

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.

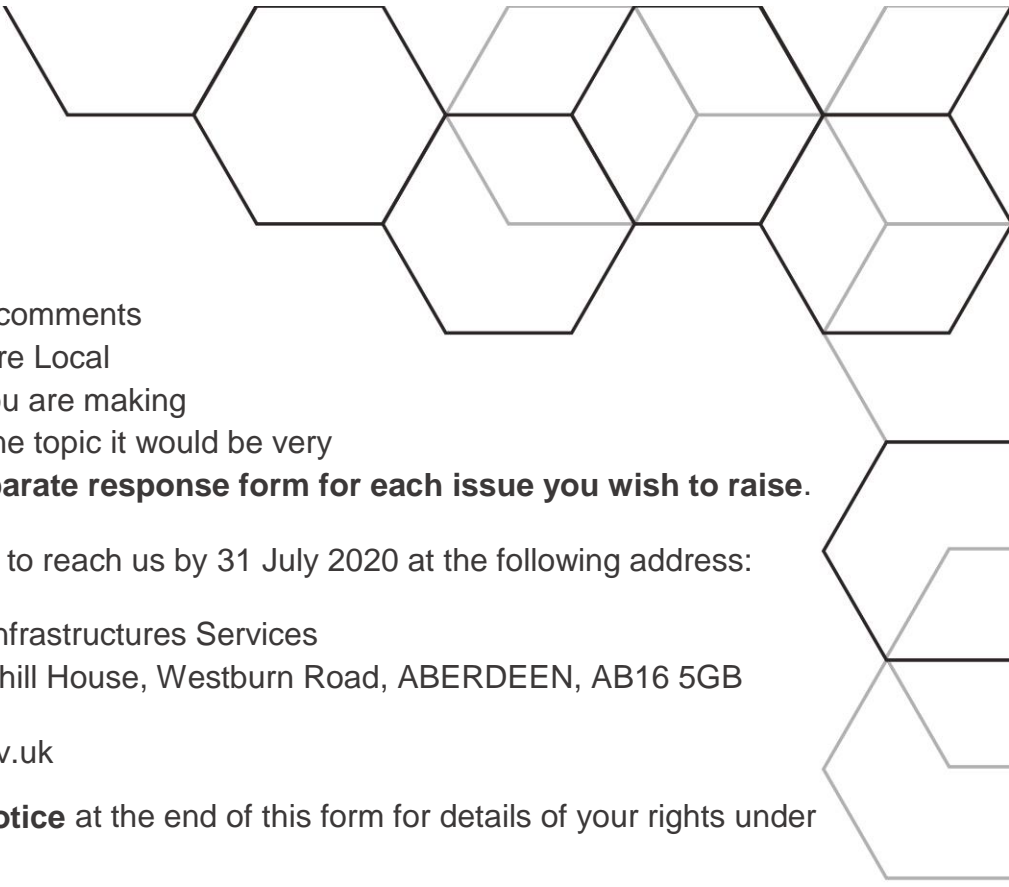
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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:	Mr
First Name:	John
Surname:	Handley
Date:	23 July 2020
Postal Address:	John Handley Associates Ltd, [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):

Belhelvie Housing Site OP3; page 403 of Appendix 7c Settlement Statements Formartine

On behalf of our client, Scotia Homes Ltd, we support the allocation of housing site OP3 at Belhelvie for the development of 49 homes in the published version of the Proposed LDP.

However, and as requested in our submissions at the call for sites and MIR stages, we would also suggest that it would be more accurate to describe our client's site (i.e. site OP3) as "*Land at Cairntack (East)*" rather than "*Land to the East of Cairn View*". The description of the OP2 site should be changed accordingly. We trust this minor amendment can be accommodated and the reasons for this minor change are discussed below.

In addition to the change to the site's description, we would also request that the Belhelvie-wide requirement for strategic transportation which is set out on page 401 is amended. At present, this advises: "*Contributions will be required for cumulative strategic transportation improvements including interventions on the A90 and in Aberdeen City*". To ensure that any such requirements are directly linked in scale and kind to the proposed development, we would request that this is amended to state: "*Contributions ~~will~~ may be required for cumulative strategic transportation improvements including interventions on the A90 and in Aberdeen City, if this is directly related to the scale of development being proposed and has been confirmed by way of a transport assessment of the proposed development*". This change is also discussed below.

Reason for change:

Introduction & Background

This representation has been prepared by John Handley Associates Ltd, Chartered Town Planning Consultants. It is submitted on behalf of Scotia Homes Ltd, one of the leading house builders in the north east of Scotland with significant land and property interests throughout the Aberdeenshire LDP Area, including at Belhelvie.

On behalf of Scotia Homes, we welcome this opportunity for further engagement in the replacement LDP process and wish to provide the following comments on the published version of the Proposed Plan. This submission follows on from our submissions made on behalf of Scotia Homes at the earlier "Call for Sites" consultation in March 2018 and the MIR consultation in April 2019.

This submission is restricted to matters relating to our client's current land interests in the Belhelvie area, and in particular their on-going promotion of Development Bid Site FR024 which was identified in the MIR and the Draft Proposed Plan as a site with potential for development and an Officers' preferred site for the development of 49 homes.

Support for Proposed Allocation of Site

Scotia Homes welcomed and supported the Council's position on Bid Site FR024 as set out in the MIR and the accompanying site assessment appendix. We are therefore pleased to see that the Council has confirmed the development potential of this site, and in particular, that the Council is now allocating this site for residential development in the published version of the Proposed Plan as Belhelvie Housing Site OP3 as set out on page 403 of Appendix 7c Settlement Statements Formartine.

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The allocation of this site for the development of 49 homes is fully supported by Scotia Homes and on their behalf we would request that the Council maintains this position throughout the LDP Examination process which would see the site allocated for housing in the Adopted LDP.

Suggested Change to Site's title

However, and as noted above, we would also suggest that it may be more appropriate to swap the names given to the two newly allocated sites in Belhelvie as it would be more accurate to describe our client's site as "*Land at Cairntack (East)*" rather than "*Land to the East of Cairn View*" which we would suggest is more appropriate for the OP2 (Bid FR131) site which is located to the east of Cairn View.

Furthermore, in our Development Bid submission we described our client's site as "*Land at Cairntack (East)*" and this was also the description for this site when it was considered as part of the preparation of the 2016 LDP.

For consistency and clarity, and to avoid any confusion, we would therefore suggest that the name of our client's, OP3, should be changed to: "*Land at Cairntack (East)*", and the name of the OP2 site should be changed to "*Land to the East of Cairn View*". We trust this minor amendment can be accommodated, and would suggest that this could be progressed a non-notifiable modification.

Effective Housing Site

In terms of the potential for the development of our client's site (Bid FR024/OP3) we can confirm that the site extends to 1.88 ha and has the ability to accommodate the 49 units set out in the Proposed LDP.

As noted in our Development Bid submission, the site is controlled by experienced housebuilders with a track record of delivering this scale and nature of development throughout Aberdeenshire and the site can be developed within the next LDP plan period. The site is therefore an effective and viable development site and funding is in place to develop the site following allocation in the LDP and once the necessary planning permissions have been granted.

As referenced in the draft version of the Proposed Plan, this site is a logical and natural expansion of the existing settlement and would represent infill development between the established housing to the west and the Cairntack Farm steading to the east. As such, it would provide an opportunity to consolidate and "round-off" the settlement in this location.

The development of our client's site would connect with the existing housing to the west and the proposed new housing to the north and could provide 49 housing units, along with new open space and landscaping, including the creation of a robust settlement edge to the south.

The siting and design of the new housing would take account of its setting, the surrounding landscape, and the established housing to the west. The aim would be to create a development in keeping with the scale and character of the existing settlement, whilst ensuring that the new development has a distinct character and identity, promoting a well-integrated, and well-designed mix of new housing of different types and tenures. In doing so, the new development would result in the creation of a sustainable and high quality development, which would complement and complete the established housing development in this area and provide a more robust, landscaped edge to the south of Belhelvie.

We can also confirm that the site benefits from its generally south facing aspect and relatively level topography; and as a result of the site's current and historic agricultural use, it has no known contamination issues or ground stability concerns.

The site also has a range of available access points, and can be accessed from the existing access to Cairntack Farm with the farm track improved between the site and it's junction with Cairntack Road. The site's location and relationship to existing housing development provides opportunities for good connections to the existing settlement both vehicular and non-vehicular. The site is located within a convenient walk of existing bus services providing an opportunity for future residents to access employment opportunities in the Energitica Corridor and in Dyce and Aberdeen using local bus services as an alternative to the private car. The new development can therefore be integrated with public transport and active travel networks, such as footpaths and cycle routes. The new streets within the development would also connect well with existing streets and with walking and cycling networks, and allow for links into other areas of planned development to ensure greater permeability.

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A safe and convenient access can therefore be provided to the site, and all access arrangements would be provided in line with the Council's relevant guidelines. There are therefore no constraints to the delivery of the development from a transport and accessibility perspective.

Despite the greenfield nature of this site, there are no nature conservation constraints to its development. The site has limited ecological value, and there are no European, regional or local nature conservation sites in close proximity of the site, and no nature conservation sites will be affected by the proposed development. In contrast, the proposed development of the site would provide an opportunity to enhance and improve the ecological and biodiversity value of the area through appropriate planting, landscaping, SUDs and open space provision.

A small area to the north of the site has been identified as being located within an area at risk of surface water flooding. However, this can be addressed by way of drainage improvements to the site, including the provision of SUDs as an integral part of the new development. The introduction of drainage improvements as part of the new development would also help to address existing surface water flooding in the local area.

All services and infrastructure, including school capacity, are in place or have the capacity to be upgraded, where necessary, to serve the proposed development. This includes education provision and we can confirm that our client is agreeable to making any required level of contributions towards additional primary school capacity in the catchment area if this is required.

Similarly, our client is aware of current capacity issues at Balmedie Waste Water Treatment Works, but this is capable of resolution and our client is reviewing this matter with Scottish Water to allow further network investigation to be progressed which will ensure that any required drainage improvements are programmed in line with the site's development.

Any education and drainage capacity issues can therefore be addressed in the local area, and as a consequence, there are no physical, land use, flooding, ground stability, contamination, infrastructure or servicing constraints that would prevent the successful development of this site. It is therefore an effective and viable site capable of delivering new homes in the new plan period.

Suggested Change to Strategic Transportation Requirement

As noted above, we would also request that the Belhelvie-wide requirement for possible strategic transportation improvements which is set out on page 401 of Appendix 7c is reconsidered. At present, this advises that contributions will be required for cumulative improvements including interventions on the A90 and in Aberdeen City.

However, any transportation improvements sought at Belhelvie must be directly linked in scale and kind to the proposed development. On this basis, we would therefore request that this requirement is amended to explain that strategic transportation improvements will only be required if this has been confirmed by way of a transport assessment and is directly related to the development being proposed.

Summary

In summary, the allocation of our client's site at Belhelvie in the published version of the Proposed Plan is welcomed and supported. This will result in the creation of a sustainable and high quality development which would be seen as a logical extension of the current village. This will complement established housing development in this area and provide opportunities for open space and landscaping improvements associated with the new development. This would also provide additional public benefits and accord with the planning objectives for Belhelvie by meeting local housing needs.

For the reasons set out above, we therefore support the Council's allocation of Bid Site FR024 as a new housing site in the Proposed Plan. We are pleased that the Council has continued to acknowledge the development potential of this site, and fully support the Council's allocation of this site as Proposal OP3 for the development of 49 homes in the replacement LDP.

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However, and as noted above, we would also request the following minor modifications:

1. Swap the title of Sites OP2 and OP3 on page 403, so that Site OP2 is described as *“Land to the East of Cairn View”* and our client’s site, OP3 is described as *“Land at Cairntack (East)”*.
2. Change the wording for the Belhelvie-wide requirement for strategic transportation (as set out on page 401) to state that: *“Contributions may be required for cumulative strategic transportation improvements including interventions on the A90 and in Aberdeen City, if this is directly related to the scale of development being proposed and has been confirmed by way of a transport assessment of the proposed development”*.

We trust these comments and suggested minor changes will be of interest and assistance, and can be accommodated as non-notifiable modifications.

We would be grateful if you could confirm safe receipt of this submission and keep us informed of progress on the replacement LDP.

JOHN HANDLEY ASSOCIATES LTD

[Redacted signature block]

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:

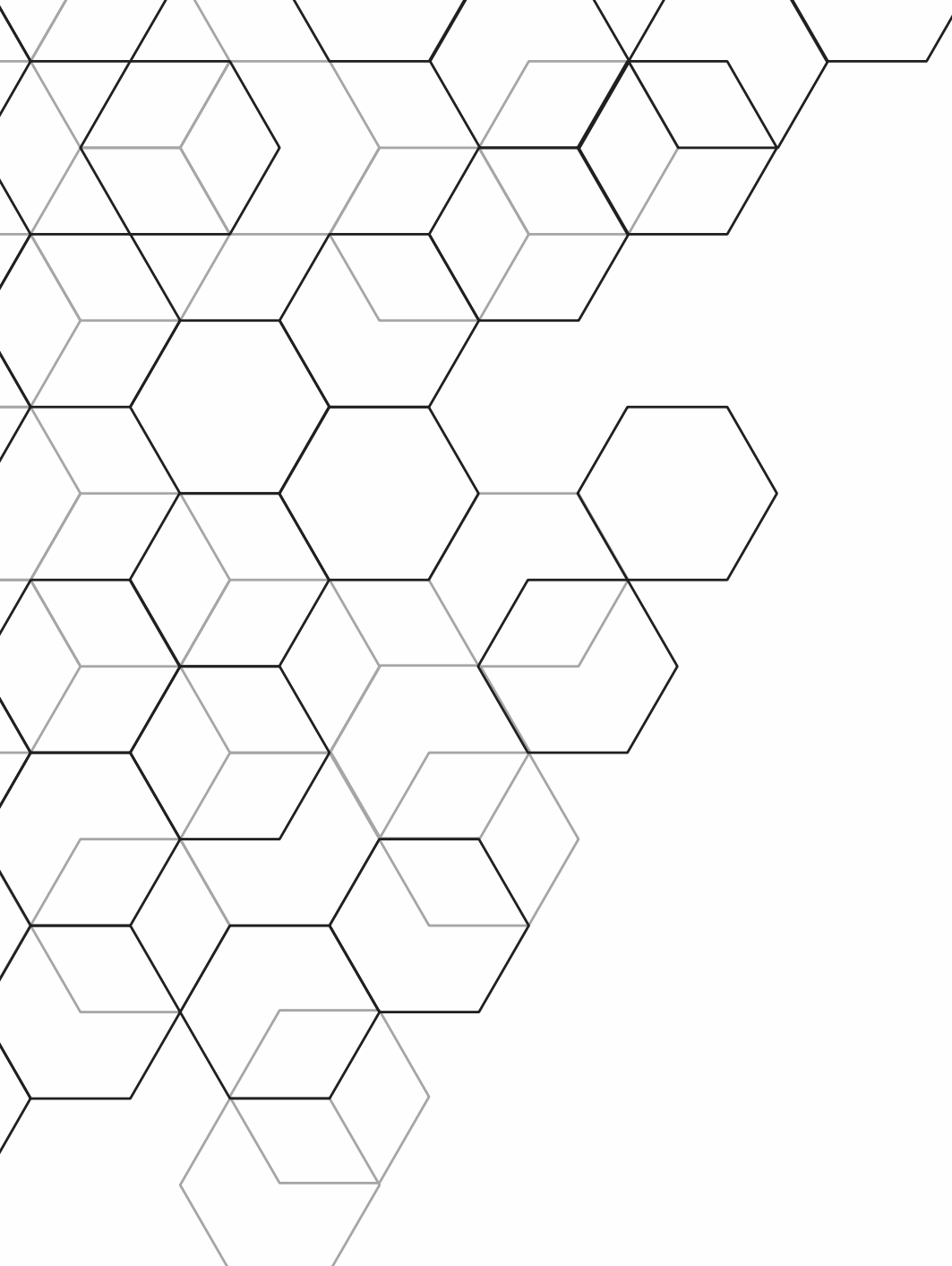
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue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



Our ref: Bid No. FR024
Your ref

John Handley
John Handley Associates Ltd



Planning and Environment
Service
Woodhill House
Westburn Road, Aberdeen
AB16 5GB
Tel 01467 536230

www.aberdeenshire.gov.uk

Please ask for the Planning Policy Team
Direct dial 01467 536230
Email ldp@aberdeenshire.gov.uk

22 May 2020

Dear Sir/Madam,

Bid Reference: FR024
Site Address: Land to East of Cairn View, Belhelvie
Amendment made to bid as submitted

I refer to your bid submitted in response to Aberdeenshire Council's Call for Sites between January and March 2018.

You may recall that this bid site was identified as a 'preferred option' in the Main Issues Report (MIR) 2019. Following consideration of responses received on the MIR we presented a Proposed Aberdeenshire Local Development Plan (LDP) 2020 at the meeting of Full Council on 05 March 2020. The content of the Proposed LDP was agreed at that meeting and is now considered to be 'the settled view of the Council' on what land should be brought forward for development during the period to 2021 to 2031. It also contains policies against which planning applications will be assessed.

The Proposed LDP will be formally published online on 25 May 2020 for a consultation period of 8 weeks, ending on 17 July 2020. A copy of the Proposed LDP will be available to view at: <https://www.aberdeenshire.gov.uk/planning/plans-and-policies/ldp-2021/>.

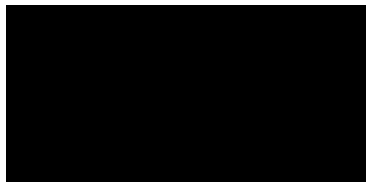
Scottish Planning Policy (paragraph 2) advises us to make effective use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources. Consequently, we have amended bid FR024 allocating it for **49 homes**, with a site area of approximately **4.67 hectares**. Housing capacities of sites are proposed as indicative numbers under Policy H1 Housing Land. This policy seeks to maintain flexibility in the numbers that may be appropriate (higher or lower) at the planning application stage. Your site is identified as an opportunity site (OP3) within the Belhelvie Settlement Statement.

Should you disagree with the proposed allocation you will have an opportunity to make representation during the consultation period as noted above. Any unresolved matters arising

from the consultation will be considered in due course by an independent Reporter appointed by Scottish Ministers to Examine the Proposed LDP.

Please do not hesitate to contact the Policy Team if you have any queries.

Yours faithfully,



Head of Planning and Environment Service