

PP0928

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 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.

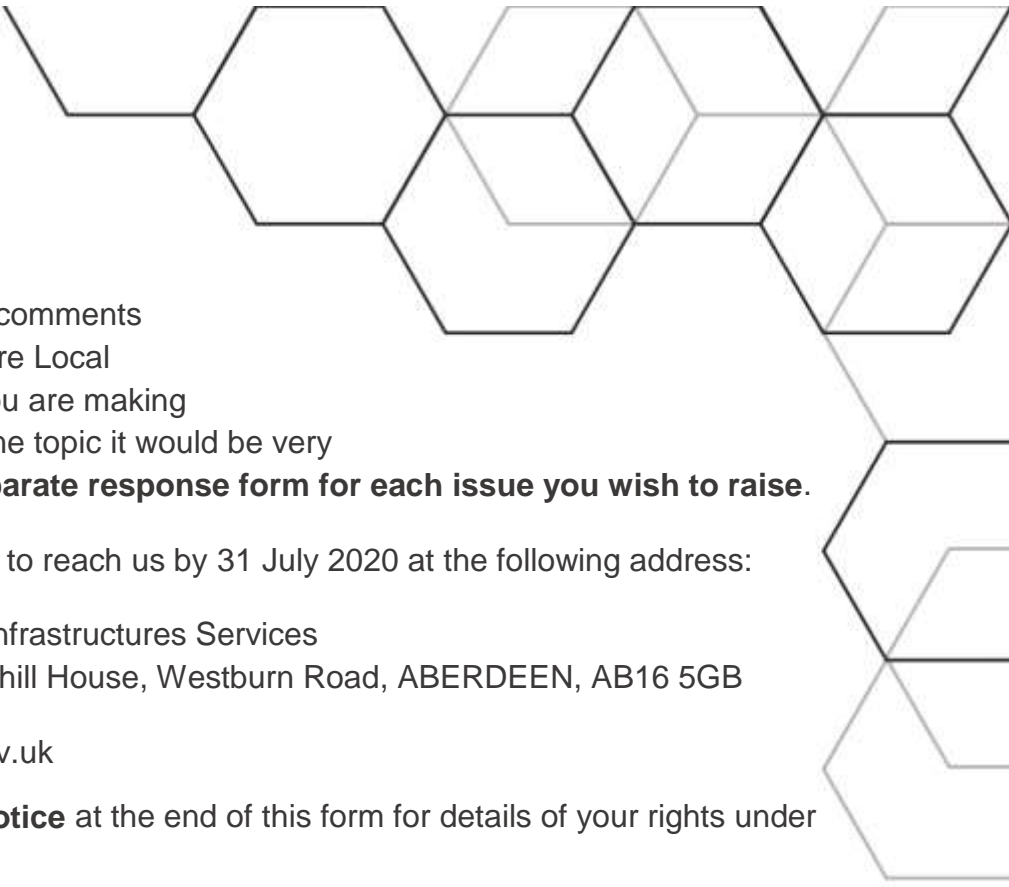
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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
Web: 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.



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

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:	Michael
Surname:	Lorimer
Date:	29/7/20
Postal Address:	Ryden LLP, [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?

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):

Proposed Plan - Appendix 6 – Housing Land Allocations should identify future allocations for the period beyond the lifetime of the next LDP (2033 – 2040). In respect of the settlement of Chapelton, Table 2: Housing Allocations in the Aberdeen Housing Market Area should be updated to reflect more realistic build out rates based on past and future Housing Land Audit Projections. A substantial portion of the identified effective supply (c.2000 homes) should instead be identified as Strategic Reserve, to facilitate further allocations within the AHMA part of the Aberdeen to Laurencekirk Strategic Growth Area (Portlethen - Stonehaven corridor).

Reason for change:

On behalf of our client, Bancon Homes Ltd, concern is maintained over the growth strategy for the Aberdeen to Laurencekirk Strategic Growth Area (SGA), in particular the Portlethen to Stonehaven corridor which lies within the Aberdeen Housing Market Area. There continues to be an overreliance on what the Authority consider to be the existing 'effective' housing land supply, a significant proportion of which is tied up within the newly emerging settlement at Chapelton of Elsick (some 3,881 homes). Bancon Homes submitted an objection at Main Issues Report stage (Appendix 1) in respect of Chapelton of Elsick, setting out concerns over the continued failure of the site to deliver anywhere near the number of homes that were envisaged through the previous 2012 and extant 2017 LDPs. It was requested that in order to address this shortfall, the next LDP must allocate additional sites that can address this evident shortfall, to meet the allowances established within the Strategic Development Plan (SDP). It is concerning that this objection (attached at Appendix 1) does not appear to be referenced, nor a response provided within the Council's Schedule 4 – Issues and Actions papers in respect of Issue 124 Chapelton, given the representation specifically related to that settlement.

This representation also requires to be read in conjunction with a separate but related representation made in respect of Bancon's land interests being promoted to the south of Stonehaven, at East Newtonleys. Given the apparent shortfalls in the delivery of housing at Chapelton over two consecutive LDPs, the representation seeks additional allocations to be made to the south of Stonehaven, which could be delivered in the short to medium term. This would help to address the failure to deliver the required housing at Chapelton and also at Ury Estate, albeit on a smaller scale, yet equally relevant to the future growth of Stonehaven.

As identified within Table 1 of Appendix 6 – Housing Allocations of the Proposed Plan, the LDP total Housing Land Supply for the Aberdeen to Laurencekirk SGA is 6,030 homes. Table 2 identifies the OP1 site at Chapelton to have delivered a mere 164 homes as of January 2019, which accords with the published 2019 Housing Land Audit (HLA). As such, there remains 3,881 homes, of the 4,045 allocated, identified as being effective. To put this into perspective, this equates to 64% of the overall effective supply identified for the SGA. Aberdeenshire Council's focus therefore firmly remains on Chapelton to deliver the strategic requirement within that corridor. Considering its continued failure to deliver anywhere close to what was envisaged for the new settlement, in addition to the relatively limited number of additional allocations made within the Portlethen to Stonehaven Strategic Growth Corridor (523 homes), there will be an ever increasing shortfall in the number of homes delivered over the lifetime of the next LDP.

As stated within the representation at MIR stage, Bancon Homes do not object to the principle of Chapelton of Elsick and have acknowledged that it will provide housing and employment land for well in excess of 20 years, as acknowledged within its proposed Settlement Statement. However in assessing a Development Bid from the landowners to extend the Chapelton site to 8,000 homes, it was acknowledged by Officers within the MIR assessment of the Bid that, "**given the rate of development to date it seems unlikely**

that all the 4,045 homes with planning permission will be built out before 2031”. Bancon maintain that this is a significant understatement, given the very limited number of units that have been delivered since the site was first allocated in 2012.

The 2012 Plan allocation identified the new Chapelton of Elswick settlement as ‘M1’ for a phased delivery of 4,045 homes split over two plan periods. An initial allocation of 1,845 homes were allocated up to 2016, with the remaining 2,200 to be delivered by 2023. As confirmed by the 2019 HLA, 164 units have been delivered at an average of 40 units per annum since construction work began in 2015. Looking ahead over the next LDP plan period, even in a best case scenario delivering between 60 – 80 units per annum, the HLA predicts that the settlement will have delivered only around 1,184 units by 2032. That means that some 2,861 homes are not, and cannot be expected to become effective during the lifetime of the next plan. It is therefore maintained that this conflicts with the purpose of the LDP in delivering the housing allowances set within the SDP, as well as Paragraph 110 of Scottish Planning Policy (SPP), which requires a “**sharp focus on the delivery of allocated sites**”.

It must be stressed that the above sets out a best case scenario, with actual completions on the Chapelton site consistently falling well below the projected Housing Land Audit figures in previous years. There remains a significant risk that the reality come 2032 could be substantially worse, with the number of houses delivered at Chapelton more likely to be in the hundreds rather than thousands, thereby further exacerbating the shortfall in meeting the housing allowances, with little prospect of addressing this over the 10 year lifecycle of the next LDP.

A solution to this situation must be appropriately planned for now, through the allocation of additional sites that are capable of delivering the shortfall that will undoubtedly result from the continued slow pace of delivery at Chapelton. As identified within the separate representation prepared in relation to Bancon’s land interests to the south of Stonehaven, East Newtonleys, offers an appropriately phased and deliverable solution of 400 homes, free from constraints.

Stonehaven is a main settlement located within the Aberdeen to Laurencekirk SGA. The Proposed Plan Settlement Statement acknowledges that Stonehaven has “**a strong demand for development and is located in the Strategic Growth Area and the Aberdeen Housing Market Area**”. The statement also recognises that the town plays an important role in delivering strategic housing allowances. Unfortunately the sites preferred for development in Stonehaven are unlikely to contribute to the delivery of those Strategic Housing Allowances. This is also true in the context of the Proposed LDP, with the focus of new development very much remaining on Ury Estate. Unfortunately, like Chapelton (albeit on a smaller scale), Ury has also been slow to deliver its associated allocations. Of the 325 effective units identified for delivery at Ury Estate within the 2019 HLA, to date only 74 have been delivered. It should be stressed that increasing the densities associated with the existing allocations at Ury, as well as identifying a new allocation of 60 homes as part of the wider Ury development effectively results in extensions of existing sites which have yet to be fully built out. Bancon Homes maintain that the Proposed Plan’s approach will

not result in the early delivery of additional strategic housing allowances at Stonehaven, as they are dependent upon the existing sites being built out. Scottish Planning Policy places significant emphasis on the delivery of housing and this can only be achieved through the identification of new sites, which are not dependent upon existing allocations being delivered.

In view of the forgoing and to prevent a significant and ever growing shortfall in the delivery of homes at Elsick, which is likely to be in excess of 2,860 homes by 2032, further allocations should be made to augment the effective housing land supply. This could be made possible through a more realistic assessment of the effective supply within the SGA, given the best case scenario will only see circa 1,184 units delivered at Chapelton by the end of the next LDP. Officers acknowledge that Stonehaven is vital in delivering strategic housing allowances, therefore additional allocations, free from constraints and not reliant upon existing allocations being built out, should be made to the south of the town at East Newtonleys.

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

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:

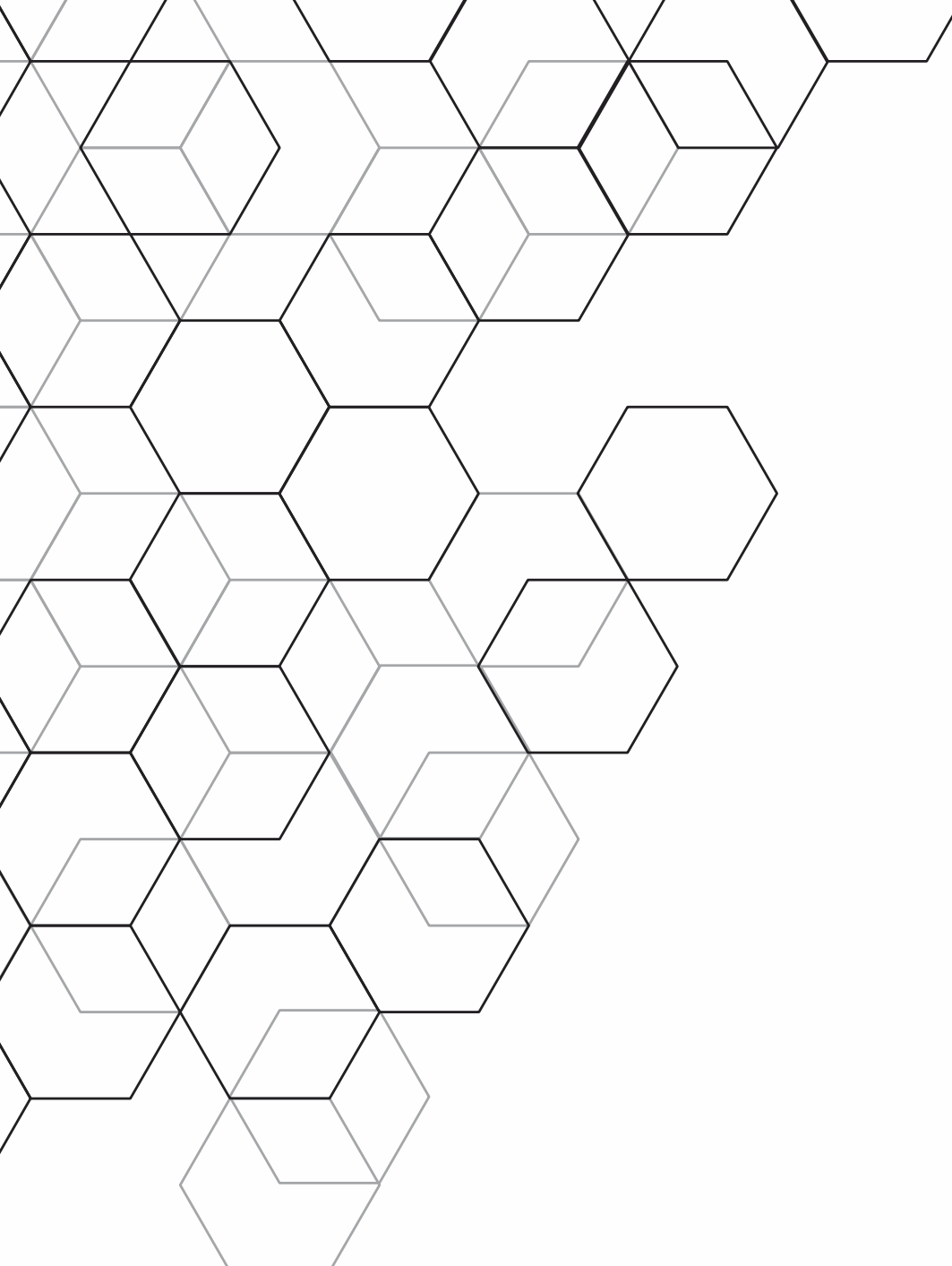
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue 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.



APPENDIX 1
MIR Representation

For internal use only

Aberdeenshire Local Development Plan 2021: Main Issues Report 2019 Main Issues Report Response Form

Important Information: Please Read

The Main Issues Report (MIR) is a key stage in preparing the Aberdeenshire Local Development Plan 2021 (LDP 2021). The MIR sets out options for how the LDP 2021 could be improved both in terms of the policies that Aberdeenshire Council will use to determine planning applications as well as identifying land allocations for development. The MIR has been published along with a Monitoring Report and Interim Environmental Report of the Strategic Environmental Assessment. These, along with other supporting documents are available at: <https://www.aberdeenshire.gov.uk/planning/plans-and-policies/ldp-2021/main-issues-report/>.

Comments are sought on the MIR and Interim Environmental Report, or indeed any other matter that you feel that we need to consider, by 5pm on Monday, 8 April 2019. Responses can be emailed to us at ldp@aberdeenshire.gov.uk or received via post, Planning Policy Team, Infrastructure Services, Aberdeenshire Council, Woodhill House, Westburn Road, Aberdeen, AB16 5GB.

Please note that in order for comments to be considered as valid you must include your contact details.

We will use these details to confirm receipt of your comments and to seek clarification or request further information as required. Should you have any concerns regarding the holding of such information please contact ldp@aberdeenshire.gov.uk. Anonymous comments will not be considered as part of the consultation process. Petitions will only be noted in the name of the person submitting the document.

All comments received will be carefully assessed and will be used to inform the preparation of the Proposed Aberdeenshire Local Development Plan. There will be a further opportunity to comment on the Proposed Plan when it is published in December 2019.

Name	██████████
Organisation (optional)	Bancon Homes Ltd
On behalf of (if relevant)	
Address	██████████ ██████████████████ ██████████
Postcode	██████████
Telephone (optional)	██████████
E-mail (optional)	████████████████████



Doing things digitally is our preference. Tick the box if you are not happy to receive correspondence via email:

Tick the box if you would like to subscribe to the Aberdeenshire LDP eNewsletter:

Fair processing notice

Please tick to confirm your agreement to the following statements:

By submitting a response to the consultation, I agree that Aberdeenshire Council can use the information provided in this form, including my personal data, as part of the review of the Aberdeenshire Local Development Plan. This will include consultation on the Main Issues Report (including any subsequent Proposed Plan).

I also agree that following the end of the consultation, i.e. after 8 April 2019, my name and respondent identification number (provided to you by Aberdeenshire Council on receipt of your submission) can be published alongside a copy of my completed response on the Main Issues Report website (contact details and information that is deemed commercially sensitive will not be made available to the public).

The data controller for this information is Aberdeenshire Council. The data on the form will be used to inform a public debate of the issues and choices presented in the Main Issues Report of the Aberdeenshire Local Development Plan 2021. It will inform the content of the Proposed Aberdeenshire Local Development Plan.

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

Your Data, Your Rights

You have got legal rights about the way Aberdeenshire Council handles and uses your data, which include the right to ask for a copy of it, and to ask us to stop doing something with your data.

If you are unhappy with the way that Aberdeenshire Council or the Joint Data Controllers have processed your personal data then you do have the right to complain to the Information Commissioner's Officer, but you should raise the issue with the Data Protection Officers first. The Data Protection Officers can be contacted by writing to:

- [REDACTED], Data Protection Officer, Aberdeenshire Council, Business Services, Town House, 34 Low Street, Banff, AB45 1AY

If you have difficulty understanding this document and require a translation, or you need help reading this document (for example if you need it in a different format or in another language), please phone us on 01467 536230.

Which document(s) are you committing on?	Main Issues Report	<input checked="" type="checkbox"/>
	Draft Proposed Aberdeenshire Local Development Plan	<input type="checkbox"/>
	Strategic Environmental Assessment Interim Environmental Assessment	<input type="checkbox"/>
	Other	<input type="checkbox"/>

Your comments

Main Issues Report 2019

Kincardine and Mearns Settlements

Objection 1 – Chapelton of Elsick/Kincardine and Mearns Settlements

The Local Development Plan 2021 must allocate additional sites that are expected to deliver the established shortfall of 2,289-2,829 houses that Chapelton is not expected to deliver during the plan period.

The 2021 Local Development Plan is intended to identify 10 years of housing land, and in line with Scottish planning Policy it must demonstrate a 'sharp focus on delivery'. Scottish Planning Policy also requires the Local Authority to provide a five year supply of effective housing land at all time.

These clear objectives are fundamental to a Development Plan led planning system.

Bancon do not object to the principle of Chapelton of Elsick, and acknowledge that it is an established site allocated for development that will provide housing and employment land for decades to come. In fact, the Main Issues Report states it 'will have a major role in delivering development for the strategic housing and employment allowances over the next 20 years.'

In assessing a Local Development Plan bid from the landowners, to extend the Chapelton site to 8000 homes and associated uses, the Main Issues Report clearly states 'given the rate of development to date it seems unlikely that all the 4045 homes with planning permission will be built out before 2031.'

It is submitted that this is significantly understated. Based on the agreed Housing land Audit, there is a shortfall of 2,289 houses – houses that are not projected to be built at Chapelton (even as a best case scenario), and these must be allocated elsewhere to ensure the Local Development Plan can deliver the requirements of the Strategic Development Plan.

Chapelton has thus far delivered a tiny fraction of the housing anticipated. When originally allocated for development, a delivery schedule formed part of the submitted information, and assumed the delivery of 1,560 houses by 2018. The 2018 Housing Land Audit confirms that 126 completions have been reported to the start of 2018.

It is absolutely clear that the site is not delivering housing numbers at the rate expected when it was originally zoned for development. However, Housing Land Audit figures project that the development will gather pace, and the development industry as a whole are confident that market conditions will improve over the coming years. Nevertheless, the expected increase in delivery at Chapelton to 150 houses per year by 2023 as set out in the 2018 Housing Land Audit must be considered ambitious at best.

That said, it is noted that the draft 2019 Housing Land Audit now more realistically shows completions on the site peaking at 80 units per year.



The Main issues Report therefore considers that the site's allocation for 4,045 houses be maintained. It is assumed that whatever the balance of the housing remaining to be built on the site at 2021 will form the allocation through to 2031, as per the last Local Development Plan.

Assuming that the ambitious 2018 Housing Land Audit delivery rate will be achieved, this means that only 1,756 houses, as a best case scenario, are expected to be built within the lifespan of the Local Development Plan. 2,289 houses are not, and cannot be expected to become, effective during the life of the Local Development Plan. Based on the draft 2019 Housing land Audit, the best case scenario is further reduced to 1,216 units built by 2031, which means the shortfall will be at least 2,829 houses.

It is submitted that this is directly contrary to the purpose of the Local Development Plan (to deliver the housing allowance established in the Strategic Development Plan), in direct contradiction of the Housing Land Audit, and furthermore directly contrary to Scottish planning Policy which requires a 'sharp focus on delivery'.

It must be reiterated that this situation is a best case scenario, with actual completions on the Chapelton site consistently falling far short of the projected Housing Land Audit figures. The real position come 2031 could be substantially worse, with the number of houses delivered at Chapelton more likely to be in the hundreds rather than thousands, and the shortfall in meeting the housing allowance completely unchecked.

The required solution is very clear. The Local Development Plan 2021 must allocate additional sites that are expected to deliver the established shortfall of 2,289-2,829 (the higher number is based on the draft 2019 Housing Land Audit) houses that Chapelton is not expected to deliver (in a best case scenario), as an absolute minimum.