

PP0821

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:	DAVID
Surname:	MORRIS
Date:	JULY 2020
Postal Address:	MORRIS ASSOCIATES [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?

JOHN SLEVIN

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):

OBJECTION TO SECTION OF DEVELOPMENT IN THE COUNTRYSIDE  
AS IT AFFECT WESTER ORD FARMHOUSE & SETTLEMENT.  
SEE ATTACHED STATEMENT.

**Reason for change:**

SEE ATTACHED STATEMENT OF CASE.

## Aberdeenshire Council Transcription

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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:	David
Surname:	Morris
Date:	July 2020
Postal Address:	Morris Associates
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? John Slevin

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# YOUR COMMENTS

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**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):

Objection to section 07 development in the countryside as it affect Wester Ord Farmhouse & Settlement.

See attached statement.

**Reason for change:**

See attached statement of case.

# OBJECTION TO LDP 2022

## DEVELOPMENT AT WESTER ORD FARMHOUSE

### On Behalf of J. Sleven

#### INTRODUCTION

This objection relates to Section 07 of the Proposed Plan : Shaping Development in the Countryside, as it relates to the development potential of land at Wester Ord Farmhouse. In particular, objection is taken to the constraints imposed by the current definition of 'Brownfield' land in the Glossary, as well as several elements of Policy R2 - Development Elsewhere in the Countryside.

There is a derelict mill within the wider curtilage of Wester Ord Farmhouse ([See Plan 1 herewith](#)), which it is thought has potential for redevelopment. However, it is apprehended that the current definition of 'brownfield land, along with the some of the detailed wording of Policy R2, would frustrate the realisation of that potential.

The introduction to Section 7 states that *"we want to create a welcoming approach to development in the countryside that meets local needs, and encourages prosperous, sustainable communities and businesses, while protecting and improving the quality of the environment"*. However much of what is contained in the detail of the following policies is neither welcoming, encouraging, or sustainable, and will actively discourage investment and the improvement of the rural environment. Objection is accordingly taken as follows.

#### ACCESSIBLE REMOTE RURAL AREAS

The first point to note regarding the revision of Countryside policy, is the change from the AHMA / RHMA boundary to the accessible / remote boundary. While this does not seem to be a significant change for the site (in that it remains within the Accessible Rural Area) it is difficult to ascertain the boundary, and it is suggested that a larger scale map is added to the policy in Section 07.

#### GLOSSARY

In the Glossary, 'brownfield' land is described as land that has previously been used for a purpose which has now ceased, and on which a new use has not been established. Such land will be vacant, redundant or derelict. This is generally in accord with the definition in Scottish Planning Policy (SPP). However, the Proposed Plan goes much further, and **excluded** are : private gardens, garages, carports, sports grounds, woodlands, and amenity open space. Also excluded are land and buildings being used for storage, hard-standings, temporary buildings, reinstated sites (such as quarries), and importantly, agricultural buildings constructed of modern materials.

There are no exclusions listed in the SPP definition, so this is an extensive list of additions, which would rule out the redevelopment and restoration of very many sites which scar the rural landscape. For example, it seems buildings previously used for storage, but now redundant, cannot be

redeveloped, even although they are falling down and blight the landscape. The same would apply to redundant non-traditionally built agricultural buildings, although many such abandoned structures can be seen across Aberdeenshire. An embargo on the re-use of such resources is the epitome of unsustainability. It should particularly be noted that many agricultural buildings, consisting of metal cladding on a timber or steel frame, have excellent potential for conversion to a home, with a very modern aesthetic.

Another concern is the ruling out (for redevelopment) of redundant industrial land which has been used as yard space and is now described as 'hardstanding'. Very many such yards remain, often with abandoned agricultural machinery or equipment. They retain significant potential for redevelopment and investment in the rural economy, yet the glossary definition would rule them out.

While it is accepted that quarries with a condition requiring land restoration and landscaping should be excluded, it is not understood why redundant quarries with no such restoration conditions should be allowed to fester and continue to scar the landscape.

There is also a case for looking again at whether all private gardens should be ruled out. In the rural area, many houses (such as Wester Ord) have expansive curtilages, which are not always laid out as gardens. They may contain several buildings such as workshops, outhouses, barns, stabling and paddocks, and planted woodland screening. Many examples can be seen where they have become neglected, as occupiers become older or family priorities change. These sites already attract deliveries, are generally serviced, and may well be able to accommodate some redevelopment without impacting on visual amenity. Is it really 'sustainable' to allow them to deteriorate beyond repair and re-use ?

In practice, it has become noticeable that the judgement on whether a situation complies with the glossary definition can be subjective. Rather than rule these out automatically, it would be preferable if there was flexibility for Councillors to consider the site by site circumstances, and come to a balanced decision.

In the light of all these factors, it is submitted that it would accordingly be preferable for the definition to be aligned with that in SPP. If any additional exclusions are deemed necessary, they should be more limited, and more flexibility should be given to members to consider each site on its individual merits.

## **POLICY ISSUES**

Our main concern as regards policy is with Policy R2 : 'Development Elsewhere in the Countryside', and I comment on a para by para basis below.

**R2. 4** : The promotion of brownfield development is welcome, as being in accord with sustainability principles. However as pointed out above, many facets of the current glossary definition of brownfield is actually contrary to sustainability principles.

Further, any such brownfield development will inevitably bring environmental improvement, and we would suggest that the additional requirement for the improvement to be 'significant' is both subjective and superfluous.

R2. 10 : This clarification of what must be evident on inspection is welcome, but it is suggested that it would benefit from expansion. For example, 'Low Walls' are not the only indication of previous development, the presence of foundations and floor slabs are equally significant.

That development no longer needs to replicate the 'footprint' of the former building is welcome. However the following requirement that the development must be contained within a 'defined curtilage' is both vague and confusing. I have had recent experience of a paddock within a large residential curtilage being described as a 'recreation ground' and not within the curtilage, as it was 'separate from the buildings proposed to be replaced'. If such an interpretation can be made 'in good faith' by a planning officer, (despite the footnote 7 suggesting – *this is the land which is associated, by either boundary or setting, with the house*), there clearly needs to be more or better clarification of what the policy intends. This is particularly important at Wester Ord, where the curtilage is extensive - including a golf hole, and surrounding tree screens.

**R2. 11-14** : There also needs to be more clarification of these paras dealing with **Organic Growth of Settlements**. For example, 2.11 and 2.14 talk about a list of identified settlements, but 2.12 talks more generally about 'only settlements without an opportunity site being considered under this policy'. This latter also seems to be applicable in the accessible rural area, and it seems from this, that organic growth is meant to apply irrespective of which (accessible or remote) rural area a site is found. Yet we have the unresolved suggestion that a list of identified settlements may be produced. Reference is made to Planning Advice on this matter, yet no such Advice is currently available.

To simplify the policy, it is suggested that a policy which says that the organic growth of all settlements is acceptable, provided the site suggested is within 200m of the edge of the settlement - the village envelope if there is one, but otherwise the outer boundary of the feus making up the settlement - and the growth in any plan period was no more than 20%. Approval would be subject to compliance with all normal development control criteria, such as servicing, pedestrian connectivity, along with layout and design considerations.

If it is felt necessary to make a distinction between what is acceptable in the accessible and remote rural areas, then growth in the accessible area, could either be restricted to infill sites rather than beyond the established settlement boundaries, or closer to the established feu boundaries.

Notwithstanding the above, if it is nevertheless felt that if a defined list of settlements needs to be produced, then it is suggested that the settlement at Wester Ord should be included.

**R2. 16-17** : The continuation of the ability to extend **established housing groups or clusters** is welcome. However, the reasoning for restricting the applicability of the policy to the remote rural areas is not understood or accepted. Supplementing such (already serviced) clusters within the accessible rural area would be equally highly sustainable.

It is also suggested that the text defining what could comprise an acceptable cluster, is too restrictive. For example, it virtually rules out infill or addition. If properties have a contiguous boundary (as suggested) then there is no space to infill, without shoe-horning in new sites with consequent potential for over - development.

Bearing in mind what is suggested above about 'organic growth of settlements' - which (if accepted) could include small settlements of around 10 units – it is proposed that a cluster might be a group of up to 10 houses, whereas a settlement would be any group comprising more than 10 units.

If this general definition is accepted, then there is no need for the text in R2.17 other than to say that new development would be restricted to 3 new units in the course of a plan period.

## **SUMMARY**

In the light of all the foregoing, it is suggested that :

The definition of brownfield land needs to be brought into line with SPP.

That the policy relating to the organic growth of settlements needs to be clarified, to make clear that it can be applied to all settlements – irrespective of whether they have a defined 'settlement envelope' in the LDP.

That the policy relating to the extension of established housing clusters equally needs to be clarified, and its applicability extended to the accessible rural area.

If you would wish to discuss the terms of this objection further, please contact :

**David Morris**

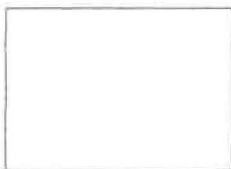
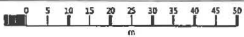
**Morris Associates**



July 2020.



LDP OBJECTION : LAND AT WESTER ORD



OS MasterMap 1250/2500/10000 scale  
 Wednesday, January 10, 2018, ID: MNOW-00681794  
 www.nicolsondigital.com  
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