

# PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020 RESPONSE FORM

As part of the production of the Local Development Plan, a 'Main Issues Report' was published in January 2019. The responses from these consultations have helped to inform the content of the Proposed Local Development Plan ("the Proposed Plan").

The Aberdeenshire Local Development Plan will direct decision-making on land-use planning issues and planning applications in Aberdeenshire for the 10-year period from 2021 to 2031. The Proposed Plan was agreed by Aberdeenshire Council in March 2020 as the settled view of the Council. However, the Proposed Plan will be subjected to an independent examination and is now open for public comment.

**This is your opportunity to tell us if anything should be changed in the Proposed Plan, and why.**

When writing a response to the Proposed Plan it is important to specifically state the modification(s) that you would wish to see to the Plan.

This is the only remaining opportunity to comment on the Proposed Plan. The reasons for any requested changes will be analysed and reported to Scottish Ministers. They will then appoint a person known as a Reporter to conduct a public examination of the Proposed Plan, focusing particularly on any unresolved issues and the changes sought.

Ministers expect representations (or responses) to be concise (no more than 2000 words) and accompanied by limited supporting documents. It is important to ensure that all of the information that you wish to be considered is submitted during this consultation period as there is no further opportunity to provide information, unless specifically asked.

Please email comments to [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk) or send this form to reach us by 31 July 2020\*.

We recommend that you keep a copy of your representation for your own records.

*\*UPDATE 16 June 2020: Consultation period was extended from 17 July 2020 for a further two-week period.*



## ACCESSIBILITY

If you need information from this document in an alternative language or in a Large Print, Easy Read, Braille or BSL, please telephone 01467 536230.

Jeigu pageidaujate šio dokumento kita kalba arba atspausdinto stambiu šriftu, supaprastinta kalba, parašyta Brailio raštu arba britų gestų kalba, prašome skambinti 01467 536230.

Dacă aveți nevoie de informații din acest document într-o altă limbă sau într-un format cu scrisul mare, ușor de citit, tipar pentru nevăzători sau în limbajul semnelor, vă rugăm să telefonați la 01467 536230.

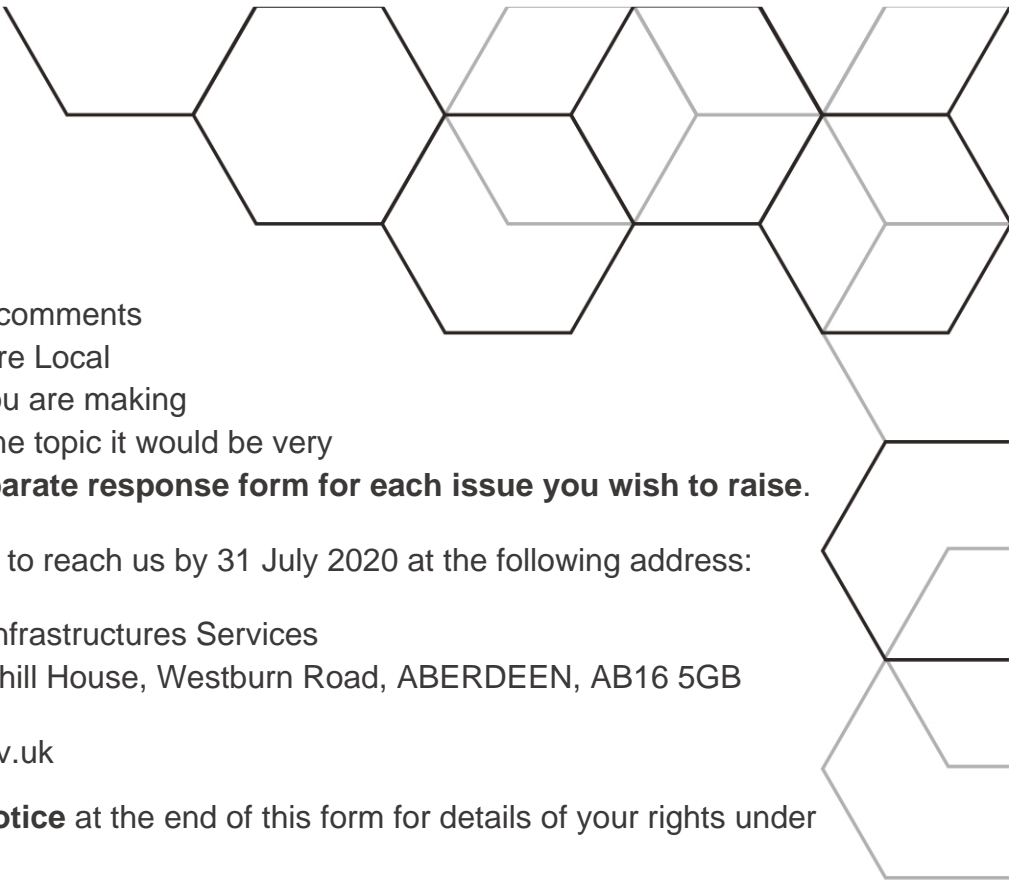
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

Ja jums nepieciešama šai dokumentā sniegtā informācija kādā citā valodā vai lielā drukā, viegli lasāmā tekstā, Braila rakstā vai BSL (britu zīmju valodā), lūdzu, zvaniet uz 01467 536230.

Aberdeenshire Local Development Plan  
Woodhill House, Westburn Road, Aberdeen, AB16 5GB

Tel: 01467 536230  
Email: [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk)  
Web: [www.aberdeenshire.gov.uk/ldp](http://www.aberdeenshire.gov.uk/ldp)  
Follow us on Twitter @ShireLDP

If you wish to contact one of the area planning offices, please call 01467 534333 and ask for the relevant planning office or email [planning@aberdeenshire.gov.uk](mailto:planning@aberdeenshire.gov.uk).



Please use this form to make comments on the Proposed Aberdeenshire Local Development Plan 2020. If you are making comments about more than one topic it would be very helpful if you could fill in a **separate response form for each issue you wish to raise**.

Please email or send the form to reach us by 31 July 2020 at the following address:

Post: Planning Policy Team, Infrastructures Services  
Aberdeenshire Council, Woodhill House, Westburn Road, ABERDEEN, AB16 5GB

Email: [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk)

Please refer to our **Privacy Notice** at the end of this form for details of your rights under the Data Protection Act.

## YOUR DETAILS

Title:	Mr
First Name:	Bryan
Surname:	McNay
Date:	26 <sup>th</sup> July 2020
Postal Address:	[REDACTED]
Postcode:	[REDACTED]
Telephone Number:	[REDACTED]
Email:	[REDACTED]

Are you happy to receive future correspondence only by email? Yes.

Are you responding on behalf of another person? 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):

Proposed LDP 2021. Site OP3 Inchmarlo, Banchory. These designated areas should not be included on the 2021 LDP.

## Reason for change:

Context: The proposed areas were not originally part of the current LDP, for very good reason. Nevertheless, in 2011 planners were persuaded to waive the original recommendations for the LDP by the compelling and high profile marketing exercise submitted by various developers. The developers originally submitted plans for an enabling house development project for the areas within OP3, driven by an ambitious economic/tourism development case centred around the 18 hole Inchmarlo Golf course that was promoted then as a potential world class destination.

Approval was granted to developers in 2011, recognising that the plans were outwith the LDP at that time. Approval was given with strong recommendations, including a s75 condition for the construction of the proposed hotel which remains in place. (Marr Area Committee Report, 1<sup>st</sup> November 2011. Ref. No: M/APP/2011/2402).

The closure of the Championship Golf Course at Inchmarlo and the removal of the proposals for a cookery school, sundry business units and leisure facilities in addition to a hotel from the developers' outline plans, clearly demonstrates that OP3 is not the 'destination' economic/tourism project that might have once justified the building of any enabling housing.

The original development plan, based on the speculative economic tourism case is in tatters and the new developers have a focus which is now, plainly, on housing. The gradual demise of the oil and gas industry has noticeable and irreversibly shifted the local economic landscape. The developers have never been able to provide an economic case for the building of a new hotel, with or without the golf course. Planners might remind themselves of the original promises made, and not fulfilled, by the original developers. They might also reflect how local concerns have now been realised.

Key points to support my objection to the inclusion of Site OP3, Inchmarlo in the 2021 LDP include:

There is an opportunity to reverse a decision taken in 2011. The decision was taken then by the planning authorities based on a compelling case presented by the developers.

Since then, this case has evaporated and the developer's revised aims have been exposed. Areas designated as OP3 do not represent new development opportunities for the market. The land is owned by developers and plans for building extensive housing have existed in a variety of forms for over a decade.

The arguments made by developers and their supporters that resulted in planners revising the LDP in 2011, have largely evaporated. Lack of any progress by the developers since 2011 should raise concerns, and confirm that this is not a destination project – the championship golf course has gone, the hotel is now unlikely to be commercially viable. The development consortium appears to have been reconfigured allowing clear separation between the building of the hotel (and the conditions associated with the existing S75 clause) and the housing. The plan to just build houses with no additional facilities is clear to see.

The west side of Banchory lacks the necessary infrastructure to enable a viable, environmentally sensitive and additional housing development.

The development of the east side of Banchory has already permanently transformed the nature of the town. The west side should be preserved as an amenity and not be presented as an opportunity for housing developers to replicate the Hill of Banchory.

Residents have, since 2011, already lived with the threat of future high volume housing plans and the impact on the existing housing stock prices must be significant.

The original concerns regarding the lack of infrastructure appropriate for a major housing development, on the west side of Banchory, remain. If houses are built, for the potential residents needing a pint of milk, a cup of coffee or a daily newspaper will necessitate a car journey.

The number of additional car journeys into and through Banchory that will be created if a future housing development is permitted to proceed, cannot be reconciled with any 'green' based strategic thinking.

For residents, the fear of high volumes of traffic on manifestly ill-suited roads is a real one.

There is no longer a valid economic/tourism case for developing the west side of Banchory. Housing developments themselves do not offer long term employment opportunities for the local community.

# PRIVACY NOTICE

## LOCAL DEVELOPMENT PLAN PUBLIC COMMENT

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: [dataprotection@aberdeenshire.gov.uk](mailto:dataprotection@aberdeenshire.gov.uk)

Your information is being collected to use for the following purposes:

- To provide public comment on the Aberdeenshire Local Development Plan. The data on the form will be used to inform Scottish Ministers and individual(s) appointed to examine the Proposed Local Development Plan 2020. It will inform the content of the Aberdeenshire Local Development Plan 2021.

### Your information is:

Being collected by Aberdeenshire Council	X
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### The Legal Basis for collecting the information is:

Personal Data	
Legal Obligations	X

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

It is a Statutory Obligation under Section 18 of the Town and Country (Scotland) Act 1997, as amended, for Aberdeenshire Council to prepare and publish a Proposed Local Development plan on which representations must be made to the planning authority within a prescribed period of time. Failure to provide details requested in the 'Your Details' section of this form will result in Aberdeenshire Council being unable to accept your representation.

Your information will be shared with the following recipients or categories of recipient:

Members of the public are being given this final opportunity to comment on the Proposed Aberdeenshire Local Development Plan. The reasons for any changes that the Council receives will be analysed and reported to Scottish Ministers. They will then appoint a person to conduct a public examination of the Proposed Plan, focusing particularly on the unresolved issues raised and the changes sought.

Your name and respondent identification number (provided to you by Aberdeenshire Council on receipt of your

submission) will be published alongside a copy of your completed response on the Proposed Local Development Plan website (contact details and information that is deemed commercially sensitive will not be made available to the public).

In accordance with Regulation 22 of the Town and Country (Development Planning) (Scotland) Regulations 2008 where the appointed person determines that further representations should be made or further information should be provided by any person in connection with the examination of the Proposed Plan the appointed person may by notice request that person to make such further representations or to provide such further information.

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

Not applicable.

The retention period for the data is:

Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue to retain your information for a longer period. A redacted copy of your submission will be retained for 5 years beyond the life of the Local Development Plan 2021, possibly until 2037.

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

Not applicable.

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- to data portability, where the legal basis specified above is:
  - (i) Consent; or
  - (ii) Performance of a Contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.

