

# 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.**

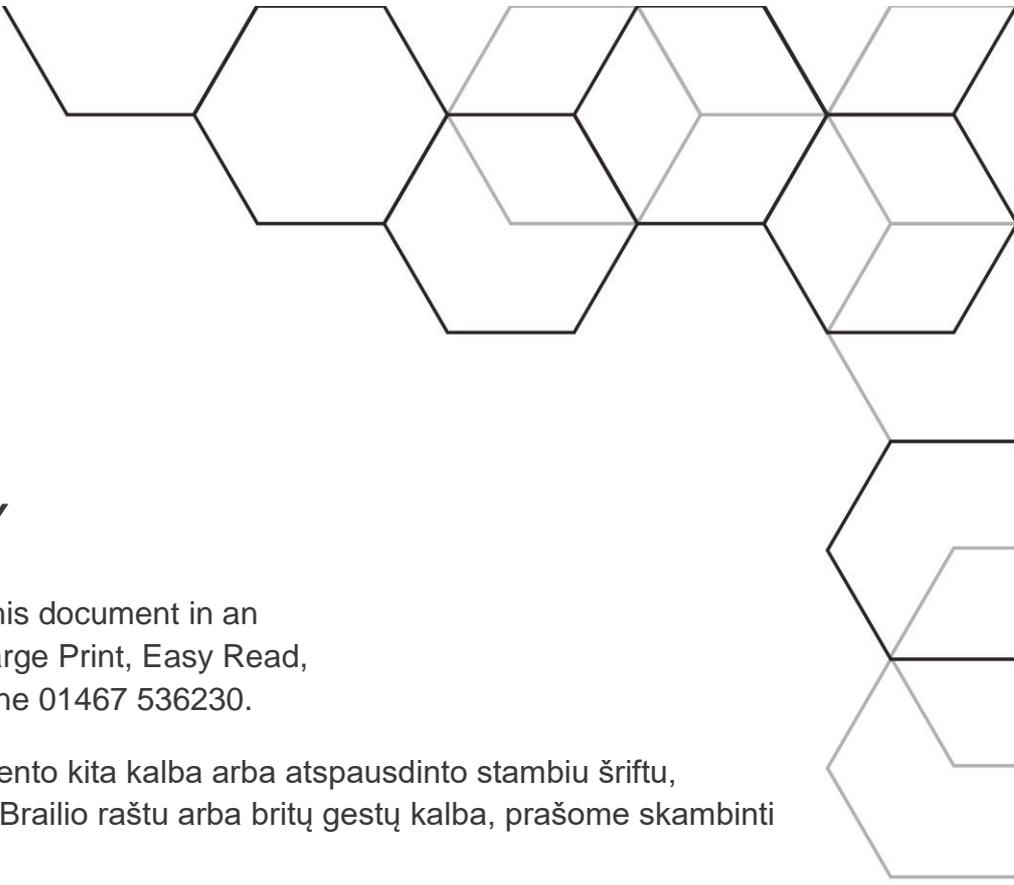
When writing a response to the Proposed Plan it is important to specifically state the modification(s) that you would wish to see to the Plan.

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 17 July 2020.

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



## 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

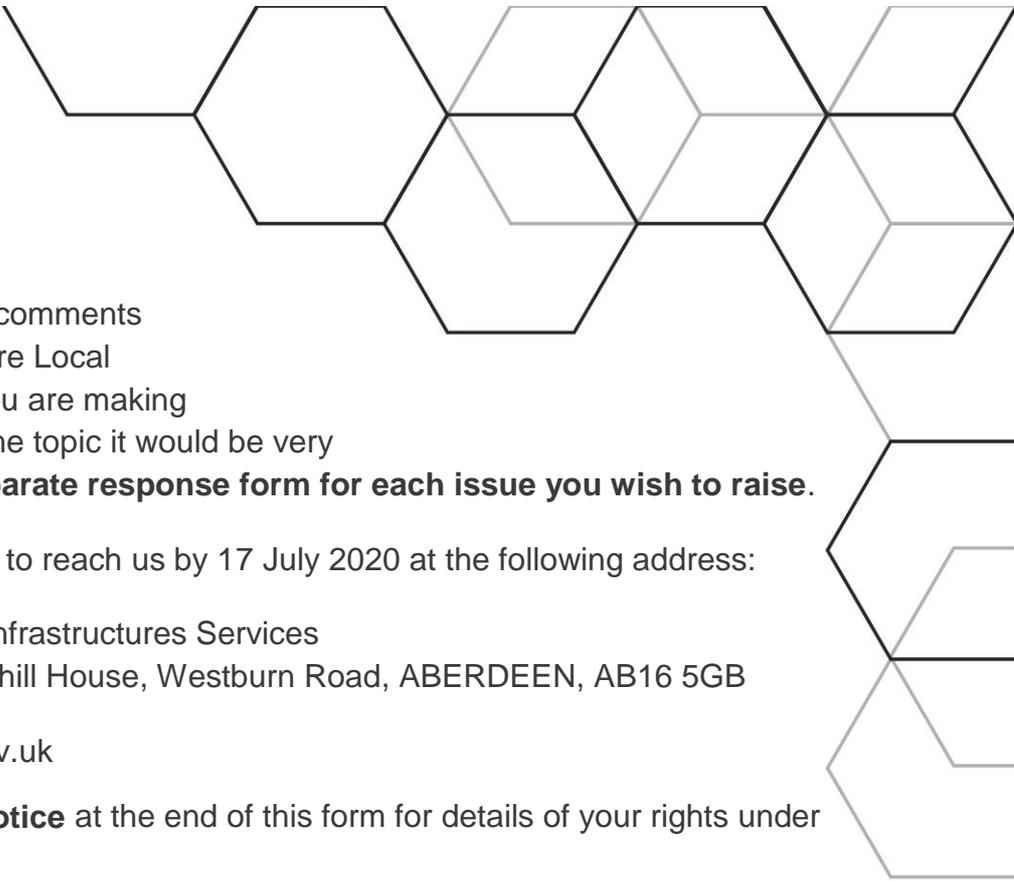
Tel: 01467 536230

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 17 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:	Mrs
First Name:	Marianne
Surname:	Evans
Date:	15 July 2020
Postal Address:	Stewart Milne Homes, [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? Stewart Milne Homes

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):

**Section 8: Shaping Homes and Housing**  
**Appendix 6: Housing Land Allocations**  
**Appendix 7: Settlement Statements**

**Further justification is required to demonstrate that the housing allowances of the Proposed Strategic Development Plan have been met. Analysis submitted by Homes for Scotland on behalf of the housebuilding industry that shows there is a shortfall and this could increase depending on the evidence of effectiveness to be provided by the Council. New allocations of effective land will be necessary to make up this shortfall.**

**Reason for change:**

We do not believe that sufficient land has been allocated to meet the Strategic Development Plan allowances. Analysis submitted by Homes for Scotland on behalf of the housebuilding industry demonstrates that the allowances will not be met with the land that has been allocated and we endorse their analysis.

SPP at paragraph 119 expects that "Local development plans in city regions should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected year of adoption. They should provide for a minimum of 5 years effective land supply at all times. In allocating sites, planning authorities should be confident that land can be brought forward for development within the plan period and that the range of sites allocated will enable the housing supply target to be met." Aberdeenshire Council have failed to demonstrate the effectiveness or the programming of sites which are deemed to contribute to the allowances. Without this it is difficult to fully assess the land supply. The Council must therefore provide this assessment in early course.

The Proposed Plan has identified the sites that it proposes to meet new housing allowances in Appendix 6. There are a number of points that need further clarification and justification:

- Units in the constrained land supply (2019 Housing Land Audit) have been made effective with increased allocations. This is not considered an appropriate approach and the timing and effectiveness of the established supply has already been assessed at examination of the Strategic Development Plan and, whilst there may be some sites that become effective there will also be others that become constrained. The delivery of the new allowances should be determined on new sites only, or where there is a clear reason for increase in the site capacity.
- The Council invited bids to be submitted for proposed developments and these were received from a range of parties including developers and landowners. The Council

in assessing bids have allocated some sites promoted and have stated in the Plan that they have increased numbers to avoid underdevelopment. Whilst there is a policy to seek an increased density it is not possible to use standard rates to determine the feasibility on all sites. There are infrastructure requirements that can affect capacity, or the context of the surrounding area, all of which require to be considered. In some instances, the allocation made is not capable of being delivered in accordance with the Council's own policies. There are also Environmental, ecological and landscape considerations to take into account in determining the appropriate design for a site. For example, increasing density of the allocation of OP2 in Pitmedden (a 125% increase from the original bid) results in a second access requirement and this would lead to woodland removal which provides a valuable habitat and have a negative environmental effect that has not been considered by the Strategic Environmental Assessment.

- There has been no market testing of the increased capacities, which is particularly relevant in locations such as Foveran, Methlick, Belhelvie, etc. where large allocations are made in small settlements.
- Additional units have been identified on strategic sites that are not considered to be fully deliverable within the plan period. As noted previously there is no reason to suggest extensions to strategic sites are not appropriate, but the timing of earlier phases needs to be taken into account in considering the contribution to the effective land supply. 400 units have been added to the effective supply in Kintore, but this is a second phase of the allocated development and following the programming would be only likely to deliver one year of completions at the very end of the plan period.
- We do not have any evidence to demonstrate that the Council have made up shortfalls in the Kincardine and Mearns Strategic Growth Corridor. Officers advised the Infrastructure Services Committee on 3 October 2019 (Appendix 1 – Issue 3) that due to the Area Committee removing sites at Portlethen, 85% of new sites in the Strategic Growth Area would be removed and other sites may have to be included. We are not aware of new sites being included. The Council should provide further information in this regard.

New allocations of effective land will be necessary to make up the shortfalls identified by Homes for Scotland. This shortfall may increase when the full analysis is provided. These new allocations should be made in sustainable, marketable locations in close proximity to Aberdeen and shown in Appendix 7.



## REPORT TO INFRASTRUCTURE SERVICES COMMITTEE – 3 OCTOBER 2019

### ABERDEENSHIRE PROPOSED LOCAL DEVELOPMENT PLAN 2021 - CONSIDERATION OF MAIN ISSUES REPORT SUBMISSIONS

#### 1 Reason for Report / Summary

- 1.1 To resolve outstanding inconsistencies arising from the consideration by Area Committees of the Main Issues Report Issues and Actions Papers.

#### 2 Recommendations

**The Committee is recommended to:**

- 2.1 Consider the views of Area Committees on the content and substance of the policies, settlements and proposals following evaluation of the 'Issues and Actions' of the Main Issues Report, for inclusion in the Proposed Local Development Plan; and**
- 2.2 Recommend to Aberdeenshire Council the outcomes of the Area Committee Meetings held between 20 August and 17 September 2019, having discussed and resolved the inconsistencies identified by Officers.**

#### 3 Purpose and Decision Making Route

- 3.1 The preparation of a Local Development Plan is a statutory process with authority delegated to Aberdeenshire Council to submit a "Proposed Local Development Plan" to Scottish Ministers for examination. This represents the settled view of the Council as to the form and content of the Local Development Plan 2021.
- 3.2 Discussion has taken place with Area Committees on the development and analysis of the Main Issues Report (MIR). The MIR is a statutory precursor to a Proposed Local Development Plan. This has included informing the issues, informally evaluating the bids and discussing the content of the MIR during 2018 culminating in the overall consideration and approval to publish by Infrastructure Services Committee on 29 November 2018. Publication of the MIR was on 14 January 2019. Accompanying the Report was the [Interim Environmental Report for the Strategic Environmental Assessment](#), a [Habitats Regulations Appraisal Record](#), and a [Strategic Flood Risk Appraisal](#). These documents were subject to a full and comprehensive public consultation.
- 3.3 Area Committees met between August and September 2019 to consider "Issues and Action" evaluations of the 1085 responses received. Officers have assessed where inconsistencies with national policy, conflicts between the views of Area Committees, or the legality of actions. The purpose of this Report is to resolve these issues to inform the final content of the Proposed Local

Development Plan to be presented to Aberdeenshire Council on 21 November 2019.

## 4 Discussion

4.1 A summary of the Area Committee meetings are presented at **Appendix 1**. Minutes are available on the Committee pages at <http://committees.aberdeenshire.gov.uk/>. From these Minutes the following issues have been identified that may require further consideration. A summary of extracts from the Issues and Actions papers is provided at **Appendix 2** to allow the Committee to review the issues that were raised in the public consultation, although this should not be seen as precluding Area Committees consideration of any other issues.

### 4.2 Kincardine and Mearns Committee

At the Kincardine and Mearns Area Committee meeting held on 20 and 21 August 2019, the following issues require to be resolved:

#### Issue 1

Concern was expressed regarding the proposed indicative higher density of new development sites. A lower density would result in additional development allocations coming forward and promote low density development (Issue 8 Shaping Homes and Housing, Recommendation 1).

##### Officer Response

This statement is not agreed as it would be misleading to allocate sites for the numbers of houses proposed by landowners and developers when experience indicates that significantly higher densities are frequently sought. As an indicative density the use of 25 homes per hectare represents a good approximation for the density of development. This density takes into account the need for 25% of the site to be affordable homes and up to 40% of the site being identified as open space.

#### Issue 2

At Kirkton of Maryculter six sites in the countryside were supported (Issue 136 Kirkton of Maryculter, bids KN008 to KN012).

##### Officer Response

These sites represent proposals that are contrary to the current and emerging policy on rural development in the Aberdeen Housing Market Area and the Green Belt. It is considered that this allocation marks a precedent that could undermine the policies on rural development by giving support to rural development in places that cannot otherwise be justified and are contrary to the principles of sustainable development.

#### Issue 3

At Portlethen a site for 300 homes was removed from consideration for inclusion in the Proposed Local Development Plan (bid site KN027). At Marywell a further site for 52 homes was removed (bid KN029) (Issue 145 Portlethen, bid KN027 and Issue 140, bid KN029).

#### **Officer Response**

These two sites represent a significant proportion of all the new allocations being made in the Plan for the Aberdeen to Stonehaven Strategic Growth Area. This removes approximately 85% of the “new” housing allocations within the Strategic Growth Area, thus placing reliance on existing allocations. The relatively small additions made elsewhere to the wider Aberdeen Housing Market Area housing allowances may not be able to cope with this loss. One or other of the two sites may need to be reintroduced should housing land supply in the Aberdeen Housing Market Area fall below the Strategic Development Plan requirement.

#### **Issue 4**

At Woodlands of Durriss a current and half-completed site recommended for inclusion in the Local Development Plan 2017 was removed. (Issue 151 Woodlands of Durriss, bid KN074).

#### **Officer Response**

This site should be reintroduced to the Proposed Local Development Plan as an existing commitment (OP1). It is part of an existing marketable allocation to which road access has been provided. The developer could apply for consent, and make a start on site development, at any time on the basis of the existing Local Development Plan. Removal of the site provides no clarity for the local community.

### **4.3 Banff and Buchan Area Committee**

At Banff and Buchan Area Committee meeting on 27 August 2019 only one major issue was raised that requires to be resolved:

#### **Issue 5**

The extent of the coastal zone should be reviewed before publication to something more meaningful, and the priority given to this policy reduced (Issue 7, Recommendation 4).

#### **Officer Response**

It is the intention of the Planning and Environment Service to review the coastal zone for the Local Development Plan beyond 2021. This would be at an appropriate time in the process of which Members will be made aware. It is considered that the existing boundary and the weight given to it should be maintained.

### **4.4 Garioch Area Committee**

# 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.

