

# 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

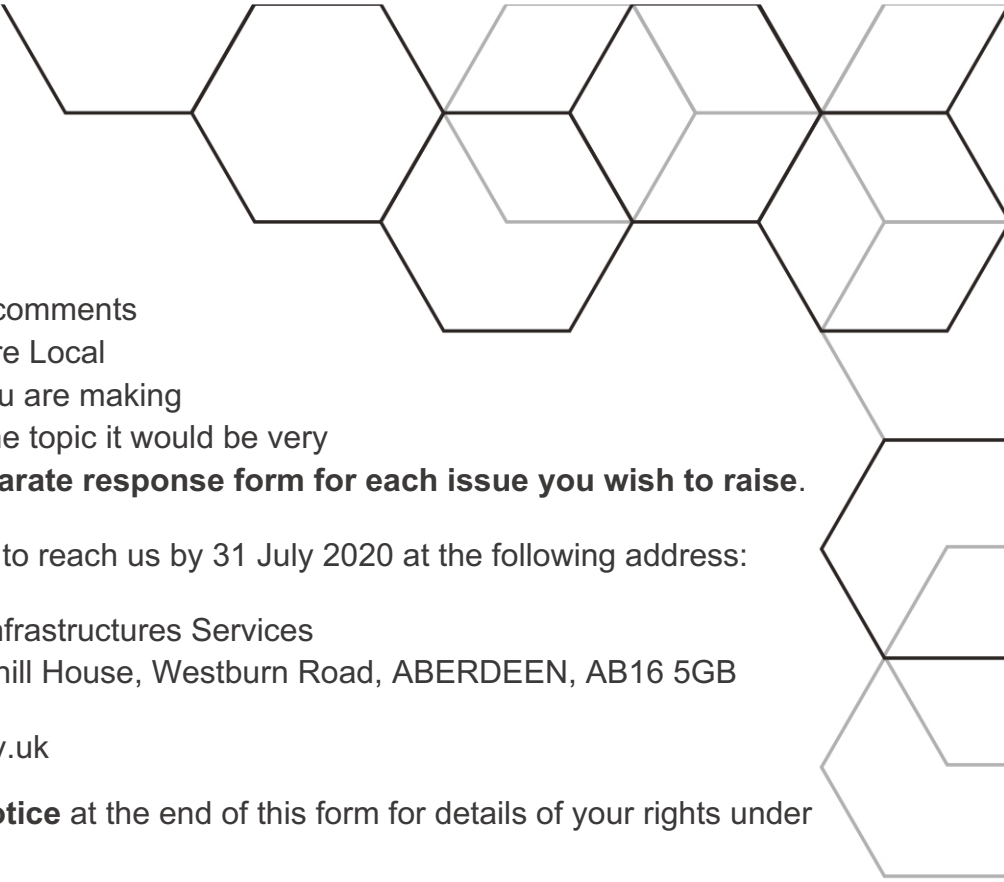
Tel: 01467 536230

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:	William
Surname:	Wright
Date:	28 July 2020
Postal Address:	████████████████████
Postcode:	████████
Telephone Number:	██████████
Email:	████████████████████

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: Potterton section – P. 476 onwards**

I wish to see OP1 and OP2 removed from the LDP for Potterton and this land reinstated as Green Belt.

I wish the Vision for Potterton as shown on Page 476 of the Proposed LDP to be removed, as it contains several incorrect statements, and to be replaced with the following wording in line with previous Plans:

'Potterton is a small village set in gently rolling farmland and located in the Aberdeen Housing Market and the Aberdeen Green Belt. Potterton is outwith the Aberdeen to Peterhead Strategic Growth Area.

The village is dominated by two large housing estates, one comprising wooden bungalows and the other simple mid 20th century bungalows. A small number of traditional granite style cottages are located along the main street, along with a traditional granite church and manse house. All housing is 1-1/2 story. The village is surrounded by green belt, while a large protected area, including playing fields, is located within the settlement. The village has a limited number of services typical of a small community, including a pub, a community hall, a football pitch, a shop/Post Office, and business units located in the west of the settlement.

The planning objective is to preserve the amenity of the village.'

**Appendix 6 Housing Land Allocations P.169 Table 2:** I wish the Strategic Growth Area Allocations shown for Potterton to be removed from the table.

**Proposed Local Development Plan 2020 – Introduction and Policies: Aberdeen to Peterhead Strategic Growth Area P.19 para 5.14:** I want the reference to development in Potterton included to promote the Energetica Corridor to be removed.

**Reason for change:**

### Green Belt

The proposed developments (housing estates) are not of a type which is permitted under Green Belt regulations. OP1 and OP2 were deliberately removed from the Green Belt to accommodate a developer's bid to build residential properties for profit. This is not a legitimate reason to remove Green Belt status according to Scottish Planning Policy (Issued June 2014). This states that only limited and specific development is permitted (e.g. agricultural, forestry or horticultural), or development which is deemed to be a national priority or development required to meet an established need if no other suitable site is available. None of these exceptions apply in this case – there are many other suitable sites available for housing development in the Formartine area which are not on Green Belt land.

We are told that Aberdeenshire Council has changed the boundary of the Green Belt in the period between Local Development Plans in order to include the allocation of housing development on this land in the proposed LDP. But the Issues and Actions paper states 'it is recommended that **only very minor changes** to the green belt boundary should be made ahead of publication of the Proposed LDP to account for any recommendations arising from Issues and Actions papers related to settlements that require amendment to settlement boundaries to be made. Commitment should be given to reviewing the green belt in 2022 to inform a mid-term review of the LDP. The review would include **public consultation utilising a range of engagement tools to ensure those with an interest can fully participate in the review.**' The change which has been made to the Green Belt at Potterton is definitely not a 'minor change' and has been made with no public consultation whatsoever. This runs contrary to Aberdeenshire Council's stated position that it is committed to public engagement and consultation in the plan-making process. Since the proposed developments are not permitted on green belt land and there has been no consultation on the change of status of the land from green belt, they must be removed from the LDP.

Within the Vision for Potterton on page 476 I wish to see the removal of the claims that the community wants a new community hall and small business units. Our community has not been consulted on whether we want to exchange our rural setting and Green Belt status for a community hall. There is no evidence whatsoever of any sort of public engagement on this question. Also, the reference to small business units should be removed. Again there has been no consultation on this and it is an erroneous claim. There is no need for land to be allocated for business use on Green Belt land and none has been allocated in the proposed LDP. We believe both of these false claims have been made by prospective developers to try to justify inclusion of development in the village.

### Effective Land Supply

According to the Housing Land Audit 2019 and the Monitoring Report there is already a generous supply of housing land allocated in Formartine (over 7 years supply, well in excess of the 5 years required), so lack of housing land supply cannot be the justification for releasing green belt land. Furthermore, OP1 and OP2 cannot be included in the Effective Land Supply due to constraints which cannot be resolved in the short term. These constraints are:

Physical: there are constraints related to vehicular access and flood risk which would preclude development. The site would have access points on to an unclassified road and a C class road. These existing roads are already inadequate to cope with current traffic levels which have increased due to the opening of the AWPR. Aberdeenshire Council Roads department have been made aware of this. The inadequacies of the road network servicing Potterton have been recognised for many years: attempts to overcome them include traffic calming measures

introduced in the village of Potterton (between the proposed development and the B999) and when the Wester Hatton site was developed for landfill, access to and from the site in the direction of Potterton was deliberately prevented.

The fields proposed for development flood in periods of rain and are flagged by SEPA as a 1 in 200 flood risk area. The British Geological Survey map of the UK shows the geology of both fields proposed for development as on bedrock of the Belhelvie troctolite basic intrusion which is impermeable to water. This means that the drainage is poor and depressions in the land flood during heavy rain. There are areas at risk on the proposed site including dips in the ground which currently fill with water and areas of swampy ground with reeds. This problem would only be increased by buildings and hard surfaces which would not allow drainage of water into the soil during heavy rains. This could endanger the existing homes in the small settlement of Milton of Potterton which is lower lying than the fields proposed for development. Furthermore, the water table is high in this area and there are several natural springs. There are already problems with drainage and run off from the fields in periods of heavy rain. The road junction at Mill of Potterton can flood after only a short period of heavy rain.

Infrastructure: There are significant infrastructure constraints which have existed for many years and have been recognised in previous LDPs. These constraints are still relevant and would preclude development.

The roads network is inadequate (see above).

With sporadic development over recent years, the upgraded Potterton sewage system is working at capacity and (depending on rainfall) regularly fails: the drainage pumping system gets swamped and causes pollution to the Millden Burn and thereafter to the sea. In fact, this has happened with SEPA needing to become involved even within the last few weeks. Scottish Water have stated that there is no proposed project to provide additional capacity at the Potterton pumping station. On a larger scale, there is insufficient capacity at Balmedie Water Treatment Works to treat all the development sites allocated in Balmedie, Belhelvie, Newburgh and now Potterton.

Local schools both primary and secondary are at capacity and will not be able to cope with the additional demand created by this volume of new housing.

Local medical practices are working at full stretch as it is (and were working at full stretch before the Covid-19 crisis).

Contamination: The document 'FR140 Land North of Denview Road Potterton Bid Site Assessment' and the similar one for FR141 prepared by Aberdeenshire Council planning department states that the site may be on contaminated land. OP1 and OP2 are in close proximity to the Wester Hatton Landfill Site which is producing methane. OP1 and OP2 have been used as grazing land for sheep for the past many years.

### **Strategic Growth Area**

Potterton is not in the Strategic Growth Area identified in the 2017 LDP, nor in the 2020 Proposed LDP so there is no legitimate reason to remove its Green Belt status. Therefore its inclusion in the Housing Land Allocations table 2 against Strategic Growth Area Allowances 2020 – 2032 is erroneous.

Para 3.4 of the Strategic Development Plan states: 'The Spatial Strategy plans for growth to be focused in a limited number of places. These are locations where public and private investment in schools, community facilities and transport infrastructure can take place in order to benefit wider quality of life, and provide the flexibility to meet the needs of local communities.'

The proposed development of Potterton does not conform to this Spatial Strategy in that it utterly fails to benefit wider quality of life, nor does it meet the needs of the local community.

Para 3.10 states: 'The Strategic Growth Areas will make housing, employment opportunities and services sustainable by ensuring that these uses are in close proximity to each other and connected by high quality active travel networks and public transport.' The proposed development is emphatically not connected to employment opportunities and services by high quality active travel networks and public transport. If approved, it would merely add another up to an extra 400 cars to an already overburdened local road network, and increase congestion on the AWPR. In relation to the last point, Para 3.14 states: 'Local Development Plans, in line with the sequential test and Town Centre First Principle, should expressly avoid any new development that would result in a negative impact on the route or any junction.'

### **Energetica Corridor**

The vision for Energetica is to promote for development a 30 mile long corridor from Bridge of Don to Peterhead with the target of encouraging economic activity northwards towards Peterhead, towards those areas in economic decline. There is no demonstrated need for additional business land within that corridor. It does not make sense for further housing land to be developed in Potterton to promote Energetica. There is no employment land allocation at Potterton and building more houses here does not assist Energetica. Finally, the vision for Energetica is to promote not only economic development but also high quality lifestyle and leisure opportunities. How destroying part of the already limited Green Belt and introducing a substantial amount of extra traffic on an already overburdened road network would promote this vision is beyond me!

# 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.

