

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:	Professor
First Name:	Charlie
Second Name	Weir
Date:	12/07/20
Postal Address:	[REDACTED]
Postcode:	[REDACTED]
Telephone Number:	[REDACTED]
Email:	[REDACTED]

Are you happy to receive future correspondence only by email? Yes No

Are you responding on behalf of another person? Yes No

If yes who are you representing?

Tick the box if you would like to subscribe to the Aberdeenshire LDP eNewsletter:

An acknowledgement will be sent to this address soon after the close of consultation.

YOUR COMMENTS

Please provide us with your comments below. We will summarise comments and in our analysis will consider every point that is made. Once we have done this we will write back to you with Aberdeenshire Council's views on the submissions made. We will publish your name as the author of the comment, but will not make your address public.

Modification that you wish to see (please make specific reference to the section of the Proposed Plan you wish to see modified if possible, for example Section 9, paragraph E1.1):

Appendix 7c Settlement Statements Formartine, page 459, map of Newburgh
As it stands, there are a couple of unclear comments in the text that refer to a possible distributor road. This distributor road is on a map, page 459, and is labelled the Indicative North Distributor Road.
The purpose of the road is not clear and its route is problematic. I would like to submit that the road should not be built and that the current indicative route is not in the interests of the community. In addition, it creates a number of serious safety problems. A comment on page 458 mentions through traffic but it is not clear whether this refers to traffic generated by the new development or to traffic approaching Newburgh from the Fontainebleau roundabout or from the Cruden Bay direction. The comments below refer primarily to the new development but reference is also made to traffic coming from outside Newburgh.

Reason for change:

As presented, the indicative route joins at the end of Knockhall Road and then follows the current road down to the A975. The road creates a number of issues that are presented below. These relate to safety at the junction, the road's safety, its apparent purpose, the loss of an important community amenity, the transparency of consultation and the process that led to the proposed route.

The first issue relates to safety given that the junction is problematic and dangerous. There are a number of specific points that are relevant to the safety issue. First, the proposed junction is near the end of a straight stretch of road going north beyond the village. Traffic speeds up on this straight stretch of road after leaving the village as it approaches Waterside Bridge. Second, traffic coming the other way, across the bridge towards the village on the A975, also travels quickly. This is exacerbated by the fact that the proposed new junction is near the end of a long, but sharp, left-hand bend close to where traffic leaves the bridge. The proposed junction therefore gives drivers little time in which to slow down as they approach the right turn at the new junction. The proposed junction therefore creates a number of potentially dangerous situations. One, it means that drivers will be joining the A975 at a point where traffic is travelling quickly in both directions. The junction therefore presents a serious safety problem for drivers wishing to join, or leave, the A975 at the new road. Drivers leaving the A975 onto the new road will be turning right across fast moving traffic leaving the village. Two, waiting for oncoming traffic to pass the junction before being able to turn right at the proposed new road junction will create potential problems for traffic coming round the bend after crossing Waterside Bridge, particularly as this is a fast corner. Three, even simply slowing down to turn right at the junction is likely to create dangers for traffic coming across the bridge. Any increase in traffic will increase the likelihood of accidents. Third, traffic leaving the A975 and joining the proposed road will be faced with a noticeable incline at the start of the proposed road. This will lead to drivers accelerating quickly, firstly to go passed the junction and secondly, to deal with the slope. Traffic will therefore be travelling very quickly as it passes the three houses situated at the junction. This will increase problems relating to accessing these properties and to the general safety surrounding them. The proposed route will therefore create serious safety problems for traffic approaching, and using, the junction as well as problems relating to accessing the relevant properties.

Developing the last point above, the second issue is also safety-related but applies to the three properties at the junction with the A975 and ways in which they will be directly affected by the proposed road. As presented in the map, the new road will follow the current road and it will pass very close to three properties that are situated near the proposed junction with the A975. These properties are already in very close proximity to the existing road, and it is neither clear where the new road will be, nor it is clear the number of lanes the proposed road will have. Entering and leaving these properties, particularly when there will be potentially fast-moving traffic in both directions, is likely to be dangerous. As explained above, traffic joining the proposed road at the A975 junction will be accelerating rapidly up the hill. In addition, traffic approaching the A975 along the proposed route will be travelling quickly down the long straight hill that leads to the junction. The speed of traffic therefore poses serious questions about safety at and near the junction. There is a further problem related to accessibility. All three properties have limited visibility when leaving and joining the current road. In addition, for two of the properties, it is necessary to either reverse into the property or reverse out of the property. If the indicative road is built, this will create serious safety issues. There will also be a significant increase in noise given the proximity of the houses to the road. Therefore, there are important negative and potentially dangerous consequences arising from the proposed route.

The third issue refers to the road's purpose, something that is not clearly set out in the document but appears to be linked to the extent to which traffic, produced by the new development, may be taken away from the village. Traffic from the new development wishing to go north towards Peterhead and Fraserburgh or other northern destinations is likely to use the more direct A90 rather than the less straightforward and slower A975. The A975 route is also less attractive because traffic will have to slow down through Cruden Bay and then cross the A90 to travel north. At busy times, this is difficult whereas easy access to the A90 can be gained at the Fontainebleau roundabout. Traffic from the new development going south to Aberdeen or to the AWPR will either go via the Fontainebleau roundabout, passed Foveran and then on to the A90 or it will turn right at the T junction by the church in the village and then up the A975 towards the A90. The latter is more straightforward than using the Fontainebleau roundabout because there is no direct access to the A90 at that point. The proposed indicative road is therefore unlikely to have an impact on the traffic flow through the village. This is because traffic going south to Aberdeen or north to Peterhead/Fraserburgh will use the A90. There is therefore no reason for traffic from the new development to use the proposed indicative route towards the A975 and consequently it will not fulfil its stated objective of stopping traffic going through the village.

If the 'through traffic' comments in the text refer to traffic generated beyond Newburgh, there appears to be little reason for traffic from outside Newburgh to use the indicative road. Traffic wishing to go north of Newburgh and travelling from the B9000 to the A975 is likely to be coming from the Pitmedden direction and be going to the Collieston or Cruden Bay areas. However, the A90 is a more convenient route to take, particularly to Cruden Bay, given that traffic can join the A90 at the Fontainebleau roundabout. Equally, traffic going south from Cruden Bay is more likely to use the A90 and the Fontainebleau roundabout if they are going towards Pitmedden or to remain on the A90 if continuing towards Aberdeen. In neither case is there a reason for traffic from beyond Newburgh to use the indicative route.

The fourth issue refers to the loss of an important community amenity. The route along Knockhall Road, right at the crossroads (where the distributor road joins), down to the A975 and back along the estuary is an important, and frequently used, community amenity. There is substantial evidence, both on social media and orally, that supports this view. The route is an extremely popular walk for individuals, friends and families, particularly those with young children. It provides a range of undulating walking and cycling surfaces. In addition, it provides an excellent source of educational material in terms of trees, shrubs, flowers and wildlife including butterflies and bees amongst many others. It has become even more popular recently and therefore plays an important part in the physical, and mental, wellbeing of the community in addition to the educational advantages of interacting with so much wildlife.

As proposed, the indicative route will cause the walk to be lost, as will its advantages. The countryside is an important social amenity and anything that encourages such activities is to be welcomed. Equally, anything that prevents, or discourages, the use of the countryside should be treated with caution and concern. The loss of a road that has provided pleasure, and no little education, over the generations is a serious matter and a significant loss of amenity. In addition, the road appears to require telegraph poles to be moved and a stream to be closed. Given that the case for the road has not been given in any detail, that its rationale and proposed advantages have not been clearly set out and that its status is only indicative, the loss of amenity should be regarded as paramount.

The fifth issue refers to information about proposed changes. There has been no attempt to contact the property owners of the houses at the junction. Although the proposed road is indicative, the community council appears to have agreed to the route as part of its settled view of the proposal. This lack of contact is something that should be addressed. It surely should be a matter of course that those affected by a planning proposal should be informed, even if the matter is, initially, indicative. Linked that, it appears that if representations are not made, it is likely the indicative nature of the proposed road will become accepted simply because no issues had been raised. Contact may be made with the homeowners at a later stage but by then the plan will be, essentially, set in stone and any issues therefore much more difficult to raise. It should therefore be policy that any indicative proposal affecting property/homeowners should automatically result in contact being made with the relevant persons. This would allow for issues to be raised at an earlier stage.

The sixth issue relates to the actual indicative route. As presented, it is an indicative route but there is nothing in any of the documentation that explains why this specific route has been chosen. If it is indicative, what other routes were discussed and why are they not included on the plan? What advantages, if any, does the proposed route have over the alternatives? It is important that the way in which the decision was taken should be transparent, particularly given the issues raised above.

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.

