

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 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
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 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:	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):

On behalf of JNF Developments, support is given to the identification of OP2: Land to the North of Cairn Close, Memsie in the Proposed Local Development for the provision of 20 homes. This site should continue to be identified in the Local Development Plan.

However, objection is made to the wording of the OP2 allocation as set out in the settlement statement for Memsie.

It is therefore requested that the wording of the OP2 designation (as contained on page 246 of Appendix 7a of the Proposed Plan) removes the reference the requirement for a second point of access to the A981. There is also no need to make reference to the requirement for bus stops on the A981 and that should also be removed.

Reason for change:

Background

Two development bids related to land at Memsie were submitted to Aberdeenshire Council on 13th March 2018 on behalf of JNF Developments. The first covered the entire area and was promoted for 40 homes. The second (Appendix 1), the subject of this representation, 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. No reference was made to the need to provide a second point of access to the A981.

A Representation (Appendix 2) was submitted to the Main Issues Report supporting this designation and addressed the issues highlighted by Officers. It was also suggested that the site could be extended to the north to include the remainder of the site and allocated for a larger number of units to compensate for the failure of the OP1 site to be delivered. That site is constrained and there is little prospect of it being delivered. In addition to this, it cannot be connected to the communal drainage system and this site is the only one that can meet that requirement.

This representation should therefore be read in conjunction with the development bid submitted at the pre-MIR stage (Appendix 1) and the representation to the Main Issues Report (Appendix 3), 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 wider site (BU002).

Justification

JNF Developments support the identification of the site as OP2 for the development of 20 houses. However, the requirements contained under the OP2 designation in the settlement statement for Memsie are not logical.

The OP2 designation states that *“a new vehicle access onto the A981 is required due to the lack of permeability to the existing cul-de-sacs of Westcroft Close and Cairn Close, and to provide additional access”*. In the first instance it is not accepted that there is lack of permeability to the existing Westcroft Close and Cairn Close. Planning permission has been granted for this development (APP/2012/3544) which made provision for access to the north into the bid site.

Secondly, Aberdeenshire Council require access to the A981 but the boundary of the allocation does not extend as far as the A981. Therefore, they have made the provision of access to the A981 impossible. There was no requirement for a second point of access within the Main Issues Report and it is argued that access through the land to the south (provided through application ref APP/2012/3544) has capacity for the housing numbers anticipated for this allocation.

The requirement to provide an access to the A981 is further restricted by the identification of strategic planting (p2) along the eastern boundary of the site. This is considered necessary in order to protect the visual impact of the landscape when approaching Memsie from the north. This will further prevent the provision of any access to the east as it would require the removal of landscaping at this location which is unlikely to be acceptable during any planning application process. It is clear that Aberdeenshire Council have not given adequate, or sensible consideration to the provision of a second point of access, increasing the reasons why this requirement should be removed from the LDP going forward.

The OP2 requirement also states that *“new bus stop infrastructure on the A981 is required together with footway links, due to the poor accessibility of existing stops”*. It was argued at the MIR stage that there are bus stops located within 400m of the site and were therefore opportunities for accessing them within walking distance. The developer provided upgraded footpaths as part of the development to the south and again, it is not accepted that there is poor accessibility to the bus stops. This is a requirement that could be addressed during any planning application and is not considered to be required within the Local Development Plan.

Finally, the Proposed LDP states that *“as part of the recent development to the south (Westcroft/Cairn Close) a communal waste water treatment tank with a partial soakaway and discharge to the watercourse was provided. It is expected that this system has capacity to accommodate the new allocation. It should be a mandatory requirement for all new home owners on this site to connect to this communal treatment tank in order to avoid further private septic tanks in Memsie, as there have been a number of ineffective soakaways identified in the village”*. This communal waste water treatment works was provided by JNF Developments as part of their development to the south. This was provided to resolve the sewage problems affecting Memsie. Therefore, this site has the ability to connect to this system and it should be noted that this is the only site in Memsie that has the ability to connect to that drainage system.

OP1 in the Proposed Plan states 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, it is argued that the development of OP1, which would require connection to the communal drainage, is not possible. The delivery of that site is therefore questioned.

Conclusion

To conclude, support is given to the identification of site OP2 in the Proposed Plan, however, objection is made to the requirement for an access onto the A981 as contained in the supporting text for that allocation. The boundary of the OP2 site does extend to the A981 and the

requirement for strategic landscaping along the eastern boundary imposed by the LDP makes the provision of access at this location impossible.

There is adequate provision for access through the existing site to the site, which was delivered by JNF Developments and provision has been made within the layout for that site, for extending access northwards into OP2. As such, there is no need for a second point of access, even if it was possible.

It is also considered that there are good links with existing public transport services within the settlement and no need to made reference to the requirement for additional bus stops. If this is considered necessary, it can be addressed through the planning application for the site.

The site can be serviced by the existing communal drainage system implemented by the development to the south and there are no access or capacity constraints that would prevent that connection. Other sites in Memsie do not have the ability to connect to that system and their delivery is therefore questioned.

Recommendation

It is therefore respectfully requested that the site continues to be identified as OP2 in the Local Development Plan, but that the requirement for a second point of access to the A981 is removed from the supporting text. There is also no need to make reference to the requirement for bus stops on the A981.

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:

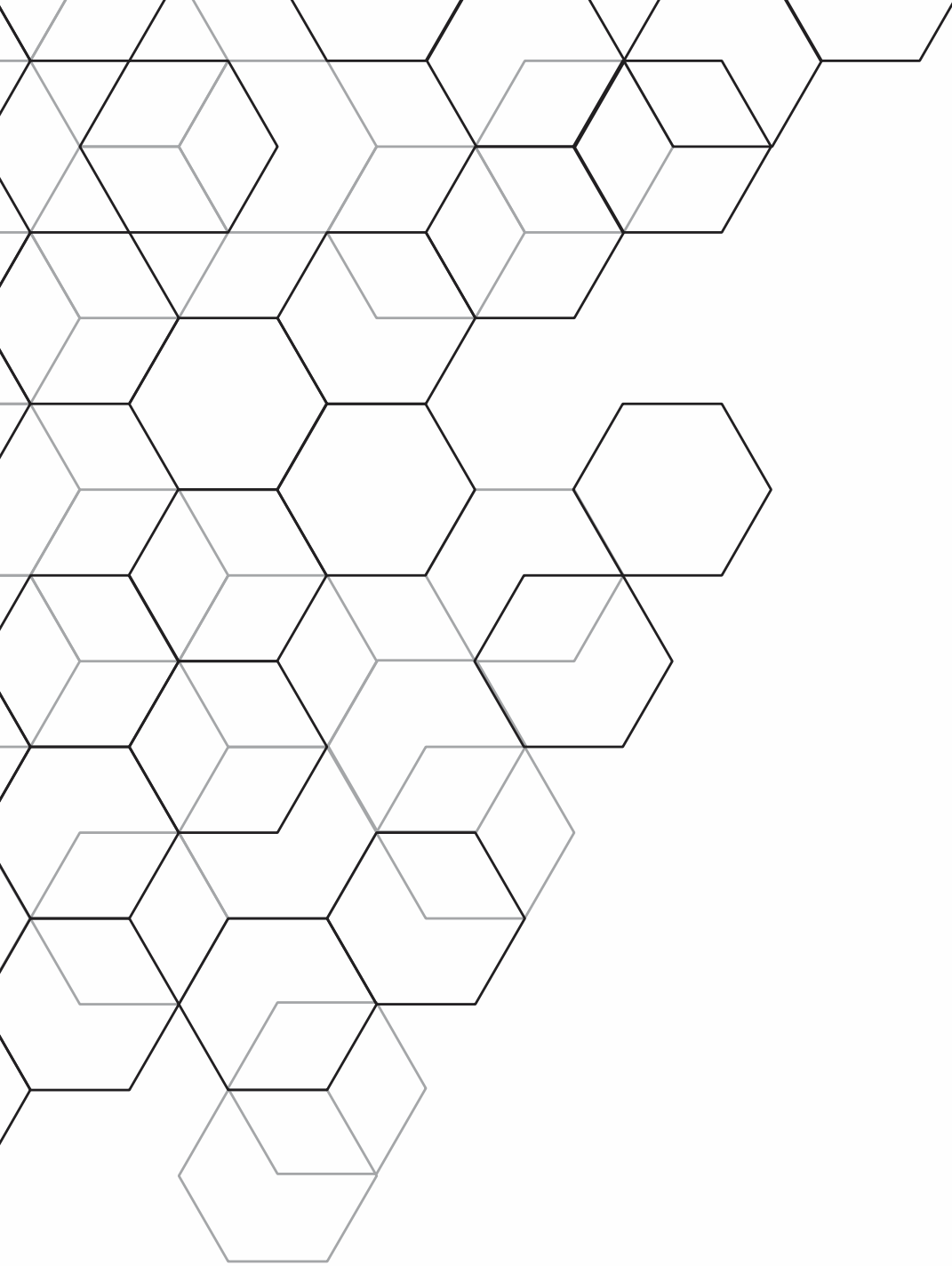
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue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



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

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 (Phase I)

4. Site Details

Name of the site (Please use the LDP name if the site is already allocated)	Land to the north of Memsie (Phase I)
Site address	North of Cairn Close, west of A981
OS grid reference (if available)	NJ970626
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 www.aberdeenshire.gov.uk/ldp	Please provide Previous 'Call for sites'/'Bid' reference number: BaB013

Appendix I – Development Bid (Phase I)

Local Development Plan status www.aberdeenshire.gov.uk/ldp	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	20
	Proposed mix of house types	Number of: <ul style="list-style-type: none"> Detached: Generally a mix of detached and Semi-detached: semi-detached Flats: similar to the Terrace: site to the south Other (e.g. Bungalows):
		Number of: <ul style="list-style-type: none"> 1 bedroom homes: Exact mix to be determined at 3 bedroom homes: detailed design 4 or more bedroom homes: stage
	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 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"> • https://www.environment.gov.scot/ • EU priority habitats at http://gateway.snh.gov.uk/sitelink/index.jsp • UK or Local priority habitats at http://www.biodiversityscotland.gov.uk/advice-and-resources/habitat-definitions/priority/ • Local Nature Conservation Sites in the LDP's Supplementary Guidance No. 5 at www.aberdeenshire.gov.uk/ldp 	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.		
Biodiversity enhancement		
<p>Please state what benefits for biodiversity this proposal will bring (as per paragraph 194 in Scottish Planning Policy), http://www.gov.scot/Resource/0045/00453827.pdf by ticking all that apply. Please provide details.</p> <p>See Planning Advice 5/2015 on Opportunities for biodiversity enhancement at: www.aberdeenshire.gov.uk/media/19598/2015_05-opportunities-for-biodiversity-enhancement-in-new-development.pdf</p> <p>Advice is also available from Scottish Natural Heritage at: https://www.snh.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers and http://www.nesbiodiversity.org.uk/.</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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I 1. Historic environment

Historic environment enhancement		
Please state if there will be benefits for the historic environment.	No	
	If yes, please give details:	
Does the site contain/is within/can affect any of the following historic environment assets? Please tick any that apply and provide details. You can find details of these designations at: <ul style="list-style-type: none"> http://historicscotland.maps.arcgis.com/apps/Viewer/index.html?appid=18d2608ac1284066ba3927312710d16d http://portal.historicenvironment.scot/ https://online.aberdeenshire.gov.uk/smrpub/master/default.aspx?Authority=Aberdeenshire 	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	

I2. Landscape Impact

Is the site within a Special Landscape Area (SLA)? (You can find details in Supplementary Guidance 9 at www.aberdeenshire.gov.uk/ldp)	No If yes , please state which SLA your site is located within and provide details of how you plan to mitigate the impact of the proposed development:
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. <ul style="list-style-type: none"> SNH: Landscape Character Assessments https://www.snh.scot/professional-advice/landscape-change/landscape-character-assessment SNH (1996) Cairngorms landscape assessment http://www.snh.org.uk/pdfs/publications/review/075.pdf SNH (1997) National programme of landscape character assessment: Banff and Buchan http://www.snh.org.uk/pdfs/publications/review/037.pdf SNH (1998) South and Central Aberdeenshire landscape character 	<p>If your site is not within an SLA, 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, to the south and east and is well screened by this 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>

assessment http://www.snh.org.uk/pdfs/publications/review/102.pdf	
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13. Flood Risk

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? (You can view the SEPA flood maps at http://map.sepa.org.uk/floodmap/map.htm)	River - No. The Doolie Burn is located outwith the bid site to the north, however, a search of SEPA's Flood Risk map indicates that there is no risk of flooding from this. Surface Water – No.
Could development on the site result in additional flood risk elsewhere?	No If yes, please specify and explain how you intend to mitigate or avoid this risk:
Could development of the site help alleviate any existing flooding problems in the area?	n/a

14. Infrastructure

a. Water / Drainage		
Is there water/waste water capacity for the proposed development (based on Scottish Water asset capacity search tool http://www.scottishwater.co.uk/business/Connections/Connecting-your-property/Asset-Capacity-Search)?	Water	Yes
	Waste water	Yes
Has contact been made with Scottish Water?	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. 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. 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.	
Will your SUDS scheme include rain gardens? http://www.centalscotlandgreennetwork.org/campaigns/greener-gardens	To be confirmed at detailed design stage.	

b. Education – housing proposals only	
Education capacity/constraints https://www.aberdeenshire.gov.uk/schools/parents-carers/school-info/school-roll-forecasts/	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
c. Transport	
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 transportation.consultation@aberdeenshire.gov.uk	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.
d. Gas/Electricity/Heat/Broadband	
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 area and this is not considered to be an impediment to development, given the residential development located to the south.

Appendix I – Development Bid (Phase I)

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.
e. Public open space	
Will the site provide the opportunity to enhance the green network? (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 Aberdeenshire Parks and Open Spaces Strategy? https://www.aberdeenshire.gov.uk/media/6077/approvedpandospacesstrategy.pdf	Yes, the development will provide open space in line with Aberdeenshire LDP standards.
Will the site deliver any of the shortfalls identified in the Open Space Audit for specific settlements? https://www.aberdeenshire.gov.uk/communities-and-events/parks-and-open-spaces/open-space-strategy-audit/	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.
f. Resource use	
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 https://www.aberdeenshire.gov.uk/media/20555/appendix-3-boundaries-of-the-greenbelt.pdf	No
Carbon-rich soils and peatland http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/soils-and-development/cpp/	No
Coastal Zone https://www.aberdeenshire.gov.uk/media/20176/4-the-coastal-zone.pdf	No

Appendix I – Development Bid (Phase I)

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 https://www.aberdeenshire.gov.uk/planning/plans-and-policies/planning-advice/ and advice at http://www.hse.gov.uk/landuseplanning/developers.htm)	No
Minerals – safeguarded or area of search https://www.aberdeenshire.gov.uk/ldpmedia/6_Area_of_search_and_safeguard_for_minerals.pdf	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. http://map.environment.gov.scot/Soil_maps/?layer=6	No
'Protected' open space in the LDP (i.e. P sites) www.aberdeenshire.gov.uk/ldp 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 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.
--	--

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 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. This bid site covers that southern part of the site.

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.

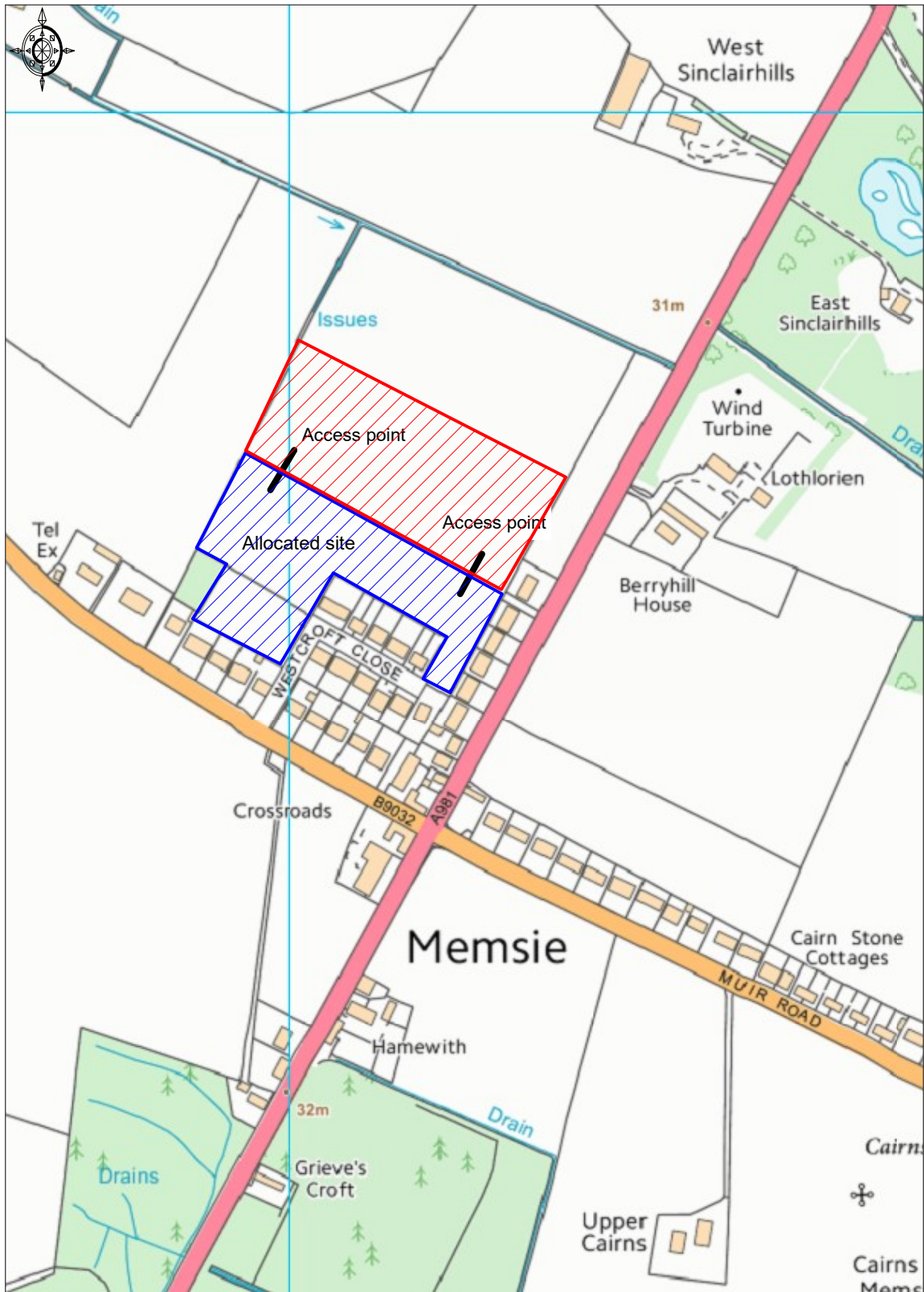
19. Other information

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 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. 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.

Name	██████████
Organisation (optional)	Ryden LLP
On behalf of (if relevant)	JNF Developments
Address	██████████ ██████████████████ ██████████
Postcode	██████████
Telephone (optional)	██████████
E-mail (optional)	██████████████████████████████



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 BB003 – Land to the North of Memsie (Phase 1) – 20 homes

On behalf of JNF Developments, support is given to the identification of bid site BB003 as an Officers' preference for the provision of 20 homes in the Main Issues Report and subsequently as OP2 in the Draft Proposed Local Development Plan (DPLDP). However, objection is made to the density of development and the failure of Aberdeenshire Council to identify site BB002 for 40 homes. This representation should therefore be read in conjunction with the objection to the site BB002.

Objection is also made to the provision of strategic landscaping identified as P2 in the DPLDP and this should be identified to the north of the BB002 site instead.

The MIR raises a number of issues which are addressed turn below.

“The proposed site would be a logical extension of the settlement given that the site has potential to connect to the communal drainage system located on this site”

This treatment works was originally provided (by the bid developer) as part of the former H1 site which has now been developed in order to resolve the sewage problems affecting the settlement. Aberdeenshire Council have stated that it is unclear if Scottish Water will adopt it, however, SEPA expects proposals to connect to this drainage system. It is understood that there is capacity for this bid site and additional housing in Memsie to connect to it.

It should however, be noted, that no other site in the village has the ability to connect to the communal drainage system and the delivery of other sites in Memsie, which meet the requirements of SEPA, are questioned. It is therefore argued that the BB003 site should be increased to include the BB002 site and the capacity increased to 40 units given the proximity of these sites to the works and their ability to connect to the communal drainage system. This would make efficient use of this infrastructure and investment made by the bid proposer.

Further to this, it is understood that Scottish Water would initiate a growth project if demand exceeded capacity, therefore, there would be no impediment to increasing the site to include the BB002 allocation and allow the provision of 40 units on the site.

“Despite the lack of services in the village and the unsustainable location that will encourage car dependency and a school capacity issue, it is logical to include this site as a new allocation. It is expected that Rathen Primary School would be able to accommodate a small increase in pupil numbers over a period of years”

There are bus stops located within 400m of the bid site, therefore opportunities exist 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 proximity of public transport routes.

Aberdeenshire Council confirm that Rathen Primary School would be able to accommodate a small increase in pupil numbers over a period of years and developer obligations would be agreed in due course if the school exceeded capacity.

However, the OP1 site in Memsie continues to be identified for 15 units. This site is contained within the 2018 Housing Land Audit as a constrained site due to ownership and marketability issues. These are two issues that would need to be overcome to allow the delivery of this site and it is uncertain if this could happen.

Scottish Planning Policy at paragraph 110 states that the planning system should **“have a sharp focus on the delivery of allocated sites”**.

It is therefore argued that the OP1 site should be removed from the Proposed Local Development Plan with the boundaries of the BB003 site amended to include the BB002 site, with capacity increased to 40 units. These bid sites are controlled by the same developer, who has demonstrated marketability through the development of the former H1 site to the south. The increased capacity would ensure that housing is delivered in this area, rather than relying on a long term constrained site. The school would have capacity as it is understood that the OP1 site has already been considered in the school roll forecasts.

“It is also proposed that it should be mandatory for all new homes delivered through this site to be connected to the communal treatment works”

The developer is happy for new homes on this site to connect to the communal treatment works that they implemented on their land to the south. This is also possible as the developer controls all of the land to allow this to happen and ensures the efficient use of this infrastructure and investment.

However, the developer does not accept that other developments are given priority prior to their proposal, for example, the constrained OP1 and bid site BB009. 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”**.

This text demonstrates that there are no guarantees that these sites would be able to cross the land to connect to the drainage system. It should also be noted that there is no possibility of site OP1 of connecting to the drainage system due to ground levels. As such, the BB003 site should be increased to include the BB002 site as they are the only sites that can connect to the communal drainage system and would therefore satisfy the requirements of SEPA which seeks to avoid further private septic tanks in Memsie.

Conclusion

While the identification of the BB003 bid site for 20 units in the MIR and DPLDP is welcomed, it is considered that there is scope for the site to be extended and the housing numbers to be increased. The constrained OP1 site in Memsie should be removed due to ownership and marketability constraints and the BB003 site increased to include the BB002 site to the north. This would ensure the delivery of sufficient housing in the area, by a developer who is willing and capable of construction in early course.

These sites are under the control of the same developer that developed the H1 site to the south and would ensure that housing can connect to the communal drainage system adjacent. This would also make efficient use of that infrastructure and investment, which is not guaranteed on the OP1 or BB009 sites.

There would be sufficient school capacity, considering the OP1 site has never been developed and Aberdeenshire Council acknowledge that Rathen Primary could take an increase in pupils. Developer obligations would be agreed to ensure any increase in pupils is adequately mitigated if required.

Therefore, it is respectfully requested that the OP1 site is removed from the Local Development Plan; site BB003 site is enlarged to include the BB002 site to the north; capacity increased to 40 units and the strategic landscaping is moved to the north of the BB002 site.