

[REDACTED]

From: [REDACTED]
Sent: 26 August 2020 12:07
To: [REDACTED]
Subject: Fw: Objection to Aberdeenshire Local Development Plan 2021 - Notification of Publication of the Proposed Development Plan 2020 - Proposal for development at Site OP3, Pitmedden

From: [REDACTED]
Sent: 30 July 2020 10:33
To: LDP <ldp@aberdeenshire.gov.uk>
Cc: [REDACTED]
Subject: Objection to Aberdeenshire Local Development Plan 2021 - Notification of Publication of the Proposed Development Plan 2020 - Proposal for development at Site OP3, Pitmedden

Dear [REDACTED],

I and my husband reside at [REDACTED] and received written notification of proposals for development at site OP3, Pitmedden. We both strongly oppose this proposal as set out below.

OBJECTION TO THE PROPOSED LOCAL DEVELOPMENT PLAN FOR PITMEDDEN AND MILLDALE

I wish to make an objection in relation to the inclusion of site OP3 in the Local Development 2021.

MODIFICATION WE WISH TO SEE

Site OP3 has been identified as a potential site in the Main Issues Report for residential development. Objection is made to this and I request that this area is removed.

Accordingly, the New Housing Land Allocation should also be amended to reflect this.

REASONS FOR REJECTION

I respectfully request site OP3 be removed from the proposed Local Development Plan 2021 on the following grounds:

- 1) It is not required and constitutes over development of the village
- 2) The site has been rejected in a previous bids to the Local Development and most recently, in 2015
- 3) The site was rejected by the Aberdeenshire Council Planning Department in 2018 and in the Main Issues Report in 2019 prior to the publishing of the Local Development Plan on 5th March 2020

- 4) The site received the same recommendation as others in the vicinity and these were not discussed by either the Formartine Area Committee or the Infrastructure Services Committee in 2019
- 5) It does not fit with the aspirations of the community as set out in the Community and Spatial Masterplans for Pitmedden and Milldale completed in 2018/2019
- 6) It is not a suitable site for development
- 7) There are more viable alternative sites available
- 8) It will have adverse impact on the amenity of the neighbourhood

1. It is not required and constitutes over development of the village

Sites OP1 and OP2 already constitute over development in Pitmedden for a period much longer than the proposed Local Development Plan (“LDP”). OP1 has already been approved and will proceed shortly.

Sites OP2 and OP3 are for a combined total of 287 houses with an additional 10 at OP4 and the 64 at OP1. The houses built last year by ██████████ off Tarves Road (OP1 in the 2017 Local Development Plan) (“██████████”) at the entrance to the village from the South have still not all sold and some remain on the market. There has been a lack of uptake on the affordable housing within the ██████████ site and this can only be expected to worsen due to the long term impact on oil prices and Covid-19 on the economy and the oil industry,

The application for the bid site in 2018 states ‘what is envisaged is a residential development to address the significant shortage of housing within the parish’. There is, however, no shortage of housing (as shown by the continued availability of housing at the ██████████ site) and there will not be a shortage of housing over the next 2-10 years with the development of OP1 and OP2.

Furthermore, the current provision within the primary school is at capacity for Primary 1 with the class being split into 2 groups. Meldrum Academy is also already at capacity. The numbers of houses proposed as being included in the LDP will worsen this situation.

2. The site has been rejected in previous bids to the Local Development Plan and most recently, in 2015

This site has been rejected during the previous three LDP processes and the inclusion of the site in this process in March 2020 is puzzling, particularly given background to the LDP being published.

The bid in 2015 was rejected due to the site being visually prominent from the southern approach and would negatively impact on the setting of the town. Sites FR132 and FR133 (as designated in the Main Issues Report) were also not allocated during the previous LDP processes along with this site for the same reason. These sites adjoin site OP3. The geographical topography and location remain unchanged and the site should therefore be rejected on this basis.

Given Aberdeenshire Council have stated within the LDP that they believe consistency and continuity with previous development plans remains a key element so as to support the implementation of a long term strategy and decision making, the inclusion of this site strays significantly from this guidance.

3. The site was rejected by the Aberdeenshire Council Planning Department in 2018, within the Main Issues Report and within the Final Issues and Action Paper for Formartine in 2019 prior to the publishing of the LDP on 5th March 2020

The lead up to the publishing of the LDP on 5th March 2020 is highly relevant and the inclusion of the site causes confusion as a result.

Aberdeenshire Council Planning Department (“the Planning Department”) 22nd May 2018

On 22nd May 2018, the Planning Department met to discuss the proposed sites. During the course of the meeting, the Planning Department considered the site unacceptable development of prime agricultural land and thought linking the site with OP1 required impossible negotiations with various developers. These concerns are still valid.

The Planning Department has also previously rejected the bid for this area on two occasions because of the following considerations:

- a) The site is within a pipeline safety zone;
- b) The site is visually prominent from the southern approach and would negatively impact on the setting of the town;
- c) There is a flood risk to an area at the northwest boundary of the site;

- d) It has been stated there are more viable sites available; and
- e) The site constitutes unacceptable development of prime agricultural land.

As stated above at point 2, the location and topography of the site are physical factors that cannot be changed and indeed, have not changed during this process.

Main Issues Report published January 14th 2019 (“MIR”)

The MIR states that support for OP3 (previously known as Site FR108) was acknowledged, however there were more appropriate sites that had been identified and would meet local housing needs. As such, no additional sites were required and no further action was stated as being required.

mso-fareast-language:EN-GB">As it stands, the recommendations in the MIR and the Final Issues and Actions Paper state that no further action is required in respect of OP3, yet the site has been included in the LDP. The same recommendation was provided for Sites FR132 and FR133 which adjoin OP3 and have the same issues with topography and type of ground, yet sites FR132 and FR133 have NOT been allocated into the LDP.

4. The site received the same recommendation as 2 others in the same area of Pitmedden to not be included in the LDP. This recommendation was overlooked by both the Formartine Area Committee and the Infrastructure Services Committee in 2019

Main Issues Report published January 14th 2019 (“MIR”)

The MIR states that support for OP3 (previously known as Site FR108) was acknowledged, however there were more appropriate sites that had been identified and would meet local housing needs. As such, no additional sites were required and no further action was stated as being required.

mso-fareast-language:EN-GB">As it stands, the recommendations in the Final Issues and Actions Paper also state that no further action is required in respect of OP3, yet we find the site has been included in the LDP. The same recommendation was provided for Sites FR132 and FR133 which neighbour OP3 and have the same issues with topography and type of ground. However, sites FR132 and FR133 have NOT been allocated into the LDP.

Subsequently, the following meetings took place:-

Formartine Area Committee 10th September 2019 (“FAC”)

During this meeting [REDACTED], who is the land agent for the landowners of OP3 and who is also a Director of the Udney Community Trust Limited presented, as Director of the Community Trust, in respect of the masterplans drawn up by the Community Trust with Planning Action Scotland (PAS).

The minutes of this meeting state that FAC agreed to accept the community plan as proposed by the Udney Development Trust, covering bid sites FR108, FR007, FR132 and FR133, as the settlement statement for Pitmedden and Milldale, with officers to further discuss the proposals in early course with the Trust.

Infrastructure Services Committee 3rd October 2019 (“ISA”)

At their meeting of 3rd October 2019, ISA considered the views of Formartine Area Committee and agreed not to allocate bids FR132 and FR133 in the Proposed LDP. The Committee also agreed that part of bid FR006 be allocated in the Proposed LDP.

The allocated part of FR006 was to be incorporated into the adjacent bid FR007 site already recommended for inclusion (now OP2 as a whole).

Sites FR132 and FR133 were explicitly stated as being not allocated in line with the concerns raised in Part 3, General Issues of the Report. The concerns with these sites are almost identical to those of OP3 as highlighted previously by the Planning Department and as mentioned within this objection already. OP3 also lies on a steep hill and is highly visible as you enter Pitmedden. FR132 and FR133 are deemed an attractive entrance to Pitmedden with an open aspect. Developing sites FR132 and FR133 was deemed to have an adverse impact on the character of the area and it was decided they are therefore unsuitable for development. OP3 adjoins these sites and sits on the same highly visible slope as you approach Pitmedden from the South.

The Final Issues and Actions Paper for Formartine again reiterates that support for OP3 was acknowledged, however there were more appropriate sites that had been identified and would meet local housing needs. As such, no additional sites were required and no further action was stated as being required.

It is not clear and it causes confusion as to why the recommended action for site OP3 has been disregarded, yet the same advice for the adjoining sites at FR132 and FR133 has been applied. No further action should have been taken

in respect of OP3 in light of the recommendations and concerns and accordingly, it should not have been allocated in the LDP. mso-bidi-font-family:ArialMT;mso-fareast-language:EN-GB">

Given the recommendations, we trust that not excluding site OP3, but excluding the neighbouring sites, has simply been an oversight in not being discussed and applied during both the FAC and ISA meetings.

5. It does not fit with the aspirations of the community as set out in the Community and Spatial Masterplans for Pitmedden and Milldale completed in 2018/2019

During the course of 2018, Imagine Udney, a community consultation was undertaken which set out the aspirations for the Pitmedden and Udney areas in terms of the village and surrounding areas. As a result, a Community Masterplan and Spatial Masterplan (“the Masterplans”) were produced. Within previous representations by Udney Community Council (UCC) and Udney Community Trust Limited (UCT) at the time of the MIR in 2019 and also mentioned at the FAC and ISA meetings, the inclusion of OP3 has been justified as forming part of the settlement statement produced within the Masterplans.

Both [REDACTED], Director of [REDACTED] Associates and UCT and PAS, who facilitated the consultations, have confirmed that Imagine Udney was never designed to consult on housing issues in the community and as a result, no community consultation has ever been carried out as to the inclusion of OP3/FR108 in the LDP. Accordingly, there is no mention of this site within either document.

Both Masterplans highlighted, with community support, a wide variety of ideas for the further development of the Udney Parish settlements, focus being on Pitmedden – Milldale as the principal settlement in Udney Parish. The subsequent prioritised actions from both Masterplans by UCC and UCT are:

Arial"> i. Central Village interventions to give a clear sense of identity

Arial"> ii. The creation of a new Community Hub to support a wide variety of activities

Arial"> iii. Re-development of the existing Quarry site on the B999 as an exciting recreational park

Arial"> iv. Development of new green spaces linking in with the existing paths network

Arial"> v. Traffic management measures to improve public safety and amenity

Any development within and around Pitmedden and Milldale is expected to support these priorities.

Some of the residents of Allathan Park, which is situated adjacent to OP3, met with [REDACTED] in July 2020. He confirmed during this meeting that as PAS had not consulted on proposed housing sites, he along with his staff at [REDACTED] Associates prepared a plan representing his ideas which was presented and tabled at the FAC meeting in September 2019. This plan had not been shown to the community or any consultation take place, This plan included the bid sites FR108 (now OP3), FR132 and FR133 that he had submitted in 2018 on behalf of the land owner, his client. These sites, however, had not been consulted upon during the Imagine Udney process with the wider population of Udney Parish.

The Masterplans have the following items relating to housing and development at Action Point 16. Future Direction and Growth; a) produce a village design statement b) prepare a settlement statement (including placemaking priorities) to feed into the LDP and c) 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 for more housing, but that this needed to be proportionate. At a meeting with the some of the residents of Allathan Park, the Chair and a director of UCT he confirmed no work had been done on any of these tasks as the Trust had given priority to other projects and they have limited resources. It can be concluded from this that OP3 should not be included in the LDP or that it is premature at least.

It has been noted within the Masterplans that community aspirations state that any development proposals should always include proper, meaningful, community consultation. As part of their representations which formed the considerations of the MIR, UCT stated their comments were restricted to matters of fact and to issues/sites which have a bearing on the Imagine Udney projects and aspirations. [REDACTED] Associates stated that the aspirations of the community as part of the Imagine Udney process are for housing to the South of the village. This ‘aspiration’ is not mentioned or contained within the Masterplans and as OP3 was not discussed or consulted upon, the statement as to comments representing sites that have a bearing on the Imagine Udney consultation is incorrect and misleading.

Furthermore, the inclusion of OP3 within the LDP can never further the aims of either of the Masterplans as it not possible for the area to be a cohesive part of the community. Due to the access from the B999, it would form a settlement in of itself. Whilst the LDP states that there ‘should’ be two accesses to the site, the Planning Department has previously highlighted that forming a link between OP3 and OP1 would be almost impossible due to the cost of doing so and the negotiations between various developers. It would also place unnecessary pressure on the Bronie Burn. [REDACTED] confirmed his client would not construct this link which makes a second access difficult.

6. It is not a suitable site for development

The application for the bid site has a number of inaccuracies and omissions which go to the site not being suitable for development.

The site is affected by at least 5 wayleaves which will restrict development. The main issue being the gas pipeline which has prohibited development of FR132 and FR133 and this site (OP3) in previous LDP bids.

When Allathan Park was built circa 1975, the planning department prohibited the houses being built at the top of the hill with the gardens running towards the road as this would constitute a prominent skyline development. The bid for this site has previously been rejected on the same basis.

Currently the approach to Pitmedden provides an 'attractive entrance'. Development of OP3 would adversely impact the character of the area as any housing or development would sit on the highly visible slope as you approach Pitmedden from the South.

Less than one third of the site slopes from north to south. The bid application stated the site sloped from south to north and that there would be an element of solar gain with the development of the site. The geography of the site in sloping north to south means there is little exposure to beneficial solar gain but plenty of exposure to the predominant cold north wind.

Due to the location of the mains gas pipeline, the limits of development of the area mean that it is unsuitable for the original 30 houses in the original bid application, let alone the 68 houses as described in the LDP. Due to the elevation, topography and geology of the site, it will not be economic to develop with house types sympathetic in character to existing nearby development. Screening of the boundary to attempt to preserve the amenity of the neighbourhood will be almost impossible to achieve due to topography and geology.

The site is situated upon ground surrounding a disused quarry. Site servicing will be difficult and expensive because of the shallow depth to bedrock and rock removal will have a detrimental and lasting effect on adjoining properties.

The development of the site will also have permanent and catastrophic effect on the water tables resulting in flow of excess water into the current properties in the vicinity. At present, during heavy rainfall, the garages at a number of properties at Allathan Park are flooded. This would have a heavy and disastrous impact on these properties and the surrounding area. There is also the presence of a sewage drain located near the entrance to Allathan Park which carries the sewage from the neighbouring development at Hunter's Rise towards the Bronie Burn.

There are stated concerns during previous LDP processes as to the lack of water and drainage capacity and a flood risk to the north west of the site itself.

Servicing the site will be expensive and complex due to the site falling in two directions. This will likely require 2 SUDS ponds and outlets and possibly a sewage pumping station. Consideration as to the location of OP1 (which is approved and due to start work for development shortly) and the knock on effect it will have to development of this site must be considered.

The site is in close proximity to the disused Allathan Quarry. The rejection of the site in previous LDP processes have also focussed on the high potential for contaminated land as it has previously been used as an uncontrolled waste tip by contractors.

There are great safety concerns in respect of the entrance to the site. Any access to the site would require to be taken from the B999. This should lead to this new access as well as access to Allathan Park, Bothwell Place and Saddlers View all being taken in close proximity along Tarves Road/B999 with the dangers of either a road accident or an accident involving pedestrians far more likely. Junctions in close proximity give rise to a high level of conflicting traffic manoeuvres resulting in a higher risk of accidents. [REDACTED] number 1 Allathan Park will have roads on three sides of their property [REDACTED].

7. There are more viable alternative sites available

This has clearly been stated by UCC, the Planning Department and within the Final Actions and Issues Paper. Indeed, the zoning of the site as a 'dotted site' means that there are other options and the site is not preferred. Whilst the site may be deliverable, better options exist.

OP2 is the logical extension to the South of the village and fits in with community aspirations in line with the Masterplans produced by the Imagine Udney consultation exercise. OP2 will provide many community benefits including a site for a new school, new unrestricted village centre with close proximity to the health centre and a village hub. There is also provision for a new link road.

8. Adverse Impact on the Amenity of the Neighbourhood

The proposed housing density of 24 houses per hectare is not sympathetic to existing nearby developments. Hunters Rise at Milldale has a density of 4 houses per hectare, Allathan Park has 8 houses per hectare and Bonnyton at OP1 has a density of 14 houses per hectare.

There are both short term and long term issues with development of the site that would have an adverse impact on the amenity of the neighbourhood and the biodiversity of the area.

In respect of the impact on the amenity of the neighbourhood, the significant visual impact on the village gateway from the South, which has been a major consideration in rejecting this site and the other neighbouring sites is a major concern. The dangers of a 3rd access to a street in close succession as you enter Pitmedden further compound this. The access will be detrimental to the provision of the Village Gateway.

Other concerns have been raised as to the loss of privacy and light for neighbouring properties, noise and disruption during and post construction with the concern regarding the height of the site above existing properties both at Allathan Park and Bothwell Place and the close proximity to the houses in Allathan Park. As development would be restricted due to the location and zoning of the gas pipeline, these are not issues that can be mitigated or changed as part of developing the site.

The north end of the site has been returned to its natural state and supports a rich wildlife habitat (approx. ¼ of the site). This is an area rich in wildlife including deer, pheasants and the wildlife residing in the neighbouring Bronie Burn.

Conclusions

Due to the repeated rejection of site OP3 in previous LDP bids, the refusal to include it as part of the LDP in the run up to the publishing of the draft LDP in March 2020 and the concerns raised in this objection, I would request that site OP3 is not allocated in the current LDP process.

In addition to the above, which is a joint statement from all residents at Allathan Park, we must add that our house basement floods in heavy rain. We have an LPG gas tank situated half way up our rear garden slope. We are genuinely concerned that work to the bedrock will make the slope unstable and we may suffer a catastrophic explosion if the tank moves or its position becomes compromised as a result. Should that occur, or any additional flooding, we will produce this email in support of any claims we may be entitled to make.

We have had to remove trees (young garden trees) to allow our satellite dish access to a clear line of sight for a signal. Building on the horizon above our property is likely to impede that again.

The joint statement is carefully worded and refers to confusion (accepting where it states there has been clear misleading) when referring to how this application has come about but it is clear to us that there is a conflict of interest in the proposal to develop this site. We are minded to refer this to the press and will give that further thought in due course.

Regards

Karen Leslie and Kenneth Turner