastructure located on the bid site. The OP1 site should therefore be removed from the Local Development Plan and the unit numbers allocated to the extended OP2 site instead. The developer has experience of developing in Memsie and is able to ensure the development of this site. This would guarantee an adequate supply of housing land is delivered in Memsie, which is not currently occurring due to the reliance on constrained sites. The identification of this site would therefore comply with SPP which places a sharp focus on the delivery of allocated sites.

There is considered to be sufficient capacity within the primary school considering the OP1 allocation would already have been taken into account in the school roll forecasts. There is also sufficient capacity in the waste water and water treatment works and this site is the only one in Memsie that can connect to the new drainage infrastructure. The allocation of this site would therefore make efficient use of the investment made by the developer.

There is no need for a second point of access as suggested by the OP2 allocation within the Proposed Plan. Future access to the site from the residential development to the south has been provided for within that approved layout. Aberdeenshire Council Policy only requires a second points of access for developments over 100 units and together with the site already built to the south, there is adequate capacity for a development of 40 units.

### Recommendation

It is therefore respectfully requested that the OP2 site continues to be identified in the Local Development Plan, but that the boundaries of that site extended to the north and the capacity of the site increased to 40 units. The OP1 allocation in Memsie should be removed due to the continued constraints affecting its development and its inability to connect to the required drainage infrastructure.

# 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.

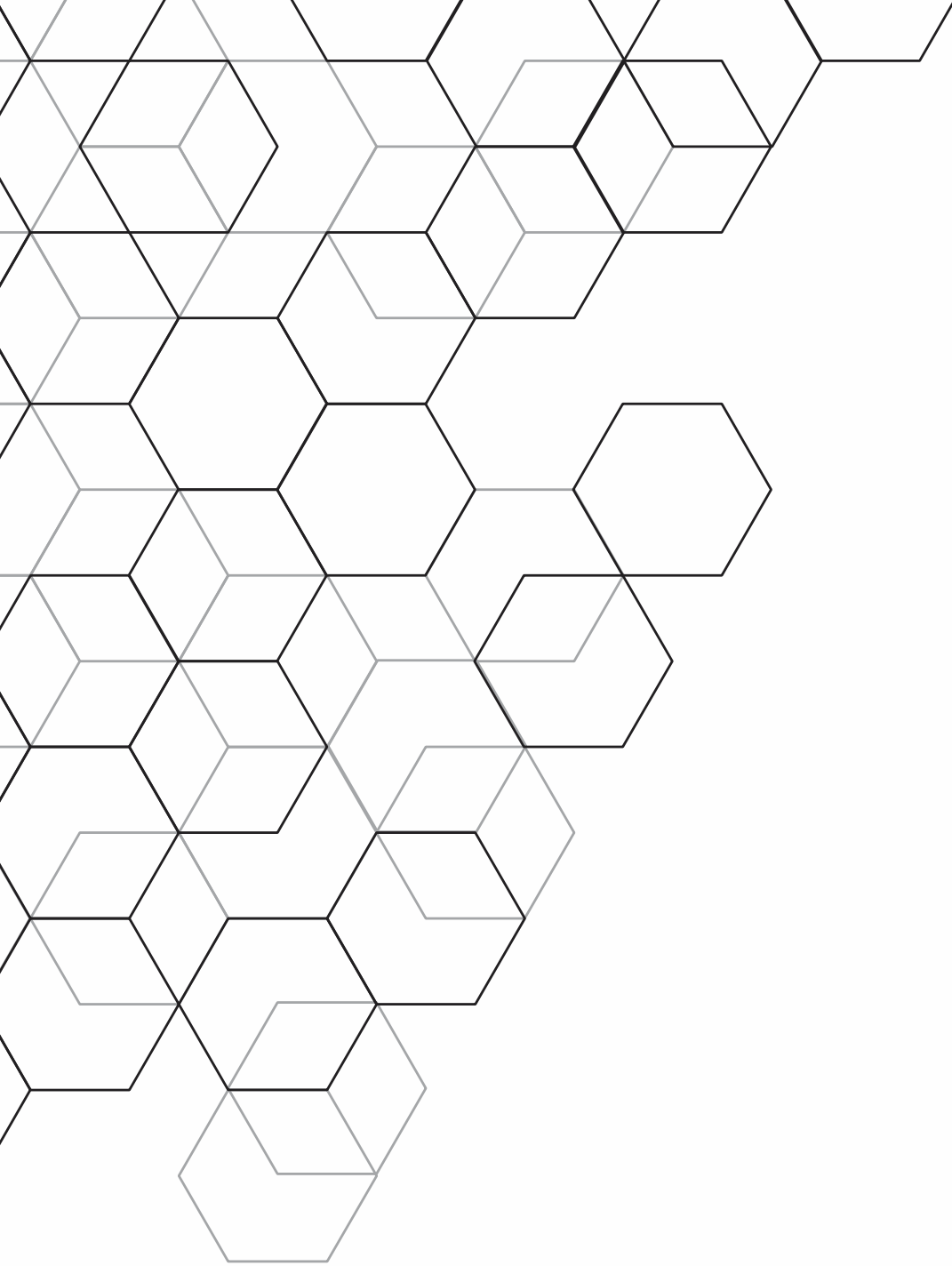
The following automated decision-making, including profiling, will be undertaken:

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	
Organisation (if applicable)	Ryden LLP
Address	
Telephone number	
Email address	
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	JNF Developments
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**

## Appendix I – Development Bid (entire site)

### 4. Site Details

Name of the site (Please use the LDP name if the site is already allocated)	Land to the north of Memsie
Site address	North of Cairn Close, west of A981
OS grid reference (if available)	NJ970627
Site area/size	5ha
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?	Yes The site is owned by JNF Developments who would develop the site
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
	If yes, please give details
Previous planning applications	No planning applications on the bid site, however, planning permission was granted (ref 2012/3544) on land to the south and construction is nearing completion. That site was identified as H1 in the 2012 Aberdeenshire Local Development Plan and is now identified as white land in the 2017 Local Development Plan. The bid site is an extension of this site.
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: BaB013

## Appendix I – Development Bid (entire site)

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 expansion of Memsie being located immediately adjacent to the settlement boundary. Also a logical extension of the residential site to the south which would be developed by the same developer.
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### 8. Proposed Use

Proposed use		Housing
Housing	Approx. no of units	40
	Proposed mix of house types	Number of: <ul style="list-style-type: none"> <li>Detached: Generally a mix of detached and</li> <li>Semi-detached: semi-detached</li> <li>Flats: similar to the</li> <li>Terrace: site to the south</li> <li>Other (e.g. Bungalows):</li> </ul>
		Number of: <ul style="list-style-type: none"> <li>1 bedroom homes: Exact mix to</li> <li>bedroom homes: be determined at</li> <li>3 bedroom homes: detailed design</li> <li>4 or more bedroom homes: stage</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	
When would you expect the development to be finished? (please tick)	0-5 years	✓
	6-10 years	
	+ 10years	
Have discussions taken place with financiers? Will funding be in place to cover all the costs of development within these timescales	No	
	Funding would be available by the landowner/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)	No
	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: No impact on any designations.		
<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: <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>	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>The site is currently open fields, with little biodiversity value. The development of this site will introduce 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.</p> <p>The LDP identifies an area of strategic landscaping to the south of the bid site and this will be protected in any layout of this site. This provides</p>	

	an attractive landscape setting for future development with opportunities for biodiversity.
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## 11. Historic environment

Historic environment enhancement		
Please state if there will be benefits for the historic environment.	No	
	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.</p> <p>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	No
	Conservation Area (e.g. will it result in the demolition of any buildings)	No
	Inventory Gardens and Designed Landscapes	No
	Inventory Historic Battlefields	No
	If yes, please give details of how you plan to mitigate the impact of the proposed development	

## 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</p> <p><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-advice/landscape-change/landscape-character-assessment">https://www.snh.scot/professional-advice/landscape-change/landscape-character-assessment</a></li> <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> </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 has no natural landscape elements or historic features. The development of this small site to the north of an existing residential development will improve the landscape appearance of the site and will satisfy a demand in the village, demonstrated by the development and occupation of the site to the south.</p> <p>The site is well contained by existing development, the A981 and Doolie Burn. It is screened by existing development on approach from the south and east and west. From the north, it would be seen in the context of existing development. As such, there is minimal impact on the landscape setting of the area.</p>



## Appendix I – Development Bid (entire site)

<ul style="list-style-type: none"> <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>	
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### I3. 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 - No. The Doolie Burn bounds the site to the north, however, a search of SEPA's Flood Risk map indicates that there is no risk of flooding from this.</p> <p>Surface Water – Yes. There is some risk from surface water flooding</p> <p>A small area of the site is at risk from surface water flooding as indicated on the SEPA flood risk map. However, SUDs would be incorporated to mitigate any risk to housing.</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>Yes</p> <p>SUDs on the site would resolve any surface water drainage issues.</p>

### I4. Infrastructure

a. Water / Drainage		
<p>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>)?</p>	Water	Yes
	Waste water	Yes
<p>Has contact been made with Scottish Water?</p>	<p>No, but a search using Scottish Water asset capacity search tool was carried out which advised that Turriff WTW has capacity for over 2000 properties.</p> <p>In terms of waste water, as part of the development to the south, the developer implemented a communal treatment tank, with a partial soakaway and discharge to the watercourse. SEPA, Scottish Water and the Council's Flood Prevention Unit confirmed that there was no drainage issue in Memsie. This system has capacity to accommodate the development of this bid site.</p> <p>The 2017 LDP also states that Scottish Water will initiate a growth project at Cairn Stone Septic Tank if demand exceeds available capacity. Sewage is therefore not considered to be an impediment to development.</p>	

## Appendix I – Development Bid (entire site)

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>	Rathen Primary School has a capacity range of 48-71 pupils. It is currently at capacity and generally has a rising school roll to 2022 when it is expected to be over capacity at 111%. However, site P3 in Memsie is protected for the construction of a new primary school which will alleviate capacity issues. The allocation of the bid site will help support the new school going forward and make efficient use of the infrastructure investment made. The LDP highlights that contributions will be required to this new primary school. Fraserburgh Academy is sitting under capacity therefore any pupils from the development of this site can be accommodated within that school.
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?	No
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, but access is not considered to be an issue. The site can be accessed from the land to the south and the layout of that site makes provision for this.
Public transport	Public transport services are provided along the A981, within 400m of the site, with public transport services operating 7 days a week.
Active travel (i.e. internal connectivity and links externally)	The site could link with existing footpaths developed as part of the residential development to the south and beyond this to existing paths in the village to provide active pedestrian and cycling links to the wider area.
<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

## Appendix I – Development Bid (entire site)

	area and this is not considered to be an impediment to development, given the residential development located to the south.
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.
<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 no specific areas of public open space in Memsie. However, the development of the site to the south made provision for public open space/play area. The bid site would make its own provision of public open space and would link to open space to the south, along footpaths. This would provide a linked green network in Memsie.
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 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-and-events/parks-and-open-spaces/open-space-strategy-audit/">https://www.aberdeenshire.gov.uk/communities-and-events/parks-and-open-spaces/open-space-strategy-audit/</a>	The open space audit does not consider Memsie as a specific settlement. In general, the site will produce meaningful public open space, which is more beneficial than the current use.
<b>f. Resource use</b>	
Will the site re-use existing structure(s) or recycle or recover existing on-site materials/resources?	No
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

## Appendix I – Development Bid (entire site)

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 I/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
'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
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:	

### 16. Proximity to facilities

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

### 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 are aware that bids have been submitted in the past for the site and were

## Appendix I – Development Bid (entire site)

	able to comment on the residential development to the south. The public will have the opportunity to comment throughout the LDP process and any consultation arranged as part of that process.
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### 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 checked="" type="checkbox"/>
---	--

If you have any further information to help demonstrate the deliverability of your proposal, please provide details.

Demand exists for development in Memsie, demonstrated by the development and occupation of the site to the south. The bid site is seen as a logical extension of this which would be delivered by the same developer. The allocation of the bid site would support the proposed new primary school in Memsie making efficient use of the infrastructure investment made.

The Reporter to the 2017 LDP process acknowledged the relationship of the bid site with development at Westcroft Close and Cairn Close (land to the south) and that potential access could be obtained. As a result, it was considered that the development of the southern part of the site could have potential to contribute to meeting local housing requirements, if a need for this were identified in future

The site is under option to a developer which demonstrates their knowledge of the settlement and their willingness to develop in this location. The developer is therefore 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.

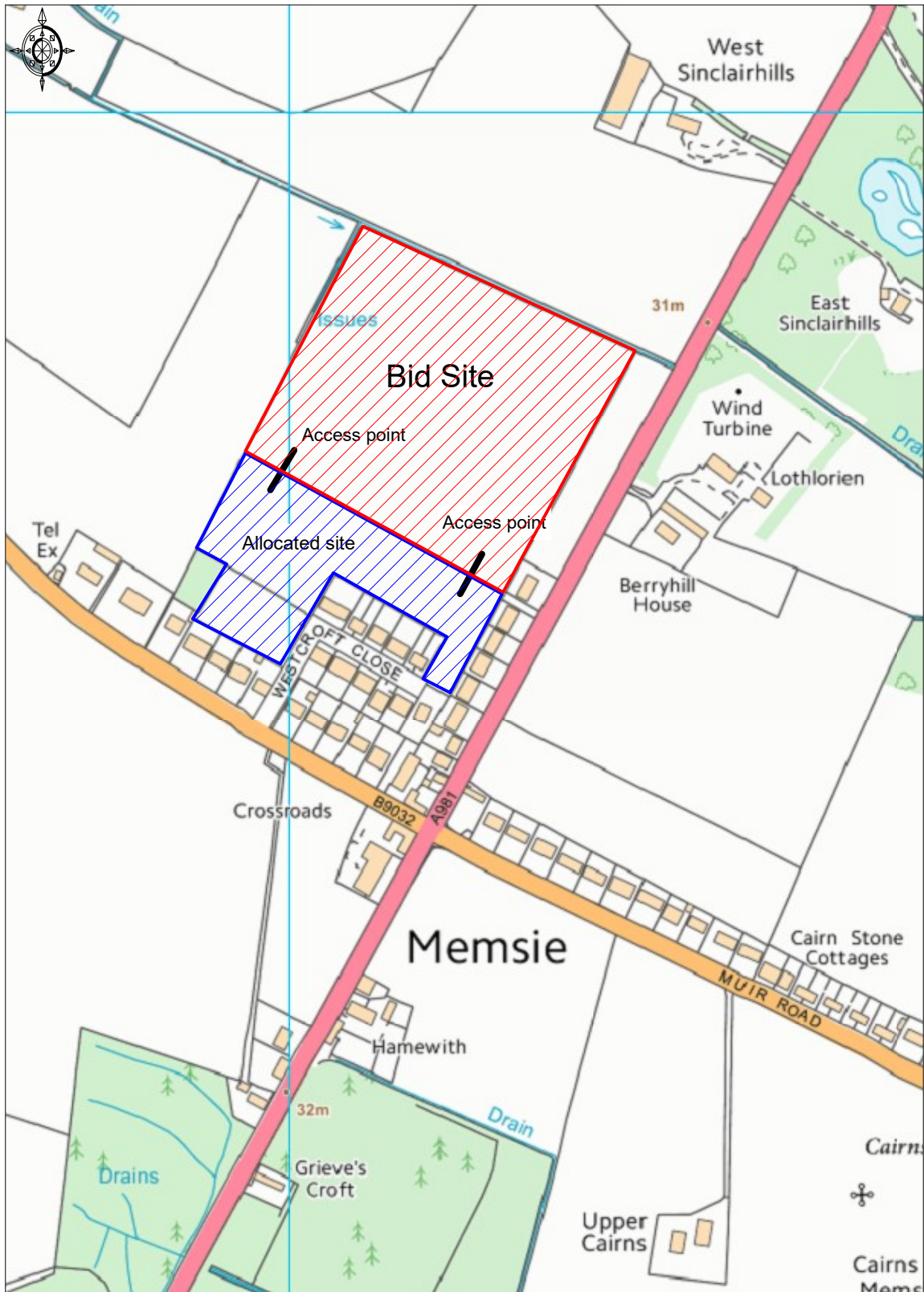
### 19. Other information

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.)

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>	JNF Developments
<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.

Which document(s) are you committing on?	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

### Site BB002 – Land to the North of Memsie – 40 homes

On behalf of JNF Developments, objection is made to the failure of Aberdeenshire Council to identify site BB002 as an Officers preference for the provision on 40 homes in the Main Issues Report. Objection is also made to the failure of the Draft Proposed Local Development Plan to identify this site for housing.

This objection should be read in conjunction with the support given to the identification of BB003 as an Officers' preference for the provision of 20 homes and also with the development bid submitted at the pre-MIR stage. Together, these confirm that the entire site is suitable for the delivery of 40 homes, supported by a developer who is already active in the area.

The Main Issues Report raises a number of issues to which we wish to respond.

**“The proposed site is a significant extension into the open flat countryside in comparison to the scale of the village. This would have a detrimental impact on the landscape and the character and visual setting of Memsie, elongating the settlement further along the A981 which is already characterised by ribbon development”**

The principle of development in this area is already accepted through the development of historic site H1, which is now built. Half of the site (to the south) which is considered under bid reference BB003 is identified as an Officers preference for 20 units in the MIR and as OP2 in the DPLDP. The identification of the entire BB002 site for an additional 20 units is not considered to be a significant extension to the settlement.

Any development is screened by existing development when viewed from the south, east and west. From the north, it would be seen in the context of existing and proposed development and any housing would extend no further than the existing Lothlorien residential property to the east.

This site has no natural landscape elements and the identification of the entire site provides an opportunity to introduce attractive, open space and landscaping which would be contained by the Doolie Burn to the north, thereby containing development within this natural, defensible boundary. The DPLDP identifies strategic landscaping to the north of the BB003 site. This could be moved to the north of the BB002 site to protect the landscape and visual setting of the settlement.

It is therefore not accepted that there would be any detrimental impact on the landscape and the character and visual setting of Memsie. The ribbon development stated by Aberdeenshire Council is more prevalent along the B9032, with development along the A981 more condensed and rounded in this direction. The identification of the entire site would therefore not exacerbate ribbon development and would instead focus new housing where improvements in infrastructure have taken place.

**“Memsie also has no services and no school capacity”**

Officers consider that a reserved site for 15 units and OP1 site for 15 houses, in addition to the Phase 1 bid (BB003) for 20 units are appropriate in Memsie. The 2018 Housing Land Audit confirms that the OP1 site is constrained due to ownership and marketability issues. It is therefore questionable whether it will ever be developed. Bid site BB002 should be identified in its place as it is under the control of a developer that is willing and able to develop it in early course. This will make efficient use of infrastructure that is already in place on the site to the south, in the form of the treatment plant.

Aberdeenshire Council accept in the comments to bid BB003 that it is expected that Rathen Primary School would be able to accommodate a small increase in numbers over a period of years. The identification of the

entire site would only increase housing numbers by 20 units and It is understood that the school would already have considered the potential pupils generated from the OP1 site in the school roll forecasts. Therefore the allocation of the BB002 site would result in no significant additional capacity needs. Any developer contributions would be agreed to mitigate any additional impact on the school and this is not considered to be an impediment to development of the entire site.

**“This proposal could also prevent existing properties from connecting to a communal drainage system located on this site as only a limited number of existing properties can connect to it. This treatment works was originally provided as part of a previous housing allocation on adjacent land (now Westcroft Close/Cairn Close) in order to resolve sewage problems affecting the settlement”**

Scottish Planning Policy states that **“decisions should be guided by optimising the use of existing resource capacities, particularly by co-ordinating housing with infrastructure investment, for example water and drainage”** (paragraph 40).

As part of the development to the south, the developer of this bid site implemented the communal drainage system, comprising communal treatment tank, with partial soakaway and discharge to the watercourse. At that time, SEPA, Scottish Water and the Council's Flood Prevention Unit confirmed that there were no drainage issues in Memsie. It is understood that this system has capacity to accommodate the development of the entire bid site for 40 units and Scottish Water would initiate a growth project at Cairn Stone Septic Tank if demand exceeds available capacity. Therefore, there is no impediment to the identification of the entire site for development.

Identifying the entire BB002 site for 40 houses would make efficient use of this investment and it seems unfair that the developer, who funded and provided the infrastructure would be restricted from making maximum use of it. If additional sites are to be identified in Memsie, priority should be given to sites which can connect to this infrastructure.

The text for the OP1 site within the DPLDP states that as part of a recent housing development at Westcroft/Cairn Close, a communal treatment tank was provided and that **“If it is possible to connect to this system it should be a conditional requirement for this development that new home owners must connect to that communal drainage system”**. There is no possibility of site OP1 connecting to the communal drainage system, due to ground levels. There are also no guarantees that BB009 (FOP1) can connect to the communal drainage system either. As such, site BB002 should be given priority as that site is the only one that can connect and therefore satisfy the requirements of SEPA which seeks to avoid further private septic tanks.

The text for the BB003 bid stated that that site would be a logical extension of the settlement given that the site has potential to connect to the communal drainage system located on the site. It is argued that the BB002 site would similarly be a logical extension and the proposed allocation should be increased to cover the entire site.

**“Given the infrastructure constraints and lack of services, this location is unsustainable and will encourage car dependency”**

As addressed above, it is not accepted that there are any infrastructure constraints within Memsie and the lack of services applies to all allocations.

Within the settlement, the most sustainable location should be prioritised for development and consideration should be given to the identification of the entire BB02 site for 40 houses, given that it lies immediately adjacent to the preferred BB003 site and the built H1 site. This ensures that efficient use can be made of the roads, footpaths and drainage infrastructure that has been put in place on these sites.

The inclusion of the entire BB002 allocation would not encourage car dependency any more than the development of any other site in Memsie. There are bus stops located within 400m of the site, therefore there are opportunities for public transport use within walking distance of the site. Although Memsie does not benefit from many services, it is not accepted that the location is unsustainable, given the opportunities for travel by sustainable means.

### **Conclusion**

In summary, it is argued that the OP1 site should be removed from the Local Development Plan due to the constraints that exist over its delivery. To ensure the delivery of adequate levels of housing in the settlement, the entire BB002 bid site should be identified for 40 units. This would include the BB003 allocation to the south for 20 units which is already identified as an Officer's preference.

Site BB002 and BB003 are the only sites that can connect to the communal drainage system and the identification of the entire site would ensure that SEPA's requirements, to avoid further private septic tanks, is satisfied. It would also ensure that efficient use is made of the investment in the communal drainage system.

In addition to this, the strategic landscaping identified in the DPLDP should be moved to the north of the BB002 site to protect the landscape setting of Memsie and form a defensible boundary.