

PRIVACY NOTICE

LOCAL DEVELOPMENT PLAN

PUBLIC COMMENT

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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:
 - Consent; or
 - Performance of a Contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.



HALLIDAY FRASER MUNRO

CHARTERED ARCHITECTS & PLANNING CONSULTANTS

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 refer to Aberdeenshire Council's Privacy Notice at the end of this form for details of your rights under the Data Protection Act.

Your Details

Date:	31.7.2020
Name:	HALLIDAY FRASER MUNRO
Telephone Number:	██████████
Email address:	██████████████████
Postal Address:	██
Postcode:	██████████

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? **ANM GROUP LTD**

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.



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Your Comments (no more than 2000 words)

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 7d Settlement Statements – Garioch (Inverurie, page 555)

Modification Sought:

OP14 be retained as per its current LDP allocation as land reserved for business use.

Reason for change:

PLEASE SEE SUPPORTING STATEMENT



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ABERDEENSHIRE PROPOSED LOCAL DEVELOPMENT PLAN 2020

RESPONSE TO PROPOSED LOCAL DEVELOPMENT PLAN

OP14, LAND NORTHEAST OF THAINSTONE ROUNDABOUT, INVERURIE

JULY 2020

On behalf of
ANM Group Ltd.



HALLIDAY FRASER MUNRO

CHARTERED ARCHITECTS & PLANNING CONSULTANTS

1. Introduction

1.1 This report has been prepared by Halliday Fraser Munro, Chartered Architects and Town Planning Consultants, on behalf of ANM Group Ltd. It is written in response to the Proposed Aberdeenshire Local Development Plan 2020.

1.2 This response objects to the proposed new allocation OP14 Land Northeast of Thainstone Roundabout which has been identified in the Proposed Local Development Plan (PLDP) as a site suitable for use as “A halting site for gypsy / travellers and / or employment land”.

Modifications sought: *OP14 be retained as per its current LDP allocation as land reserved for business use.*

Reasons for change: *The proposed alternative use of a halting site is not considered compatible with the surrounding employment uses, appropriate public consultation has not been undertaken regarding the inclusion of the site for halting, there are issues regarding access, the proposed change of use does not comply with Policy B2 and the ambiguity of where the site should be delivered be it at OP14 or within the wider employment area creates uncertainty that affects marketability and potential for investment in the entire Thainstone / Crichton employment area.*

1.3 ANM Group Ltd are one of the north east’s largest and longest established businesses. Inspired by the innovative spirit of the pioneering farmers who established the business in 1872, ANM Group is acknowledged today as one of the most dynamic, progressive and forward-looking businesses serving the UK farming, commercial and industrial sectors and playing a major role in the Scottish economy.

1.4 ANM Group Ltd has a strategic interest in the commercial land allocations south of Inverurie as they have landholdings at Thainstone. These comprise the Thainstone Centre, a multi-functional auction and event destination, Thainstone Business Centre and parts of Thainstone Business Park. The Thainstone Agricultural Centre is the largest agricultural centre of its kind in Western Europe. An employment hub has existed at Thainstone since the early 1990s when the agricultural centre was relocated here. ANM Group Ltd has already been involved in the successful development at Thainstone Park. At present ANM Group Ltd has OP10, OP9 and BUS10 and as such has interest in the surrounding development sites.

2. Aberdeenshire Local Development Plan 2017

2.1 Within the adopted LDP 2017 the land at OP14 is identified as site BUS6 “Reserved for Business Uses”. We note the LDP set out that “A halting site for gypsy travellers is required within the Thainstone/Crichton employment area, which is made up of sites OP12, OP13 and BUS6-10, or the area of unallocated land between BUS5 and BUS6”. We are not aware that a site has subsequently been identified outwith the LDP process and as such to the best of our knowledge there has been no testing of the suitability or otherwise of the now identified site within the business priority area or the wider environs of Inverurie.

3. Proposed Local Development Plan 2020 (PLDP)

3.1 “A halting site for gypsy/travellers is required within the Thainstone/Crichton employment area. OP14 has been allocated for this use however consideration to alternative locations within the



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Thainstone/Crichie employment area could be considered should an appropriate proposal on an alternative site come forward (p.557). This appears to be a speculative allocation and there is no evidence that there is a 'plan' for OP14 to be delivered for gypsy / traveller use or any other clear directive for delivery of the halting site elsewhere within the employment area. The identification of the proposed gypsy / traveller site on OP14 or an alternative location casts doubt on the proposed land uses within this area. This impacts not only on OP14 but also on the marketability of other sites in the identified business area.

3.2 Page 557 of the PLDP quite clearly sets out that sites BUS1-BUS8 at Inverurie are "safeguarded for business use". BUS6, BUS7 and BUS8 are located within the immediate vicinity of OP14 and we consider that owing to the ambiguous nature of the OP14 allocation as it stands the marketability of these sites is being adversely affected and there can be no confidence of positive investment decisions being taken on any land identified within this commercial area.

3.3 The following points assess the detail of the newly proposed allocation included at Page 564 of the Garioch Settlement Statement.

3.4 *"The site was previously safeguarded for business use (BUS6) in the LDP 2017"*

This statement is accurate for BUS6 and all other business use sites within the Thainstone / Crichie employment area. We consider this position should be maintained and any future proposal for delivery of a gypsy / traveller site should it be proposed on a site within Inverurie or the wider area should be assessed on its individual merits within the context of the Development Plan and all other material considerations.

3.5 *"A halting site for gypsy / travellers is required within the Thainstone / Crichie employment area and this site has been identified as the most suitable location within this area for such a use"*

There is no justification provided for this site being chosen and no justification for the requirement for the site to be within the Thainstone / Crichie employment area. There is no evidence of a bid being put forward for the proposed use and no clarity on how the proposal would be delivered. We consider that the Council should be required to produce their assessment of all locations that were considered through this process and issue it for public consultation and appropriate responses from interested parties as per the statutory requirements for all allocated sites.

3.6 *"Tree planting to provide screening from adjacent land uses"*

The area surrounding OP14 contains mixed employment uses including a mixture of extant and implemented consents. These employment uses and planned uses each have managed environmental impacts and we do not consider it logical or considered to introduce residential use into this environment. The suggested tree planting would merely mask any potential impacts and conflicts that could result between the existing employment uses and a new residential use. Tree planting does not provide an appropriate solution.

3.7 *"Access should be taken through site BUS6"*

In addition to issues of the deliverability of appropriate access, there are also issues associated with suitable drainage and other technical constraints. The Council have not set out how these would be resolved to allow the delivery of the stated use.

3.8 *"Alternative use as employment land will only be accepted should this site not be required for a halting site for gypsy / travellers due to an alternative location within the Thainstone / Crichie employment area having been delivered"*



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The aforementioned deliverability issues and the inclusion of a possible *alternative site* results in a great deal of dubiety surrounding the proposal that we consider will result in the OP14 employment site becoming ineffective and has the potential to render the other sites within the employment area ineffective. The proposal is in direct contradiction to PLDP Policy B2 Employment / Business Land which clearly states that the Council “*will approve new employment uses on land allocated or identified in the Plan for business as set out in Appendix 7, Settlement Statements. We will not approve non-employment uses on these sites*”. This policy makes it clear that non-employment uses will not be approved on these sites. The proposed allocation of OP14 for a non-employment use is therefore contrary to PLDP Policy B2 which seeks to retain such sites in employment use and not allow for approval of non-employment uses.

3.9 At paragraph B2.2, Policy B2 further emphasises that land identified as safeguarded for employment land will only potentially be released from that use class if there is a constraint on that land so as to make it unmarketable, or it is poorly located for employment use. B2.2 also makes it clear that any alternative use must respect the character of the area and be compatible with nearby uses.

3.10 Any suggestion that OP14 is poorly located for its currently allocated employment use would be unfounded as it is in an identified employment area surrounded by other employment uses. The only constraint on marketability comes from it now being identified in the PLDP as a newly proposed gypsy / travellers site. This newly proposed use is not compatible with nearby uses and the proposed new designation to introduce residential use is not appropriate in an area safeguarded for the delivery of employment uses. The proposal to allocate OP14 for gypsy / traveller use is therefore not considered to be appropriate at this location and should be removed in the LDP. The Council should then set out a process of seeking to properly identify a suitable gypsy / traveller site using clear criteria and appropriately consult on any such proposals.

4. Conclusion

4.1 ANM Group Ltd object to OP14, Land Northeast of Thainstone Roundabout being allocated as a site suitable as “*A halting site for gypsy / travellers / and or employment land*”. The site should revert to its current LDP 2017 allocation, i.e. reserved for business use.