

# 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.

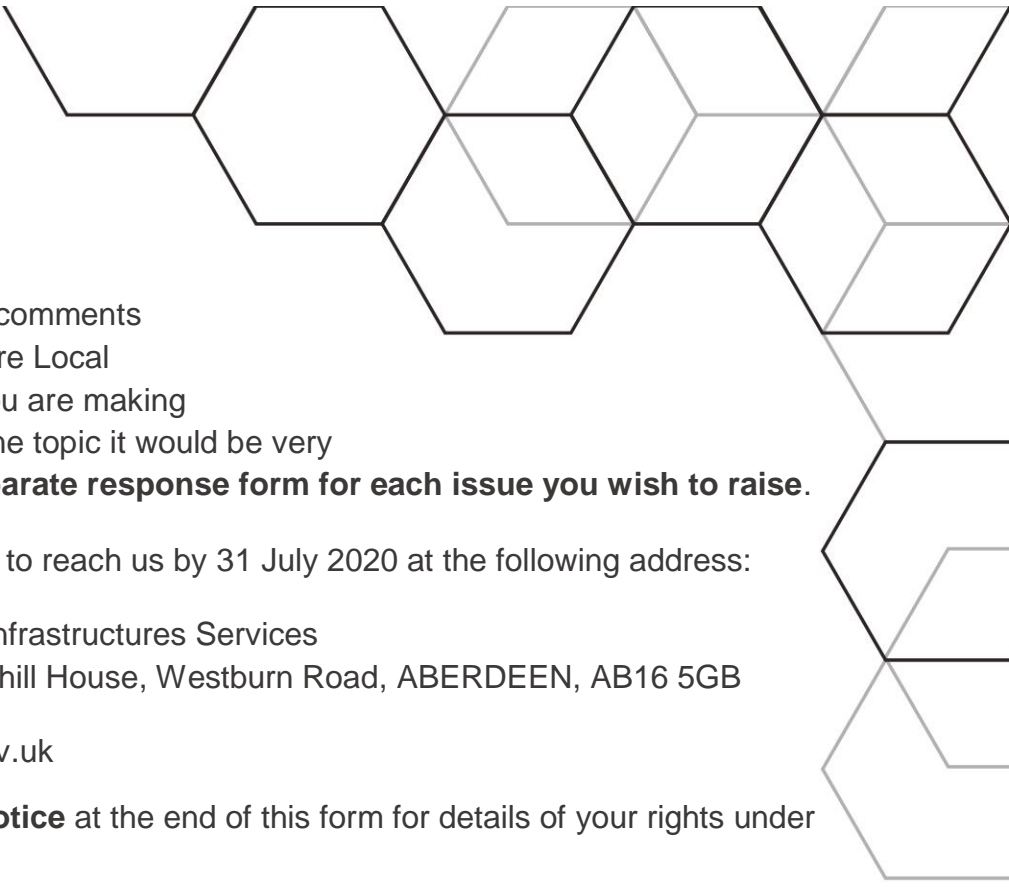
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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:	Graham
Surname:	Stott
Date:	28/07/20
Postal Address:	██
Postcode:	████████
Telephone Number:	
Email:	████████████████████

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

I would like the 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):

Removal of site OP3 Pitmedden from the LDP

## Reason for change:

### OBJECTION TO THE PROPOSED LOCAL DEVELOPMENT PLAN FOR PITMEDDEN

I wish to make an objection in relation to the inclusion of site OP3 Mill of Allathan, Pitmedden in the proposed 2021 LDP on the following grounds:

- 1) It is not required
- 2) It is not a suitable site for the development proposed
- 3) It will have adverse impact on the amenity of the neighbourhood
- 4) There are more viable alternative sites available
- 5) The inclusion of this site raises many questions

#### 1) Not Required

OP1 and OP2 already constitutes over development in Pitmedden for a period much longer than the proposed LDP. Existing new houses are unsold and the economic outlook in the area is bleak being related to the oil industry. OP1 has been approved. OP2 is the logical extension to the South of the village and fits in with community aspirations. OP2 will provide many community benefits including a site for a new school, new unrestricted village centre with close proximity to health centre and village hub and also provision for a new link road. The village has previously suffered overdevelopment at a rate that was not proportionate for the size of the village and it has taken until now to get a stable and viable community.

#### 2) Not Suitable

ACPD has rejected the bid for this area on at least two occasions before because of the following:

The development is in the pipeline safety zone and requires a risk assessment. There is a risk as worldwide there are numerous gas pipe explosions each year with fatal consequences. The older the pipeline the higher the risk. Other more viable sites are available without this risk. The presence of the pipeline with inherent danger will have an impact on the desirability of the properties.

The development is visually prominent from the southern approach and would negatively impact on the setting of the town and compromise the village gateway as described in IU8 in the Imagine Udney action plan. A landscape impact assessment has shown quite clearly the visual impact of

the development would be extremely detrimental not only on the approach to the village but also from other parts of the village and in particular from OP2 where it would be seen clearly as a skyline development because of the topography and elevation of site OP3

There is a flood risk to an area at the northwest boundary of the site but more importantly the runoff from the development will increase flooding to adjoining properties and result in increased flow in the Bronie Burn which floods causing problems for the bowling green, tennis courts and Bothwell Terrace

The site is an unacceptable development of prime agricultural land

The suggestion of a link road with Bonnyton Farm development requires impossible negotiations with various developers as was stated by Aberdeenshire Council Planning Department. A planning condition for the provision of a link road cannot be imposed on the owner of OP3 as the land required to construct it is not under their control. [REDACTED] rejected this link on economic grounds as a provision of a bridge was too costly. The owner's agent for OP3 stated they were not going to build this link

The site has been rejected a number of times previously and it was not included in the proposed LDP submitted to Formartine Area Committee on 10 Sept 2019 by ACPD because of location and topography and these are physical factors that cannot be changed

The bid FR108 contained a number of inaccuracies and omissions

The site is affected by at least 5 wayleaves which will restrict development (gas pipeline, 3 overhead electricity lines and sewage pipe from Milldale)

The site is unsuitable for the proposed development of 68 houses the net usable area would result in a very high density of houses which would not be compatible or sympathetic to existing nearby developments

The development would be a prominent skyline development

The planned village gateway on the South approach would be compromised

The site will not be economic to develop with house types sympathetic in character to existing nearby developments

The north end of the site has been returned to its natural state and supports a rich wildlife habitat (approx. ¼ of the site) and should be retained

Less than 1/3 of the site slopes from north to south so there is little exposure to beneficial solar gain but plenty exposure to the predominant cold north wind for heat loss

Boundary treatment screening will be almost impossible to achieve to prevent impact of the amenity of the existing neighbours due to the elevation, topography and geology of the site.

Lack of water and drainage capacity would require considerable investment in infrastructure.

Site servicing will be difficult and expensive because of the shallow depth to bedrock and rock removal will have a detrimental effect on adjoining properties.

Drainage of the site will be expensive and complex as the site falls in two directions requiring 2 suds ponds and outlets and possibly a sewage pumping station

There would be a considerable impact on the school and health centre to cope with the development. Both likely to require considerable investment

The site is in close proximity to Allathan Quarry which may have contaminated land as it was an uncontrolled waste tip.

I understand from UCT that they do not intend to develop the recreation park on the land fill in Allathan Quarry. The area between the Quarry and Allathan Park could become the new recreation park. This field has been used for recreational purposes for generations of local residents. A recreation park would have little or no detriment in a visual aspect

The site does not meet community aspirations for development to the south of the village as it is due East of the settlement

### 3) Adverse Impact on the Amenity of the Neighbourhood

Proposed housing density of 24 houses per Ha is not "sympathetic to existing nearby

developments” Milldale 4houses per Ha, Allathan Park 8 houses per Ha and Bonnyton 14 houses per Ha. Existing nearby developments of AllathanPark and Bothwell Terrace are single storey dwellings. It should be a condition in the LDP for this development to be single storey dwellings. If not for the whole development, at least for those next to adjoining properties to prevent overlooking and at other locations to minimise visual impact of the site. There is a serious shortage of single storey houses preventing people downsizing and freeing up family homes in Aberdeenshire. Single storey houses would be less visually intrusive.

Loss of privacy and light is a major concern for adjoining proprietors

There are issues with existing properties being overlooked from the development and the practical difficulties in providing immediate and effective screening.

Noise and disruption during and post construction will be intolerable due to the height of the development above neighbouring properties.

There will be a high risk of pollution during and post construction due to the topography of the site

There will be an increased flood risk because of the development

Access will cause difficulty on to the B999 as there will be 3 accesses in close succession on B999 resulting in a high volume of conflicting traffic manoeuvres in a localised area increasing the risk and danger. No 1 Allathan Park will have roads on three sides which is extremely detrimental to their environment.

The development will be detrimental to the visual impact of the south village gateway

Disturbing the water table will result in a flow of water into rear of neighbouring properties

There is concern regarding the height of the site above existing properties along with its close proximity

If a new bridge is constructed over the Bronie there would be an increased flood risk.

The loss of mature trees from historic avenue of trees along Bronie Burn, if link to OP1 was constructed, would be detrimental to the environment and setting

A cut-off drain and rock fissure grouting will be required along the west boundary of the site to prevent discharge of water on to adjoining properties below.

The topography of the site is such that planting will not effectively alleviate the detriment to the landscape nor will it prevent impact on the amenity of the existing adjoining properties.

#### 4)More Viable Alternative Sites are Available

ACPD indicated this was the case and I agree as a number of alternative sites exist without the detrimental factors of OP3 or the difficulties associated with OP3

#### 5)The Inclusion of OP3 in the Proposed LDP raises many questions

The first being how the site that was “least acceptable” in ACPD draft plan and was not included in the proposed LDP presented to Formartine Area Committee on 10 Sept 2019 now appears in the published draft plan.

UCC was approached for information and representatives of Allathan Park residents were invited to a virtual meeting on 17 June. When they asked the question why OP3 was now included in the LDP as nothing about the site had changed, [REDACTED], one of the three councillors present explained that “[REDACTED] made a presentation to the committee,” “[REDACTED] tabled a plan illustrating the communities preferred options.. Asked who [REDACTED] was Cllr [REDACTED] replied it was [REDACTED] as a director of Udney Community Trust. The comment was made that he was the agent for 3 of the sites on his plan.

[REDACTED] chair of UCT was then contacted to obtain any documents or policies held by UCT relating to housing sites. Subsequently a meeting was held with him and another director to ascertain the position of the UCT on this matter.This led us to view the minutes of Formartine Area Committee of 10 September 2019. [REDACTED] offered to facilitate a meeting with [REDACTED].

A meeting was held with [REDACTED] on 20 July when [REDACTED] explained the process and what he had done. The plan [REDACTED] tabled at Formartine Area Committee on 10 Sept 2019 was produced by him and his staff at his company dma ([REDACTED] Associates) with their ideas. The plan had no community involvement or input and three of the sites were owned by his clients.

PAS who were the consultants for Imagine Udney were contacted and they confirmed they were explicitly not asked to consult on housing. Within the Imagine Udney documents there are references to strategic but non-specific issues relating to housing and development. The section "Your Village" has the following "there was a need to address local housing issues: the lack of diversity of house types, affordable homes, and the location of future housing developments. It was felt this could be community led. There was broad acceptance of a need to develop more housing, but this needs to be proportionate. To date there has been no community involvement in the location of future housing developments.

In the Action Plan, Project 16, "Future Direction and Growth" has two actions which are relative. 1) Produce a village design statement 2) Prepare a settlement statement (including placemaking priorities) to feed into the Local Development Plan. Although the UCT had financed Imagine Udney and take ownership of the plans they have been unable to take forward these issues as they are a volunteer board with limited resources They have had to prioritise and commit their resources to other ongoing projects

#### Conclusion

I object to site OP3 Mill of Allathan, Pitmedden being included in the 2021 Local Development Plan and request it is removed for the following reasons

- 1) It is not required
- 2) It is not a suitable for the development proposed
- 3) It will have an adverse impact on the amenity of the neighbourhood
- 4) There are more viable alternate sites available
- 5) The inclusion of this site raises questions on how it was included

# 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.



