

PP1025

# 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, zvaniem 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:	Miss
First Name:	Nicole
Surname:	Allan
Date:	
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.  
Foveran Development Plan pages 435 through to 440.  
I would like to raise the modification of the priority of development order for sites OP1, OP2, OP3 and OP4 in Foveran. Currently OP3 & OP4 are listed above OP1 & OP2, I would like the priority of these sites reversed. The priority list is found in the “Strategic Environmental Assessment of new allocated sites and alternative bid sites – Formartine” on pages 53 to 62.

**Reason for change:**

As a recent member of the community, I would really love to see the village of Foveran grow and to gain an improved local infrastructure. However, my concern is that the wrong land areas are being targeted first for development and will not allow the village to grow and expand in the way that would be most beneficial. I would like to propose for the areas of OP1 and OP2 set out in Appendix 7c of the Proposed Land Development 2020, to be considered for development above areas OP3 and OP4 on the basis that latter prospects would not contribute a significant enough contribution to the growth of the village.

My initial concern to the proposal is the lack of essential utilities in Foveran, which has been well documented in the Foveran Engagement Plan, (AREA Urban Design Architecture, 2014), prepared during the proposal of the Scotia Home Westfield estate to the north of the village. It is acknowledged in this report that there is an existing waste water network in the older, original portion of Foveran, however, that the system is operating at full capacity.

Therefore, the new Westfield development required Scotia to mediate the treatment of sewage before the development was approved (SEPA, 2014). The Westfield development approval report (Aberdeenshire Council, 2015) contains conditions that Scotia would be required to install a WWTP on a temporary basis until the public sewage infrastructure was upgraded.

As a member of the community on the older side of the village, there is no access to both the previous existing sewage network in the older part nor the newer tank for the Westfield development. Our property has its own septic tank which was updated in 2018, at the time of installation no such plans to develop a sewage system in this established area of Foveran had been discussed. The new [REDACTED] Homes built to the west of the village have their own sewage works installed, which also runs to full capacity (AREA Urban Design Architecture, 2014). It is therefore of concern how the new development proposed in OP3 and OP4 would be able to manage their sewage, and would therefore cause further problems at this side of the village since a new, public sewage network has not been proposed or discussed.

However, as the Scotia development have at least mentioned plans to connect to a public sewerage system (Aberdeenshire Council, 2015) to provide for the Northern end of the village, it could also be upgraded to accommodate the sewage from housing developments in OP1 and OP2. To the South of the village, sites OP3 and OP4 would have limited to no access to this

upgrade and there is currently no infrastructure in place on this side of the village to accommodate these homes. If such infrastructure was available then it is likely to have been used in the aforementioned [REDACTED] development.

Another concern highlighted in relation to the sewage issue, is the low water pressure in the area. The Foveran Engagement Plan (AREA Urban Design Architecture, 2014) shows there was a change in water pressure noticed by residents after the [REDACTED] development was completed. The water pressure in Foveran from my own experience is already low, and therefore the addition of houses to the southern side of the village (OP3, OP4 and OP5) would decrease it further.

My second main concern is that lack of schooling and amenities in the area. At the moment Foveran Primary School is estimated to be running at 66% capacity according to the School Role Forecast (Aberdeenshire Council, 2019). This document also states that by 2024, the school will be 17% over capacity, without the addition of the new homes. If the village continues to grow, there is no publicised plan of action in place to supply or build a new school, therefore not only putting a strain on Foveran Primary, but other schools in the area, where more growth is also planned. There is also no pre-school in Foveran, therefore the additional new housing would make it difficult to obtain a place in another catchment area. What concerns me greater is the conflicting material Aberdeenshire Council are publishing on this subject in the Proposed Local Development Plan 2020. The Strategic Environmental Assessment of new allocated sites – Formartine, (Aberdeenshire Council, 2020b) on page 53 states, "School roll is low, and new housing would help sustain Foveran Primary School." This is conflicting with the data published in the aforementioned Aberdeenshire Council 2019 document and also with Appendix 7c of the Proposed Land Development Plan 2020 (Aberdeenshire Council, 2020a), where it is stated that "Primary education may be a constraint to development as the current school is not easily extendable due to the condition of the building and topographical restrictions." A new school is needed in the area and should be under completion before the proposal of any new housing scheme is accepted. The addition of 36 new houses in OP3 would not be enough to warrant the new school to be built, proposals from at least OP3 (36 homes), OP4 (20 homes) and OP5 (14 homes) would all have to be approved. Therefore, to achieve the best outcome possible in this situation, the continued development of OP1 (100 homes) or OP2 (75 homes) would be better placed as this amount of development would be able to support the construction of a new school in the area and would therefore likely to have more of a continued backing from the community. Further to this, the continued development of OP1 and new development of OP2 would allow a much needed village shop or amenities to be created alongside these developments. There would not be enough of an impact from the number of houses proposed in sites OP3 and OP4 to warrant a local shop, and also no allocation of the appropriate land for this.

The additional new houses in OP3 and OP4 would provide yet another look for the village and would spoil the rustic charm and original features that the older part of the village presents. It would therefore make continued sense to construct new builds along the newer side of the village at OP1 and OP2, where new housing has already been developed and will be innkeeping with the look and pattern of the village.

When deciding to move here, one of the main factors was also the amount of privacy this location provided us. The addition of these houses would ruin the privacy of our garden, and could possibly cause all aspects of our home to be overlooked, therefore resulting in no privacy in the slightest. As this is one of the draws to the house, it would also reduce the value of the house, something which we obviously would not want to lose.

From the points listed above, I hope this helps to conclude that the development of OP3 and OP4, would not be the most beneficial strategy to the village and should not be prioritised to above the development of sites OP1 and OP2, which have the potential to provide true growth and prosper for the local community.

Sources:

Aberdeenshire Council, 2015. *TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 Application.. Reference: APP/2014/3845*. [online] Available at: <<https://upa.aberdeenshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NEAXR3CAJ0G00>> [Accessed 30 July 2020].

Aberdeenshire Council, 2019. *Based School Roll Forecast 2019*. [online] Available at: <<https://www.aberdeenshire.gov.uk/media/25090/basedschoolrollforecast2019.pdf>> [Accessed 29 July 2020].

Aberdeenshire Council, 2020a. *Proposed Local Development Plan 2020 Appendix 7C Settlement Statements - Formartine*. [online] Available at: <<https://www.aberdeenshire.gov.uk/planning/plans-and-policies/pldp-2020/proposed-local-development-plan-2020/>> [Accessed 29 July 2020].

Aberdeenshire Council, 2020b. *Strategic Environmental Assessment Of New Allocated Sites And Alternative Bid Sites - Formartine*. Proposed Local Development Plan 2020. [online] Available at: <<https://www.aberdeenshire.gov.uk/planning/plans-and-policies/pldp-2020/proposed-local-development-plan-2020/>> [Accessed 29 July 2020].

AREA Urban Design Architecture, 2014. *Foveran Village Engagement Report*. [online] Available at: <<https://upa.aberdeenshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NEAXR3CAJ0G00>> [Accessed 29 July 2020].

SEPA, 2014. *Response To Town And Country Planning (Scotland) Acts Planning Application: APP/2014/3845*. [online] Available at: <<https://upa.aberdeenshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NEAXR3CAJ0G00>> [Accessed 30 July 2020].

# 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.

