

# 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.



## 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.

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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.

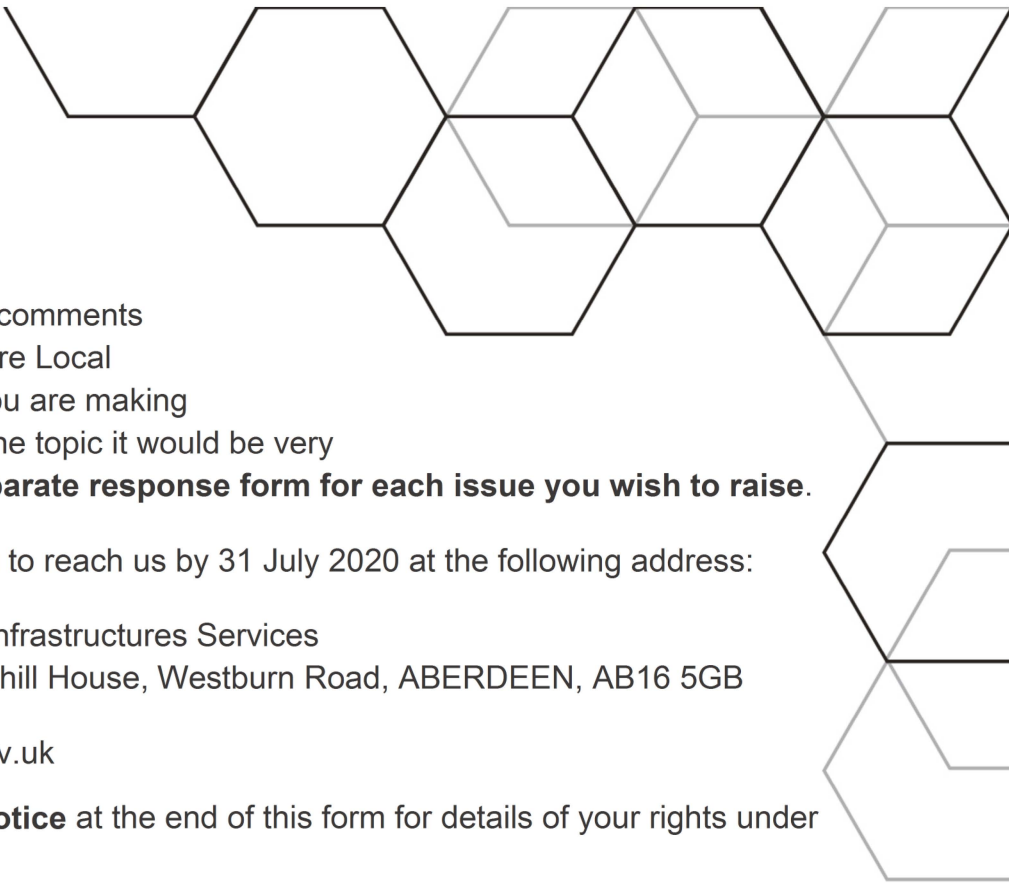
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Ja jums nepieciešama šai dokumentā sniegtā informācija kādā citā valodā vai lielā drukā, viegli lasāmā tekstā, Braila rakstā vai BSL (britu zīmju valodā), lūdzu, zvaniem uz 01467 536230.

Aberdeenshire Local Development Plan  
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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:	Michael
Surname:	Thomson
Date:	30 July 2020
Postal Address:	CHAP Group (Aberdeen) Ltd. [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):

Modification 1: Appendix 7D, Settlement Statements, Garioch, Blackburn (pages 528 to 531) to allocate land at Cairntradlin Farm (site reference GR085 in the Main Issues Report) for housing.

Modification 2: Appendix 6, Housing Land Allocations Table 1 (page 167) and Table 2 (page 170) removal of Site OP1 as contributing to the housing land supply allowances due to the site being ineffective as a result of a longstanding development constraint.

## **Reason for change:**

### **1.0 Introduction**

This representation has been prepared by and on behalf of CHAP Group (Aberdeen) Ltd in response to the 2020 proposed Aberdeenshire Local Development Plan (the Proposed Plan) to respectfully request that the land at Cairntradlin Farm (identified as Site GR085 in the Main Issues Report (MIR)) is allocated for housing in the Aberdeenshire Local Development Plan 2021.

It is essential that this representation is read in the context of the related Development Bid submitted at "Call for Sites" stage and the subsequent representation submitted in response to the MIR on behalf of CHAP Group. For ease of reference, these documents have been attached as appendices to this submission.

### **2.0 Overview of Development Bid / Proposal**

The indicative layout prepared by Mackay Ramsay Taylor architects (attached at Appendix 3) demonstrates how Site GR085 could be developed in a sympathetic and respectful manner to deliver around 108 homes. These would comprise a range of one, two, three and four bedroom homes, with 25% to be delivered as affordable housing, to meet the housing demand and need in Blackburn.

Site GR085 lies at the northern edge of Blackburn and adjacent to existing houses along Badger Rise and Scotsmill Crescent. Due to the site facing in a south-easterly direction, the site is contained by a natural bowl like landscape within which the remainder of the settlement sits. As such, the site would be an appropriate expansion of the settlement and would represent a logical rounding off of the northern edge of the settlement with roads running along the north of the site acting as a physical boundary.

The housing would be concentrated to the eastern section of the site taking cognisance of the HSE pipeline consultation zones and following the existing pattern of housing development in Blackburn, most recently immediately south of the site at Badger Rise. The indicative layout illustrates how the site at Cairntradlin could deliver much needed housing in line with Aberdeenshire Council's target density for new housing development whilst adhering to PHADI HSE guidelines.

### 3.0 Local Housing Need – Blackburn

Blackburn is located immediately north of the A96 and within the defined Aberdeen to Huntly Strategic Growth Area (SGA). The Proposed Strategic Development Plan (SDP) 2018 identifies SGAs as being the main focus for development in Aberdeenshire up to 2040, with at least 75% of all homes to be built in these areas.

Blackburn is an attractive and popular place to live. Both the extant and Proposed Plan cite the settlements location of the town on the A96 and close proximity to Aberdeen as being key reasons for Blackburn becoming a successful commuter town. The town boasts a number of local facilities including a primary school, shops, post office, pub/restaurant and coffee shop/drive thru, as well as a successful industrial estate. Blackburn is also well positioned to access other employment and service centres, including Dyce, Inverurie, Kintore and Westhill.

Despite the town's position within an SGA and desirability as a place to live, there have been no new housing completions since 2009 with the exception of a single house being completed 2015. Based on figures derived from past Housing Land Audits, the eight years up to and including 2009 saw a total of 560 house completions in Blackburn (see Table 1). Although there was only one new house completed in 2009, which is understood to have been the final house of the development directly south of Site GR085. Accordingly, there was an average of 80 new houses completed per year during the period between 2002 and 2008. These figures clearly demonstrate a historic strong level of demand for new housing in Blackburn. The only reason this trend does not continue beyond 2008 is the lack of effective housing supply available in the settlement and strongly indicates that the recent strategy to allocate sites in Blackburn with known constraints requires a careful rethink.

ACTUAL HOUSE COMPLETIONS – BLACKBURN									
Year	2002	2003	2004	2005	2006	2007	2008	2009	2010-2019
House Completions	60	57	70	102	115	113	42	1	1

Table 1: Actual House Completions in Blackburn  
(Source: Aberdeen City & Shire Housing Land Audits 2009 to 2019)

As well as meeting the housing demand that evidently exists in Blackburn, new housing is also needed to help support local businesses and services. The recently completed Kinellar Primary School lies within 850m of the site at Cairntradlin Farm and, based on the current roll forecast, has a current roll count of 425 pupils. This represents 79% of the schools capacity and it is forecast that the roll will steadily decrease to 320 pupils (75% of total capacity) by 2027. If the Council persist with the strategy of allocating sites with little prospect of delivery, it is likely that the predicted fall in the school roll will happen and will continue to fall during the period of the Proposed Plan.

## 4.0 Housing Strategy

### 4.1 Blackburn

The Proposed Plan has identified a single site for new housing development in Blackburn. This site, known as Caskieben, lies to the east of Blackburn and was the Officer's preference at Main Issues Report (MIR) stage. Caskieben was initially allocated for mixed use development in the 2012 LDP with 3 hectares of the site reserved for a new primary school and the remaining land identified for 50 houses. The primary school has since been constructed on the site of the former primary school; however, the site's allocation for 50 houses was carried over into the 2017 LDP. The sites that have been put forward for allocation in the Proposed Plan are currently referenced Sites OP1 and P5 in the extant LDP, and are considered by Officers as being suitable for 240 homes.

Despite its allocation for housing in the past two LDPs, Caskieben has failed to deliver any development. It is understood that the sites inability to deliver any development over the past eight years is due to an on-going constraint relating to ownership issues over the principle access into the site. This matter was highlighted in the MIR within which it was stated that ***'Matters associated with access and road widening would require to be resolved'***.

The ownership issue has been identified as a constraint from the sites first inclusion in the 2014 HLA up to the 2018 HLA. In contrast to previous HLAs, the latest 2019 HLA does not note ownership issues as affecting the site and it is therefore identified as being effective. **It is our understanding that the main access to the site remains in the control of a third party and that thus far a resolution in this regard has not been found.** Accordingly, Caskieben fails to meet the tests of effectiveness contained in the Scottish Government's *PAN 2/2010: Affordable Housing and Housing Land Audits*. We specifically note commentary at para 55 of PAN 2/2010 relating to physical constraints:-

*“physical: the site, or relevant part of it, is free from constraints related to slope, aspect, flood risk, ground stability or vehicular access which would preclude its development. Where there is a solid commitment to removing the constraints in time to allow development in the period under consideration, or the market is strong enough to fund the remedial work required, the site should be included in the effective land supply”*

In line with the provisions of PAN 2/2010, and with the longstanding issues over the principle access and road widening still to be resolved, **Caskieben must therefore be treated as a constrained site and its indicative capacity should not be included in the effective land supply.** This would result in 268 units from the total housing land allocation for Blackburn being available for allocation elsewhere within the settlement.

Perhaps indicative of the on-going constraints affecting Caskieben is the lack of involvement from a recognised housebuilder. Particularly, when considering the length of time that the site has been allocated for and the strong demand for new housing in Blackburn as discussed in Section 3.

We would question the rationale of increasing the capacity of Caskieben from the 150 homes stated in the development bid to the 268 homes stated in the MIR and Proposed Plan. This represents a 79% increase from the initial development bid and a 436% increase from the sites allocation in the extant LDP. We are concerned that using this broad brush method to artificially increase the capacity at Caskieben is at odds with the Council's focus on allocating sites that are demonstrably capable of delivery within the period of the Proposed Plan. It is noted that the Council have removed other historic allocations at MIR stage as they had been identified as being constrained and failed to deliver any development. This approach should be consistent for all sites that are currently allocated for housing but have yet to deliver a single home and has no planning permission in place, such as Caskieben.

As demonstrated in Section 3 of this response, there is a clear unmet need and demand for new housing in Blackburn with essentially no delivery having occurred in the past decade. This situation is solely due to the inability of Caskieben to come forward for development, despite its longstanding allocation in the 2012 and 2017 LDPs. To persist with Caskieben as the sole housing allocation in Blackburn seems foolhardy, particularly when there is a known historic constraint as highlighted in the MIR and previous HLAs. Given that the 2021 LDP will be a 10 year plan, continuing with this approach runs the realistic risk of no new housing development being delivered in Blackburn for a further decade. This situation is entirely avoidable through the allocation of an alternative site and we would strongly suggest that Site GR085 is the most suitable and deliverable option available.

The Council's unwillingness to bring forward another site that is deliverable and therefore capable of contributing to the 5-year effective land supply is deeply concerning. The spatial strategy promoted by the Council focuses the location of effective housing development land within SGAs and there is requirement to maintain a housing supply over the period 2020 to the end of 2032. Blackburn's position within a defined SGA and the closest settlement to Aberdeen within that SGA makes it a prime and obvious location for further housing allocations.

The Proposed Plan acknowledges that it is necessary to focus new land allocations in the areas around Aberdeen stating "*The area around Aberdeen City continues to be the powerhouse of economic activity in the region and so the land allocations made in the settlements around Aberdeen City reflect this*". The spatial strategy needs re-evaluating to place much greater emphasis on deliverability and include additional allocations in settlements around Aberdeen, such as Blackburn, which are demonstrably capable of delivery during the period of the Proposed Plan.

We do not consider that it is appropriate to retain Caskieben as the sole housing allocation in Blackburn as we do not consider the site to be effective or capable of delivery within the 5-year period and we are not aware of any evidence to suggest otherwise. **It is therefore recommended that Caskieben is de-allocated.** We would also be supportive of the alternative option of the site being reallocated to reserved, until it can be clearly demonstrated that the known access constraint has been overcome; provided that an alternative site is allocated to cover the lost housing numbers from the effective land supply.

#### **4.2 AHMA – Aberdeen to Huntly SGA**

Along the Aberdeen to Huntly SGA, some of the larger housing allocations have experienced issues with delivery, which, in part, has been due to complexities relating to the scale of these sites. This has led to these sites not delivering as expected and a resultant shortfall of new housing completions in recent years. Site OP1 in Kintore and Crichton (Site OP4) have yet to deliver any housing to date. Using actual and anticipated housing completions in the HLA, Table 2 below shows how the sites at Kintore and Crichton could conceivably have a delivery shortfall of 54% and 32%, respectively, by 2027.

<b>Example Major Sites in Aberdeenshire AHMA (incl. 2017 LDP REF)</b>	<b>Allocation to 2017 – 2026</b>	<b>Actual Delivered to 2019 (as per 2020 HLA)</b>	<b>Anticipated to 2027 (as per 2019 HLA)</b>	<b>Shortfall in delivery (allocation minus delivered/anticipated) [% shortfall]</b>
Kintore OP1	600	0	290	310 [52%]
Crichton (OP4)	437	0	295	142 [32%]
<b>Total</b>	<b>1,037</b>	<b>0</b>	<b>585</b>	<b>452 [44%]</b>

Table 4: Delivery Rates for Selected Large Sites – Aberdeen to Huntly SGA  
(Source – Housing Land Audit Series and LDPs, Aberdeen City and Aberdeenshire Councils)

It is noted that the Council have previously acknowledged that the majority of the SGAs, including the Aberdeen to Huntly SGA, have not performed as anticipated with delivery either occurring at a slower rate than projected or not delivering at all. It is further noted that the Aberdeen to Huntly SGA is considered to be constrained due to the uncertainty surrounding the dualling of the A96 and the decision on the intended route. It is understood that until a the preferred route has been identified, some of the sites in Inverurie and Huntly that have been allocated for development in the Proposed Plan will continue to be constrained and consequently unable to deliver new housing. Blackburn is unaffected by this constraint and could therefore be a logical settlement for new allocations of effective housing development land in order to meet housing demand in this SGA.

The delivery issues experienced by housing sites within the Aberdeen to Huntly SGA, coupled with the on-going delivery issues at Caskieben, raises serious questions about Aberdeenshire Council's ability to maintain an effective 5-year supply in this SGA. It is argued that further allocations are necessary in the Aberdeen to Huntly SGA, and Blackburn in particular, in order to address this issue and ensure that a suitable supply of effective housing land can be maintained through the period of the Proposed Plan.

Blackburn's location within a defined SGA and its proximity and accessibility to Aberdeen show that the settlement is strategically well located and should be a focus for new allocations for development to address the likely delivery shortfalls of larger allocations. Site GR085 is unaffected by development constraints, is deliverable and, unlike Caskieben, is under the control of a recognised housebuilder. It is therefore put forward that the site is the most appropriate location for a new housing allocation and would be capable of successfully contributing to the effective housing land supply.

#### **4.3 AHMA – Aberdeenshire**

Homes for Scotland (HfS) in their response to the proposed plan and a separate response prepared by Halliday Fraser Munro (HFM), on behalf of CHAP Group, raise concerns regarding the assumptions and methodology adopted by the Council that support the need for additional housing land. **Both responses should be considered alongside this submission.** To summarise the key points raised by these responses, there is an insufficient allocation of new housing land in the AHMA with a continued reliance of large "strategic" housing allocations. The overreliance of strategic sites to meet housing need is addressed in paragraph 4.15 of the proposed SDP in which it is directed that additional housing allocations are proposed over the period 2020 to 2032 (the Proposed Plan period) in order to ensure that housing land supply is maintained should any of the strategic sites fail to come forward for development or under deliver the anticipated housing numbers.

There has been a severe lack of new housing allocations in the Proposed Plan to address housing supply issues with the Council seemingly preferring to artificially increase the capacities of existing housing allocations rather than allocating new housing land in order to meet housing supply targets. This approach is unrealistic and does not meet the objectives of the proposed SDP or Proposed Plan and should be reconsidered.

We would raise further concerns over the extent of constrained sites that would contribute to the total housing land supply. Appendix 6 of the Proposed Plan indicates a surplus of only 80 allocated homes over the proposed SDP allowance in the AHMA. It is noted that the surplus in the Proposed Plan is lower than the surplus cited in the MIR following the removal of a number of housing sites (totalling at least 360 homes) during the preparation of the Proposed Plan with no replacement allocations made to mitigate the lost housing numbers. No clarification has been given why a lower surplus is now considered acceptable by the Council.

HfS, in their response to the Proposed Plan, calculate that 23% of the sites identified to meet the required housing allowances appear to be wholly or in part sites identified as constrained in the 2019 HLA (paragraph 37). Any site identified as being constrained should not be included as part of the effective land supply to meet the required housing allowances set out by the Proposed SDP. Aberdeenshire Council concur with this viewpoint in paragraph 5.4 of the Proposed Plan, however, this has not been followed through given the allocation of constrained sites in the Proposed Plan such as Caskieben. Homes for Scotland reviewed the new allocations proposed and removed those that are considered to be non-effective. **Their analysis suggests a total shortfall of -1,680 homes in Aberdeenshire with -432 homes of the shortfall in the AHMA** (summarised in Table 1 and analysis shown in Appendix 1 of their response to the Proposed Plan).



Furthermore, Homes for Scotland did not factor the continued inability of large strategic sites to deliver housing completion numbers anticipated in HLAs in their analysis. In the aforementioned response prepared by HFM, the actual deliver rates against expect delivery rates of four large housing allocations at Blackdog, Kintore, Chapleton and Crichtie (Section 3.3) were analysed. Using the actual homes delivered from 2017 to 2019 and extrapolating the anticipated delivery rates of these sites to 2027 (based on the 2019 HLA) HFM estimated a potential shortfall of 2,249 homes from the 10 year period following the adoption of the extant Local Development Plan. These larger sites have a part to play in the delivery of new housing in Aberdeenshire; however, the overreliance on these sites to deliver expected housing numbers is unsustainable and will inevitably lead to the under-delivery of housing. More realistic delivery rates for larger strategic sites should be adopted with a range of further housing allocations being made to address the inevitable delivery shortfall.

The proposed SDP states that “*Local Development Plans must identify allocations for the period 2020 and 2032 which are deliverable within the timeframe of the period*”. We contend that the lack of new housing allocations, the reliance on existing allocated strategic sites and constrained sites coming forward for development, the Proposed Plan does not adhere to the principles set out by the proposed SDP with regard new housing allocations. There is therefore a need for appropriately located additional housing allocations within the AHMA. If no further allocations are made, there is a high risk the LDP will not maintain a rolling five-year supply of effective housing land supply, which would be contrary to Scottish Planning Policy.

#### **5.0 Site at Cairntradlin Farm (GR085)**

In the Proposed Plan, Aberdeenshire Council maintain their stance not to allocate Site GR085 for housing despite the site’s obvious qualities. Rather, the Council has favoured carrying forward Caskieben for allocation for a third successive LDP even though the site has known constraints that raise serious doubt over its effectiveness and deliverability.

The MIR Issues and Actions Papers cite the preference of new residential development to the east, followed by development to the west, of Blackburn as the main reason against allocating Site GR085. The justification given is that development to the north would “*elongate the settlement away from services and facilities available within the settlement core*”. No other reasons have been given by Council Officers and it has therefore been assumed that the Officers are satisfied that the additional reasons put forward in the MIR are no longer valid. Nevertheless, we would make reference to our response to the MIR, prepared by Strutt & Parker, which addresses Officers comments raised in the MIR.

We strongly disagree with the assertion made by Officers that development at Site GR085 would result in housing that is further way from existing service and facilities. Caskieben may indeed be closer to existing services on an “as the crow flies” basis, however, when compared against actual pedestrian routes, our analysis concludes that there is very little difference between the walking distances between the two sites. Site GR085 is bisected by the B979 which serves one of Blackburn’s main arterial routes and is considered to be a safe route to Kinellar Primary School. Accordingly, the site relates well and benefits from strong connections to the existing services provided at the settlement core. We therefore suggest that the reasoning given for not allocating Site GR085 is flawed and without merit.

We would reiterate our stance that Site GR085 is the most suitable opportunity for a new housing allocation in Blackburn. It is noted by Officers in the MIR that the site “*relates relatively well to the existing settlement*” and the proposal would address shortfalls identified in the Open Space Audit.

The assessments of the preferred site at Caskieben and Site GR085 within the Strategic Environmental Assessment (SEA) are very similar with regard to the conclusions drawn on the effect on the environment if they were to be developed for housing. It could in fact be argued that the SEA indicates that the impact would be more positive for Site GR085 than Caskieben post mitigation works, particularly in terms of landscape. We note an error in the SEA where it is stated that there would be a loss of trees as a result of development at Site GR085. This is not the case as the site has been designed to avoid any loss of the few trees that exist on the site. This is illustrated by the indicative layout. Conversely, development Caskieben and other bid sites at Kinellar Estate and Hillhead of Glasgego will almost certainly result in a loss of mature trees and would therefore have a greater negative impact in terms of biodiversity and landscape.

As demonstrated by the foregoing, Site GR085 is deliverable in the short term and is not encumbered by access or any other development constraints. Development can be wholly contained within the eastern portion of the site and would therefore have good coalescence with the houses to the site and the wider settlement. This is not the case for other bid sites where development is likely to be split due to the Transco pipeline and would therefore not relate as well to the town.

## **6.0 Conclusion**

From this submission, it is evident that there have been failings in delivering new housing in Blackburn and wider Aberdeen to Huntly SGA. The 2021 LDP represents an opportunity to address this housing delivery shortfall through the appropriate allocation of new effective housing land. In order to achieve this it is essential that the Council adopt a consistent and sensible approach in reviewing existing housing allocations and identifying new allocations to ensure that a 5-year supply is maintained throughout the 10 year plan period. Caskieben is a clear example of a longstanding allocated site that has failed to deliver that will conceivably will be incapable of delivery during the plan period as a result of a continuing access ownership constraint. Such sites should either have its allocation removed or be reallocated as reserved land until the constraint has been resolved, and replaced with sites that are capable of contributing to the effective housing land supply.

Site GR085 is one such site that is capable of short term delivery, has no overriding development constrains, and would be an appropriate continuation of the settlement. Development at the site would have a positive impact through the provision of much needed housing (including affordable housing), which would be the first new housing in Blackburn for over 10 years, as well as supporting Kinnerllar Primary and other local businesses and services.

CHAP are a locally based company and have a strong track record of delivering high quality developments and are committed to continuing this record through the development at Cairntradlin Farm. We believe that there are significant benefits from the proposed development and we would respectfully request that Site GR085 is allocated for housing in the 2021 Aberdeenshire LDP.

# 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.

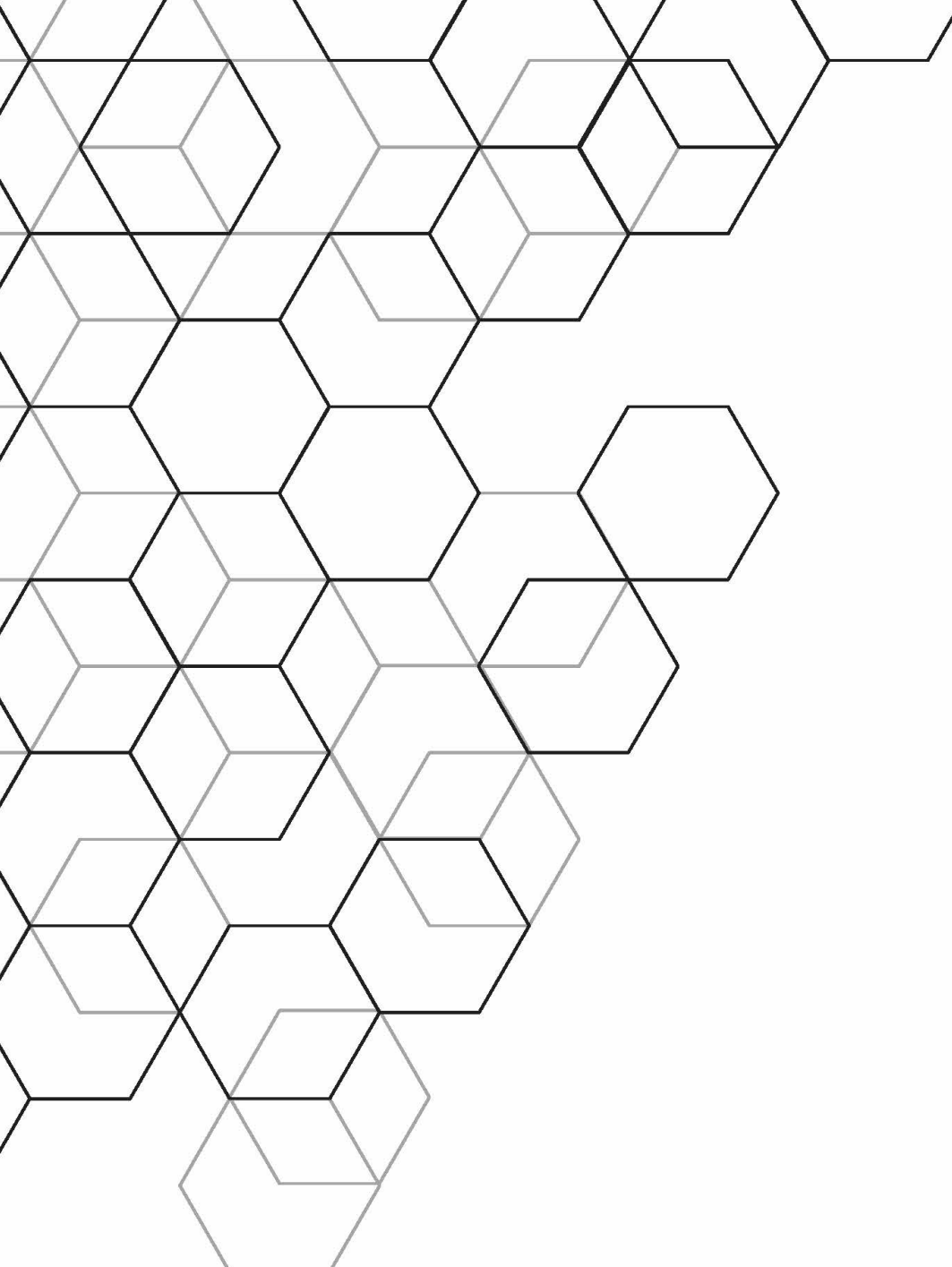
Please note that you have the following rights:

- 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.

Appendix 1  
Site GR085 – Development Bid

Appendix 2  
Site GR085 – MIR Response

Appendix 3  
Site GR085 – Indicative Layout



#### 4. Site Details

Name of the site (Please use the LDP name if the site is already allocated)	Land at Cairntradlin, Blackburn, Aberdeenshire
Site address	Land at Cairntradlin, Blackburn, Aberdeenshire
OS grid reference (if available)	NO 90164 792527
Site area/size	23.5 acres
Current land use	Agricultural
Brownfield/greenfield	Greenfield
Please include an Ordnance Survey map (1:1250 or 1:2500 base for larger sites, e.g. over 2ha) showing the location and extent of the site, points of access, means of drainage etc.	

#### 5. Ownership/Market Interest

Ownership (Please list the owners in question 3 above)	Sole owner - [REDACTED]
Is the site under option to a developer?	No
Is the site being marketed?	No
	If yes, please give details. Not applicable

#### 6. Legal Issues

Are there any legal provisions in the title deeds that may prevent or restrict development? (e.g. way leave for utility providers, restriction on use of land, right of way etc.)	No
	If yes, please give details Not applicable
Are there any other legal factors that might prevent or restrict development? (e.g. ransom strips/issues with accessing the site etc.)	No
	If yes, please give details Not applicable

#### 7. Planning History

Have you had any formal/informal pre-application discussions with the Planning Service and what was the response?	No
	If yes, please give details Not applicable
Previous planning applications	Please provide application reference number(s), description(s) of the development, and whether planning permission was approved or refused: No previous planning application history.
Previous 'Call for sites' history. See Main Issues Report 2013 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a>	Please provide Previous 'Call for sites'/'Bid' reference number: n/a
Local Development Plan status <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a>	Is the site currently allocated for any specific use in the existing LDP? No Site situated on the edge of Blackburn settlement boundary. No site designations.
	If yes, do you wish to change the site description and or allocation?



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### 8. Proposed Use

Proposed use		Housing/employment/mixed use/other (please specify): Housing
Housing	Approx. no of units	Not currently available
	Proposed mix of house types	The proposals will include a range of housing types complimenting the surrounding residential areas. The mixture of housing types could be identified through public consultation.  The specific details of the house types and sizes will come at the detailed planning stage.
	Tenure (Delete as appropriate)	Private/Affordable
	Affordable housing proportion	At least 25%
Employment	Business and offices	-
	General industrial	-
	Storage and distribution	-
	Do you have a specific occupier for the site?	-
Other	Proposed use (please specify) and floor space	-
	Do you have a specific occupier for the site?	-
Is the area of each proposed use noted in the OS site plan?		Not applicable

### 9. Delivery Timescales

We expect to adopt the new LDP in 2021. How many years after this date would you expect development to begin? (please tick)	0-5 years	X
	6-10 years	
	10+ years	
When would you expect the development to be finished? (please tick)	0-5 years	X
	6-10 years	
	+ 10years	
Have discussions taken place with financiers? Will funding be in place to cover all the costs of development within these timescales	No	
	If yes, please give details (e.g. bank facility, grant funding, secured loan etc.)	
	Not applicable	
Are there any other risk or threats (other than finance) to you delivering your proposed development	No	
	If yes, please give details and indicate how you might overcome them:	
	Not applicable	

## 10. Natural Heritage

<p>Is the site located in or within 500m of a nature conservation site, or affect a protected species?</p> <p>Please tick any that apply and provide details.</p> <p>You can find details of these designations at:</p> <ul style="list-style-type: none"> <li>• <a href="https://www.environment.gov.scot/">https://www.environment.gov.scot/</a></li> <li>• EU priority habitats at <a href="http://gateway.snh.gov.uk/sitelink/index.jsp">http://gateway.snh.gov.uk/sitelink/index.jsp</a></li> <li>• UK or Local priority habitats at <a href="http://www.biodiversityscotland.gov.uk/advice-and-resources/habitat-definitions/priority/">http://www.biodiversityscotland.gov.uk/advice-and-resources/habitat-definitions/priority/</a></li> <li>• Local Nature Conservation Sites in the LDP's Supplementary Guidance No. 5 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a></li> </ul>	RAMSAR Site	No
	Special Area of Conservation	No
	Special Protection Area	No
	Priority habitat (Annex I)	No
	European Protected Species	No
	Other protected species	No
	Site of Special Scientific Interest	No
	National Nature Reserve	No
	Ancient Woodland	Yes
	Trees, hedgerows and woodland (including trees with a Tree Preservation Order)	Yes
	Priority habitat (UK or Local Biodiversity Action Plan)	No
	Local Nature Conservation Site	No
	Local Nature Reserve	No
	<p>If yes, please give details of how you plan to mitigate the impact of the proposed development:</p> <p>The development proposal would not result in the removal of any trees, woodland and hedgerows and would include additional landscaping/planting.</p> <p>A full Ecological Assessment would be prepared at a later stage to ensure there is no impact on any potential protected species in the area.</p>	
<b>Biodiversity enhancement</b>		
<p>Please state what benefits for biodiversity this proposal will bring (as per paragraph 194 in Scottish Planning Policy), <a href="http://www.gov.scot/Resource/0045/00453827.pdf">http://www.gov.scot/Resource/0045/00453827.pdf</a> by ticking all that apply. Please provide details.</p> <p>See Planning Advice 5/2015 on Opportunities for biodiversity enhancement at: <a href="http://www.aberdeenshire.gov.uk/media/19598/2015_05-opportunities-for-biodiversity-enhancement-in-new-development.pdf">www.aberdeenshire.gov.uk/media/19598/2015_05-opportunities-for-biodiversity-enhancement-in-new-development.pdf</a></p> <p>Advice is also available from Scottish Natural Heritage at: <a href="https://www.snh.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers">https://www.snh.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers</a> and <a href="http://www.nesbiodiversity.org.uk/">http://www.nesbiodiversity.org.uk/</a>.</p>	Restoration of habitats	
	Habitat creation in public open space	
	Avoids fragmentation or isolation of habitats	
	Provides bird/bat/insect boxes/Swift bricks (internal or external)	
	Native tree planting	Yes
	Drystone wall	
	Living roofs	
	Ponds and soakaways	Yes
	Habitat walls/fences	
	Wildflowers in verges	
	Use of nectar rich plant species	
	Buffer strips along watercourses	
	Show home demonstration area	
	Other (please state):	
<p>Please provide details:</p> <p>SUDS basin and new landscaping/planting will enhance biodiversity/habitats.</p>		

## 11. Historic environment

Historic environment enhancement	
Please state if there will be benefits for the historic environment.	No If yes, please give details: -
<p>Does the site contain/is within/can affect any of the following historic environment assets? Please tick any that apply and provide details.</p> <p>You can find details of these designations at:</p> <ul style="list-style-type: none"> <li>• <a href="http://historicscotland.maps.arcgis.com/apps/Viewer/index.html?appid=18d2608ac1284066ba3927312710d16d">http://historicscotland.maps.arcgis.com/apps/Viewer/index.html?appid=18d2608ac1284066ba3927312710d16d</a></li> <li>• <a href="http://portal.historicenvironment.scot/">http://portal.historicenvironment.scot/</a></li> <li>• <a href="https://online.aberdeenshire.gov.uk/smrpub/master/default.aspx?Authority=Aberdeenshire">https://online.aberdeenshire.gov.uk/smrpub/master/default.aspx?Authority=Aberdeenshire</a></li> </ul>	Scheduled Monument or their setting
	Locally important archaeological site held on the Sites and Monuments Record
	Listed Building and/or their setting
	Conservation Area (e.g. will it result in the demolition of any buildings)
	Inventory Gardens and Designed Landscapes
	Inventory Historic Battlefields
	If yes, please give details of how you plan to mitigate the impact of the proposed development: -

## 12. Landscape Impact

Is the site within a Special Landscape Area (SLA)? (You can find details in Supplementary Guidance 9 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a> )	No <b>If yes</b> , please state which SLA your site is located within and provide details of how you plan to mitigate the impact of the proposed development: -
<p>SLAs include the consideration of landscape character elements/features. The characteristics of landscapes are defined in the Landscape Character Assessments produced by Scottish Natural Heritage (see below) or have been identified as Special Landscape Areas of local importance.</p> <ul style="list-style-type: none"> <li>• SNH: Landscape Character Assessments <a href="https://www.snh.scot/professional-advice/landscape-change/landscape-character-assessment">https://www.snh.scot/professional-advice/landscape-change/landscape-character-assessment</a></li> <li>• SNH (1996) Cairngorms landscape assessment <a href="http://www.snh.org.uk/pdfs/publications/review/075.pdf">http://www.snh.org.uk/pdfs/publications/review/075.pdf</a></li> <li>• SNH (1997) National programme of landscape character assessment: Banff and Buchan <a href="http://www.snh.org.uk/pdfs/publications/review/037.pdf">http://www.snh.org.uk/pdfs/publications/review/037.pdf</a></li> <li>• SNH (1998) South and Central Aberdeenshire landscape character assessment</li> </ul>	<b>If your site is not within an SLA</b> , please use this space to describe the effects of the site's scale, location or design on key natural landscape elements/features, historic features or the composition or quality of the landscape character: -

<http://www.snh.org.uk/pdfs/publications/review/102.pdf>

### 13. Flood Risk

Is any part of the site identified as being at risk of river or surface water flooding within SEPA flood maps, and/or has any part of the site previously flooded?  (You can view the SEPA flood maps at <a href="http://map.sepa.org.uk/floodmap/map.htm">http://map.sepa.org.uk/floodmap/map.htm</a> )	Yes If yes, please specify and explain how you intend to mitigate this risk:  A small part of the site at the southern edge is identified as being at risk of surface water flooding. This can be appropriately mitigated within any development proposals.
Could development on the site result in additional flood risk elsewhere?	No If yes, please specify and explain how you intend to mitigate or avoid this risk: -
Could development of the site help alleviate any existing flooding problems in the area?	Yes If yes, please provide details: Development of the site can reduce the surface water run off rate. Through the use of sustainable urban drainage systems, run off rate can be reduced, potentially alleviating localised flooding issues.

### 14. Infrastructure

<b>a. Water / Drainage</b>		
Is there water/waste water capacity for the proposed development (based on Scottish Water asset capacity search tool <a href="http://www.scottishwater.co.uk/business/Connections/Connecting-your-property/Asset-Capacity-Search/">http://www.scottishwater.co.uk/business/Connections/Connecting-your-property/Asset-Capacity-Search/</a> )?	Water	Yes/No – SW capacity tool not functioning
	Waste water	Yes/No – As above
Has contact been made with Scottish Water?	Yes/No If yes, please give details of outcome:	
Will your SUDS scheme include rain gardens? <a href="http://www.centralscotlandgreennetwork.org/campaigns/greener-gardens">http://www.centralscotlandgreennetwork.org/campaigns/greener-gardens</a>	Yes/No Please specify:	
<b>b. Education – housing proposals only</b>		
Education capacity/constraints <a href="https://www.aberdeenshire.gov.uk/schools/parents-carers/school-info/school-roll-forecasts/">https://www.aberdeenshire.gov.uk/schools/parents-carers/school-info/school-roll-forecasts/</a>	Please provide details of any known education constraints. Is additional capacity needed to serve the development?  Kinellar Primary & Kemnay Academy in school catchment area.  Kinellar PS is currently at 94% working capacity (2016), though projected school roll figures are expected to decrease to 2022. Kemnay Academy is currently at 79% working	

	<p>capacity (2016) with projected school roll figures expected to increase to 2022.</p> <p>Any education impact of the proposed development can be addressed appropriately through developer contributions if required however.</p>
Has contact been made with the Local Authority's Education Department?	<p>No</p> <p>If yes, please give details of outcome:</p> <p>-</p>
<b>c. Transport</b>	
If direct access is required onto a Trunk Road (A90 and A96), or the proposal will impact on traffic on a Trunk Road, has contact been made with Transport Scotland?	<p><del>Yes</del>/No</p> <p>If yes, please give details of outcome:</p>
Has contact been made with the Local Authority's Transportation Service? They can be contacted at <a href="mailto:transportation.consultation@aberdeenshire.gov.uk">transportation.consultation@aberdeenshire.gov.uk</a>	<p><del>Yes</del>/No</p> <p>If yes, please give details of outcome:</p>
Public transport	<p>Please provide details of how the site is or could be served by public transport:</p> <ul style="list-style-type: none"> <li>- Dyce train station (6 miles)</li> <li>- B979 bus stop (&lt;400m) with infrequent service</li> <li>- A96 bus stops with multiple services to Abredeen (~1km)</li> </ul>
Active travel (i.e. internal connectivity and links externally)	<p>Please provide details of how the site can or could be accessed by walking and cycling:</p> <p>The existing core path network sits in close proximity to the site, with a proposed addition to the network directly adjacent to the site boundary. The proposals can help deliver this section of the core path network linking the path through the site.</p> <p>This promotes active travel to the nearby bus stops for commuting into Aberdeen.</p>
<b>d. Gas/Electricity/Heat/Broadband</b>	
Has contact been made with the relevant utilities providers?	<p>Gas: <del>Yes</del>/No</p> <p>If yes, please give details of outcome(s):</p>
	<p>Electricity: <del>Yes</del>/No</p> <p>If yes, please give details of outcome(s):</p>
	<p>Heat: <del>Yes</del>/No</p> <p>If yes, please give details of outcome(s):</p>
	<p>Broadband: <del>Yes</del>/No</p>

	If yes, please give details of outcome(s):
Have any feasibility studies been undertaken to understand and inform capacity issues?	<del>Yes</del> /No Please specify:
Is there capacity within the existing network(s) and a viable connection to the network(s)?	<del>Yes</del> /No Please specify:
Will renewable energy be installed and used on the site? For example, heat pump (air, ground or water), biomass, hydro, solar (photovoltaic (electricity) or thermal), or a wind turbine (freestanding/integrated into the building)	<del>Yes/No</del> /Don't know If yes, please specify the type of renewable energy technology(s), if it is to provide electricity and/or heating (i.e. space heating and/or hot water), and the scale of provision (To supplement off-site connection all the way to 100% energy provision (off-grid)):
<b>e. Public open space</b>	
Will the site provide the opportunity to <b>enhance the green network?</b> (These are the linked areas of open space in settlements, which can be enhanced through amalgamating existing green networks or providing onsite green infrastructure)  You can find the boundary of existing green networks in the settlement profiles in the LDP	Yes Please specify: The site can provide strong settlement edge to the north, extending the existing green network incorporating the proposed core paths improving the connectivity of the existing network to the wider countryside. The proposals will also include enhanced open space for public use, or other suitable open space, as required by the council.
Will the site meet the open space standards, as set out in Appendix 2 in the <b>Aberdeenshire Parks and Open Spaces Strategy?</b> <a href="https://www.aberdeenshire.gov.uk/media/6077/approvedpandospacesstrategy.pdf">https://www.aberdeenshire.gov.uk/media/6077/approvedpandospacesstrategy.pdf</a>	Yes Please specify: This would be dealt with at a detailed application stage but the site is capable of satisfying all open space standards.
Will the site deliver any of the shortfalls identified in the <b>Open Space Audit</b> for specific settlements? <a href="https://www.aberdeenshire.gov.uk/communities-and-events/parks-and-open-spaces/open-space-strategy-audit/">https://www.aberdeenshire.gov.uk/communities-and-events/parks-and-open-spaces/open-space-strategy-audit/</a>	Yes Please specify: The council identify the Averoan path network as particularly successful and that Blackburn is the interface between the proposed core path between Kirkhill Forest and westward, towards Kinnellar Hall Wood – the site can provide part of the proposed route at the north edge of the settlement enhancing the existing network and amenity value.  The audit also identifies the need for improvements to existing parks and open spaces. The proposed development can either contribute towards through suitable developer contributions or provide new enhanced space/parks within the site.

f. Resource use	
Will the site re-use existing structure(s) or recycle or recover existing on-site materials/resources?	Yes/No If yes, please specify: No structures on site at present, but development would be designed to retain and re-use the soils on site.
Will the site have a direct impact on the water environment and result in the need for watercourse crossings, large scale abstraction and/or culverting of a watercourse?	Yes/No If yes, please provide details:

### 15. Other potential constraints

Please identify whether the site is affected by any of the following potential constraints:

Aberdeen Green Belt <a href="https://www.aberdeenshire.gov.uk/media/20555/appendix-3-boundaries-of-the-greenbelt.pdf">https://www.aberdeenshire.gov.uk/media/20555/appendix-3-boundaries-of-the-greenbelt.pdf</a>	No
Carbon-rich soils and peatland <a href="http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/soils-and-development/cpp/">http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/soils-and-development/cpp/</a>	Yes – Mineral Soils
Coastal Zone <a href="https://www.aberdeenshire.gov.uk/media/20176/4-the-coastal-zone.pdf">https://www.aberdeenshire.gov.uk/media/20176/4-the-coastal-zone.pdf</a>	No
Contaminated land	No
Ground instability	No
Hazardous site/HSE exclusion zone (You can find the boundary of these zones in Planning Advice 1/2017 Pipeline and Hazardous Development Consultation Zones at <a href="https://www.aberdeenshire.gov.uk/planning/plans-and-policies/planning-advice/">https://www.aberdeenshire.gov.uk/planning/plans-and-policies/planning-advice/</a> and advice at <a href="http://www.hse.gov.uk/landuseplanning/developers.htm">http://www.hse.gov.uk/landuseplanning/developers.htm</a> )	Yes
Minerals – safeguarded or area of search <a href="https://www.aberdeenshire.gov.uk/ldpmedia/6_Area_of_search_and_safeguard_for_minerals.pdf">https://www.aberdeenshire.gov.uk/ldpmedia/6_Area_of_search_and_safeguard_for_minerals.pdf</a>	No
Overhead lines or underground cables	No
Physical access into the site due to topography or geography	No
Prime agricultural land (grades 1, 2 and 3.1) on all or part of the site. <a href="http://map.environment.gov.scot/Soil_maps/?layer=6">http://map.environment.gov.scot/Soil_maps/?layer=6</a>	Yes
'Protected' open space in the LDP (i.e. P sites) <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a> and choose from Appendix 8a to 8f	No
Rights of way/core paths/recreation uses	Yes
Topography (e.g. steep slopes)	No
Other	No

If you have identified any of the potential constraints above, please use this space to identify how you will mitigate this in order to achieve a viable development:

Part of the site is identified as a prime agricultural land Class 3.1, which is in abundance in this part of Aberdeenshire. Furthermore, the recent development to the south was also largely within Class 3.1 agricultural land and not considered an issue. The proposed site would have a similar impact and any mitigation can be adopted if required.

There is a pipeline running through part of the site. An appropriate development stand-off would be incorporated within any proposals – this does not constrain development on the majority of the site.

As noted previously, a proposed core path runs adjacent to and through part of the site, the proposals would aid to deliver this part of the proposed network enhancing the connectivity to the wider countryside.

### 16. Proximity to facilities

How close is the site to a range of facilities? *Delete as appropriate	Local shops	>1km
	Community facilities (e.g. school, public hall)	400m-1km
	Sports facilities (e.g. playing fields)	400m-1km
	Employment areas	>1km
	Residential areas	400m
	Bus stop or bus route	400m
	Train station	>1km
	Other, e.g. dentist, pub (please specify)	400m (Valet Service); 400m-1km (Music repair shop, beauty salon, post office); 1km-1.5km (Leys Hotel, Co-Op, Take-away restaurant).

### 17. Community engagement

Has the local community been given the opportunity to influence/partake in the design and specification of the development proposal?	Not yet
	If yes, please specify the way it was carried out and how it influenced your proposals:
	If not yet, please detail how you will do so in the future:  Prior to any applications, we would seek initial discussions with the council and Community Council. At least one public event will also be held to gain comments from the local community to influence the proposals and identify specific community needs – local residents, the Community Council, local Councillors and any other relevant stakeholders would be invited along to such events.

### 18. Residual value and deliverability

Please confirm that you have considered the 'residual value' of your site and you are confident that the site is viable when	I have considered the likely 'residual value' of the site, as described above, and fully expect the site to be viable:
------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------



infrastructure and all other costs, such as constraints and mitigation are taken into account.

Please tick:

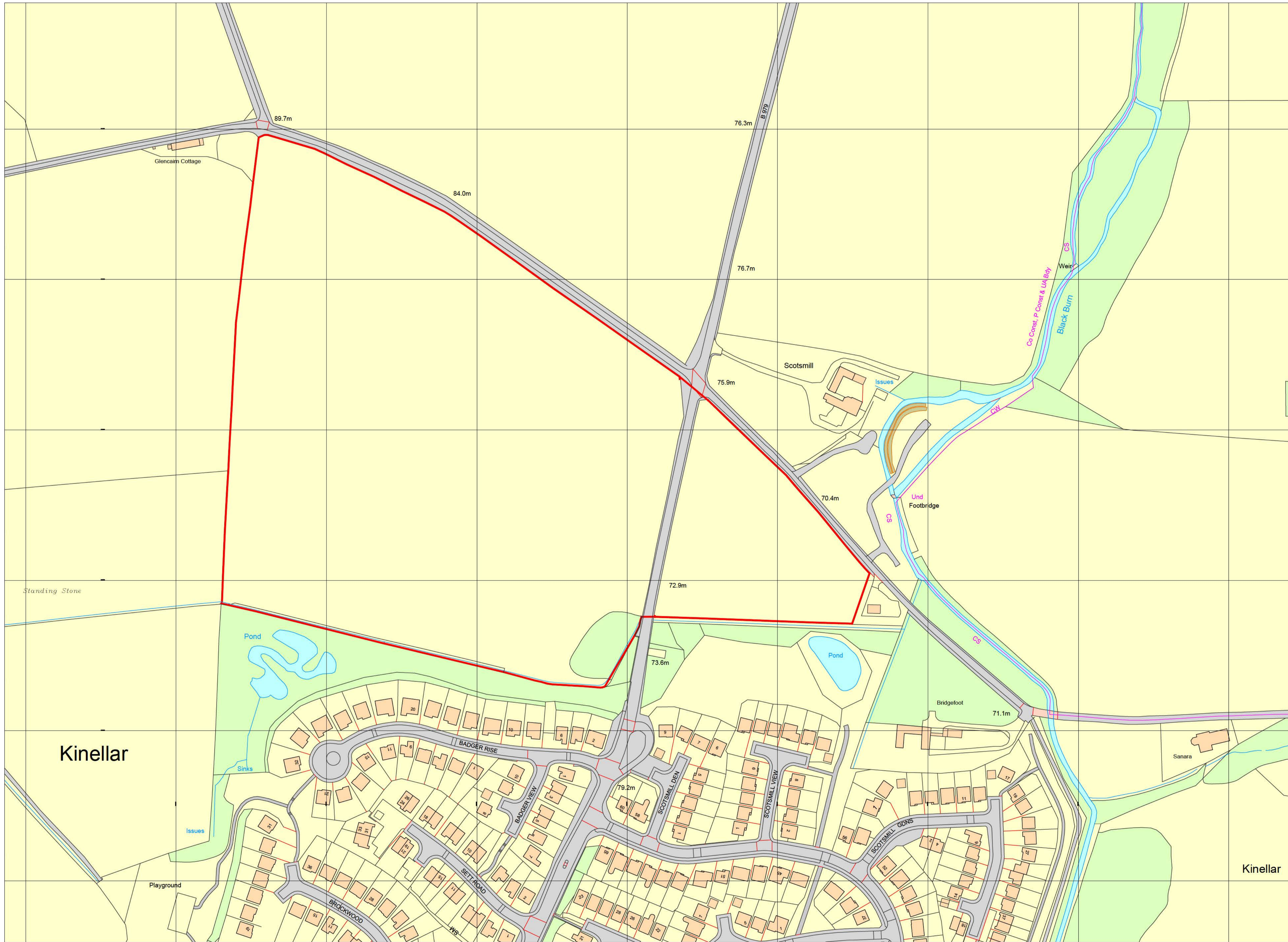
If you have any further information to help demonstrate the deliverability of your proposal, please provide details.

**19. Other information**

Please provide any other information that you would like us to consider in support of your proposed development (please include details of any up-to-date supporting studies that have been undertaken and attach copies e.g. Transport Appraisal, Flood Risk Assessment, Drainage Impact Assessment, Peat/Soil Survey, Habitat/Biodiversity Assessment etc.)

Please tick to confirm your agreement to the following statement:

By completing this form I agree that Aberdeenshire Council can use the information provided in this form for the purposes of identifying possible land for allocation in the next Local Development Plan. I also agree that the information provided, other than contact details and information that is deemed commercially sensitive (questions 1 to 3), can be made available to the public.



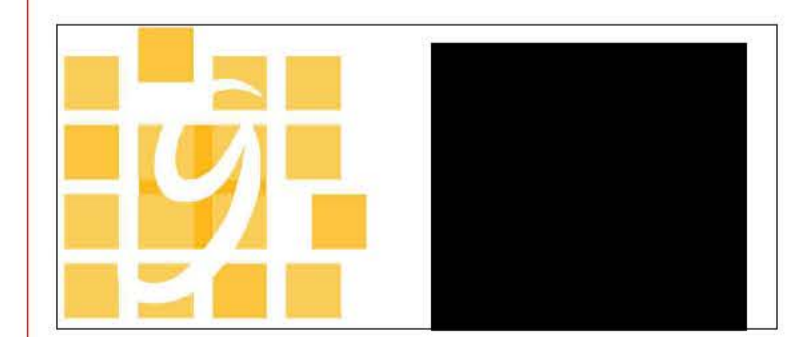
— Call for Sites Boundary

Rev	Date	Revision notes	By
* * * *			

Status  
**Call for Sites**

Project  
**Cairntradlin', Blackburn**

Title  
**Call for Sites Plan**



Drawn By	Publish Date	Scale(s)
	28-3-18	1:1250 @ A1

Project no.	Drawing no.	Revision

Kinellar

Kinellar





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.

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

## Your comments

### Main Issue 2: The Settlement Strategy

The sole focus of the identified Main Issue relating to the LDP Settlement Strategy is whether to remove the sections of the spatial strategy that refer to six different administrative areas in Aberdeenshire and instead to give a wider context to the settlement strategy as it applies over the whole area. We note the alternative set out in the MIR to keep the statements for each administrative area to assist communities Area Committees in using the Plan.

However as previously highlighted in our general comments on the MIR, we perceive a more fundamental issue that has the potential to significantly undermine the settlement strategy adopted by the Council, which is focused on an overall lack of clarity with regard to the housing land requirement across the Aberdeenshire area and the means by which the Council proposes to satisfy this and maintain an effective 5-year land supply at all times.

We note the Council's acknowledgement in the suite of consultation documents that the majority of the identified Strategic Growth Areas (SGAs) are failing to perform as expected and that delivery is either occurring more slowly than projected or not at all. In particular, we note that the Aberdeen to Huntly Strategic Growth Area is recognised as being constrained by uncertainty surrounding the dualling of the A96 and the potential route options. We note that until such a time as a preferred route is identified, many of the sites in Inverurie and Huntly that are identified for development remain constrained and incapable of delivery; this threatens the Council's ability to maintain an effective 5-year supply in this SGA.

This is not a singular issue however with the anticipated delivery rates in the Aberdeen to Laurencekirk SGA also falling badly behind projections. Infrastructure and capacity issues are frustrating delivery on sites that may otherwise be considered to be effective with the result that proposed housing numbers are being rationalised across some sites, with the result that a new allocation of some 300 units is proposed to be identified to the north of Porthlethen to bridge the housing delivery shortfall within this SGA.

Whilst we acknowledge the Council's assertion that the Aberdeen to Peterhead SGA will become the main focus to accommodate additional housing land allocations, we do not consider it appropriate that a delivery failure in the other two SGAs can be fully compensated for through a singular focus on the strategic corridor between Aberdeen and Peterhead; should failures in the housing supply emerge in this corridor in due course, the Council's 'eggs in one basket' approach will result in an overall failure to achieve an effective 5-year housing land supply at all times and will likely face a substantial number of departure applications for residential development on unallocated sites, which runs contrary to the principles of the plan-led system in place in Scotland.

We highlight the requirement within the Proposed SDP that a 75%/ 25% split of housing land will be achieved within the SGAs versus other locations in Aberdeenshire. We consider that the Council's acknowledgement of the significant constraints facing housing delivery in two of the three SGAs requires the Council to take steps to ensure that the Housing Land Requirement can be satisfied in an appropriate manner across all of the settlements in the SGAs.

We therefore suggest that the Council must reconsider the effectiveness and capability of delivery of a number of sites that are identified as 'preferred options' or that have been carried forward from previous LDPs despite an inability for these sites to achieve anticipated housing numbers.

We note that the Council has taken the opportunity at this MIR stage to remove a number of historic allocations that are identified as being constrained and have failed to deliver a single unit on site. Examples of this practice in the Garioch settlements includes sites in Chapel of Garioch, Inch, Kemnay, and Old Rayne.

However, we note that the Council appears to have taken an inconsistent approach to the treatment of sites that have recognised and long standing constraints; in a number of settlements, sites that are identified as 'constrained' in the most recent 2018 Aberdeen City and Shire Housing Land Audit and for which no planning application has been submitted are carried forward as Preferred Options in the MIR. In some cases, these constrained sites are not only proposed to be carried forward but have also seen substantial increases to the indicative capacity, sometimes achieved through the incorporation of a larger area of land that would also appear to suffer the same constraint. Examples of these issues across the Garioch and Marr Settlements can be found in the preferred options being promoted by the Council in Blackburn; Hatton of Fintry; Huntly; Inverurie and Port Elphinstone; Keithhall and Kingseat.

We highlight below an example of one settlement where the Council's failure to remove an historic allocation that has consistently failed to achieve delivery of any units on site and unwillingness to bring forward an alternative site that is effective, unconstrained, capable of delivery and actively under the control of a recognised housebuilder is likely to contribute to an overall failure in housing land supply across the Plan period.

#### **Land at Cairntradlin Farm, Blackburn**

Blackburn is located within the Aberdeen Housing Market Area of the Garioch Area of Aberdeenshire Council and is positioned in the Aberdeen to Huntly Strategic Growth Area (SGA). Blackburn is a popular commuter town classified, using the Scottish Government six-fold urban rural classification as "Accessible Small Town" and benefits from a number of local facilities including a school, shops, post office, pub/restaurant and industrial estate.

The LDP Priorities for the settlement are contained in Appendix Garioch Part 1, with both Appendices Garioch Part 1 and Garioch Part 2 highlighting how the Council has considered bids in the Garioch settlements including Officer's assessment of each site and their subsequent identification of preferred options, 'reserved' sites and those that constitute a future development opportunity. The priorities for Blackburn are set out below:-

- to meet housing need in the wider SGA as defined by the Aberdeen City and Shire SDP;
- to support community facilities and services; and
- to improve and create opportunities for active travel.

There is also an ambition to conserve and enhance the landscape setting of the settlement where possible, and to improve and extend the path network, with a long term community aspiration of providing a walking/cycle route around the while of the town.

The settlement extends to the north of the A96 with limited scope for development beyond that to the south. The settlement is oriented on a general north-south axis with the western edge characterised by an employment area provided for on an industrial estate. The village is set within a landscape surrounded by prominent hillsides which offer effective landscape containment and an attractive setting.

Blackburn is a popular location due in part to its proximity to Aberdeen City, which has resulted in a number of new housing developments in recent years. A replacement primary school was completed in 2018 which has enhanced the facilities available in the settlement.

The MIR identifies a single site to the east of Blackburn, at Caskieben, that is considered to be suitable for development and is identified as an Officer's preference. The Council's reasons stated in the MIR for favouring this site (Ref GR087) for the increased capacity of 268 units states "Examination of the Local Development Plan 2017 found that site OP1 would be capable of accommodating a greater scale of development than that of the current allocation" and also states that "the site is well located for parking and walking".

The site has been identified for development for some time (ref: OP1) with a first entry in the 2014 Housing Land Audit. Despite being carried forward into the 2017 LDP the site has failed to deliver. Both the MIR and the most recent 2018 Housing Land Audit confirm that the site is constrained due to ownership issues; the MIR provides further detail stating that *'Matters associated with access and road widening would require to be resolved'*. It is our understanding that access to the site is in the control of a third party and that thus far a resolution in this regard has not been found.

We note that a bid was submitted to the Council as part of the Call for Sites, ref: GR087, that sought the ongoing allocation of the Caskieben site for residential development and an increase the site area to include site P5 previously mooted for use as a primary school. The bid also sought an associated increase in the indicative numbers on the site up to 268. The Council's assessment of the site confirmed that the proposed boundary required to be amended to exclude an area of ancient woodland to the north of the site and that matters associated with access required a resolution.

A second bid, ref: GR088, was submitted for a further 50 homes to be delivered to the north of the GR087 site. The Council's assessment of this site states that *"The proposed site situated adjacent to the settlement boundary"* and that *"when considered in isolation the site is detached from the settlement and as such could only come forward upon allocation and delivery of bid site OP1 and P5/GR087"*. The Council has not preferred this site for immediate development but reserves this site for further consideration for residential development.

Having reviewed the sites we also note that they contain a significant portion of land identified on the Hutton Institute (formerly Macaulay Institute) Land Capability for Agriculture mapping as grade 3.1, which is Prime Agricultural Land (PAL) for the purposes of planning. We estimate that in excess of 50% of the Caskieben sites comprises Prime Agricultural Land, with the remaining portion being made up by Grade 3.2 land.

The Caskieben sites, incorporating GR087 and GR088, are noted to be in private ownership and we see no evidence provided as part of the Call for Sites that the sites have either been marketed or that a recognised housebuilder or promoter is in place to take forward development. The MIR confirms that no masterplan or planning application is in place for the site.

We therefore consider that it is not appropriate to retain the GR087 and GR088 sites as preferred options for future development and in the absence of any housebuilder/promoter or a resolution on access issues we fail to see how these sites can be considered to be effective or capable of delivery within the 5-year period. We therefore suggest that the Caskieben sites should be either removed as an Officer's Preference or reduced to status of 'reserve' site until the identified constraints can be overcome, and we propose that alternative sites in Blackburn should be considered to be taken forward into the Proposed Plan as a priority.

We note that a number of other bids for development were submitted to the Council during the Call for Sites stage; none of these other sites have been preferred by Officers. Reasons stated by officers included remoteness from the settlement area; impact on historic environment; loss of prime agricultural land; flood risk; landscape impact; HSE pipeline consultation zone; lack of services and reliance on access by private car; and overall scale of development proposed.

During the Call for Sites stage, CHAP Homes submitted a bid for residential development on land at Cairntradlin on which they have agreed an option with the landowner.

The Council's reasons stated in the MIR for not favouring the site subject of this submission (GR085: Land at Cairntradlin Farm) stated that *"the proposed site relates relatively well to the existing settlement, however it is remote from the centre of the village and key services. While the proposal seeks to contribute towards addressing shortfalls in the Open Space Audit, there are a number of constraints to overcome, namely that a large part of the site is identified as being prime agricultural land and the site lies within the Health and Safety Executive's pipeline consultation zone"*. As a result, the Council has not preferred the site for development. We address each of the Council's reasons below.

#### *Relationship of site to the settlement*

The proposed site is located on the northern edge of the settlement, adjacent to existing residential uses and in a natural hollow created by the rising hillsides around. The site would be an appropriate continuation of the settlement,



having the effect of extending the existing residential developments at Badger Rise and Scotsmill Crescent and would create a natural rounding off of the northern settlement edge in this landscape 'bowl' feature.

We highlight the site is within 850m from the Community hall at the heart of the village with both the primary school and Post office both within a further 250m. The B979 that traverses Blackburn in a north south direction is restricted to 30mph limit and has a number of speed reducing measures in place. The road is considered to be a safe route to Blackburn's Kinellar Primary School; having consulted the school roll forecast we are aware that Kinellar Primary's roll count in 2018 was 392 – this figure equates to 81% of the total capacity of 484 pupils. However, the school roll is forecast to experience a sustained decrease from 2018 onwards to reach a low in 2023 of 356 pupils, or 74% of total capacity. These figures demonstrate the requirement for further housing delivery in the village in the short term to support the school; in the continued absence of new housebuilding in the village, resulting from ongoing failures on the allocated site at Caskieben, there is little opportunity to attract a new influx of population, which is likely to result in the school roll continuing to decline further as current pupils progress through the education system and into high school. It is suggested that residential development on land at Cairntradlin Farm is best placed to assist in reversing this downwards trend; the land is effectively being available, unconstrained, under option to a recognised housebuilder and capable of delivery in the first 5-year period of the emerging Local Development Plan.

We therefore consider that the site has a good relationship with the village core and is well connected with, and would be a complementary use to, the residential development located immediately adjacent to the south of the site.

#### *HSE Pipeline Safeguarding zone*

We acknowledge that a portion of the western most part of the site falls within the HSE pipeline consultation zone. We have consulted guidance published by HSE in order to inform the development of the site and highlight any areas in which development and/or site densities may be restricted. As a result of our investigations, we can confirm that the Transco pipeline has historically been subject to an inner zone of 152m, a middle zone of 228m and an outer zone of 304m.

The land at Cairntradlin can comfortably accommodate an appropriate residential density in line with the Council's requirement within the middle and outer zones without any infringement on the safeguarded inner zone. An indicative layout has been prepared by Mackay Ramsay Taylor architects on behalf of CHAP Homes to illustrate how residential development could be achieved on this site whilst respecting the inner zone and maintaining an appropriate stand off from the pipeline.

The MIR considers a number of potential development sites that lie within the HSE pipeline consultation zone and we note that a site at Dunecht, confirmed in the Council's assessment of the site as being located within the HSE pipeline consultation zone, has been identified as an Officer's Preference for future allocation.

We note that the residential development at Badger Rise to the south of the subject site lies within the same safeguarding zone of the land at Cairntradlin Farm and that an appropriate solution to site layout was reached in that instance to facilitate the development being delivered in accordance with all relevant PHADI HSE guidelines. Accordingly, the indicative layout included as an Appendix to this submission takes cognisance of the alignment of the recent residential development at Badger Rise and seeks to reflect and continue the westernmost extent of that development.

Given the points raised above, particularly the precedent set by existing and proposed residential development within HSE pipeline zones, we are of the opinion that that the presence of the pipeline to the west of the Cairntradlin site is not a justifiable reason for the Council to refuse to support the proposed development; the Council has identified locations within other settlements across the authority area where it does not discount the possibility of development within a pipeline consultation zone. We suggest therefore that the incorporation of appropriate mitigation measures as has been put into place in the development on Badger Rise adjacent to the south of the subject site, would facilitate an appropriate layout and density for the proposed development on the Cairntradlin site.

### *Open Space Provision*

The proposed residential development on land at Cairntradlin Farm has the potential to make a significant contribution to address open space issues within the settlement. We note that the Council's Open Space Strategy Audit identifies that Blackburn appears to have a significant proportion of amenity space however that much of this is in fact industrial or transport amenity land and as such does not serve a particular community function. Other areas of amenity space are formally planted with paths for walking.

We note that approximately 75% of the open space in the settlement comprises amenity areas with just over a quarter in use for other functions, including formally laid out play spaces and sports areas. The open space audit confirms that there are no allotments in Blackburn.

An Indicative Layout has been prepared which includes a generous provision of open space across the site, with a large area of quality open space to be provided on the western portion of the site (within the HSE pipeline consultation zone).

It is suggested that a section of the proposed area of open space could be retained as a community growing space (i.e. allotments) to assist in enhancing the sustainability criteria of the settlement.

### *Prime Agricultural Land*

The Council cites loss of Prime Agricultural Land as a reason for not taking forward the land at Cairntradlin Farm as a preferred option. We acknowledge that the land is classified on the Hutton Institute (formerly Macaulay Institute) Land Capability for Agriculture (LCA) maps as being partially 3.1, with an area of 3.2 on the western section of the site. For the purposes of planning, Classes 1, 2 and 3.1 of the LCA classification are considered to constitute Prime Agricultural Land (PAL).

However, given the very broad brush nature of the LCA mapping, there is often reason to challenge these classifications on a site specific basis. In this regard, CHAP Homes commissioned SAC Consulting to conduct a provisional review of the soil quality and likely capability for agriculture on the land at Cairntradlin. As a result of initial site testing comprising investigation through a number of manually dug trial pits in regular and frequent locations across the site, we have reason to query the validity of the LCA classification of 3.1, at least on part of the site.

The initial findings of the SAC Consulting provisional review are appended to this submission and indicate that the eastern part of the bid site is not PAL but more likely to be classified as 3.2 through scientific testing, and that sections of the western part of the site currently identified as 3.1. are more likely to be deemed to be 3.2 through scientific testing. These findings would reduce the total area of PAL that would be lost through development on land at Cairntradlin.

Notwithstanding, we highlight that the land at Caskieben that comprises Officer's preferred option for future development in Blackburn is classified by the Hutton Institute (formerly Macaulay Institute) LCA maps as being partially 3.1. The remainder of the site is classified as 3.2, i.e. not PAL, however we estimate that a significant proportion of the site, and certainly well in excess of 50%, is 3.1 PAL.

We also note a number of other sites in settlements across the Garioch area that contain PAL but which have been assessed as Officer's preference for future development. In this regard we highlight sites in Inverurie, Inch, and Newmachar that Officers confirm will result in loss of PAL but which can be justified on the basis that the sites would deliver a number of local aspirations which would override the loss of PAL, or where the loss of PAL would be considered to be insignificant in context of availability of PAL in the wider landscape surrounding the settlement.

We consider that a similar scenario exists in Blackburn and that the small area of potential PAL that would be lost should development come forward on the Cairntradlin site could be justifiable to support the community, provide additional community benefit and provide housing choice for those seeking to live in an accessible small town within easy commuting distance of Aberdeen.

Having reviewed the Interim Environmental statement from the Strategic Environmental Assessment prepared by the Council we consider that the conclusions of the assessment of the Caskieben and Cairntradlin sites proposed for

development in Blackburn are broadly similar with no significant differences from an environmental perspective that would justify the proposed allocation of the Caskieben site over the Cairntradlin site. If anything, the Council's consideration of landscape impact appears to be more positive for the Cairntradlin site than the Caskieben site once mitigation measures have been put in place.

### *Conclusions*

As per our comments in the introductory section of this response, we suggest that the Council should reconsider its current approach to achieving new housing delivery across the Strategic Growth Areas, the strategy for which appears to prioritise new housing delivery in the Aberdeen to Peterhead corridor without appropriately addressing historic failures in the other two SGAs between Aberdeen to Huntly and Aberdeen to Laurencekirk. We consider that it is incumbent upon the Council to adopt a consistent approach to the assessment of proposed development sites and to identify and deallocate those sites with a history of failing to deliver new housing in favour of other proposed development sites that are available, capable of housing delivery and contributing to the requirement to maintain an effective 5-year housing land supply, such as the example included above at Blackburn.

The Local Housing Strategy identifies Blackburn as a 'High Priority' area and sets out a number of "Actions" for this area including to "increase the supply of intermediate housing, including market rental and affordable home ownership options by 85 units per year" and to "enable the provision of affordable housing in our rural communities".

Therefore, we are of the view that the proposed development of this site would have no negative impact on the settlement; assist in meeting the aims of the Local Housing Strategy; have a positive impact on both the vital facilities in terms of supporting the Primary School Roll (with safe routes to school); not adversely affect an area of land safeguarded within the HSE pipeline zone and that is to be delivered as open space, potentially incorporating a community growing area (a significant amenity to the village). The proposed development would not represent overdevelopment; the land partially prime quality agricultural land for the purposes of planning however the potential for loss of prime agricultural land would be minimal in the context of the availability of PAL in the surrounding landscape. More detail on the potential layout, proposed houses and compliance with the Councils design guidance is provided in the enclosed Indicative Layout which has been prepared by architects Mackay Ramsay Taylor on behalf of CHAP Homes.

We believe that there are significant benefits to the area to be derived from this proposal which should receive your support.

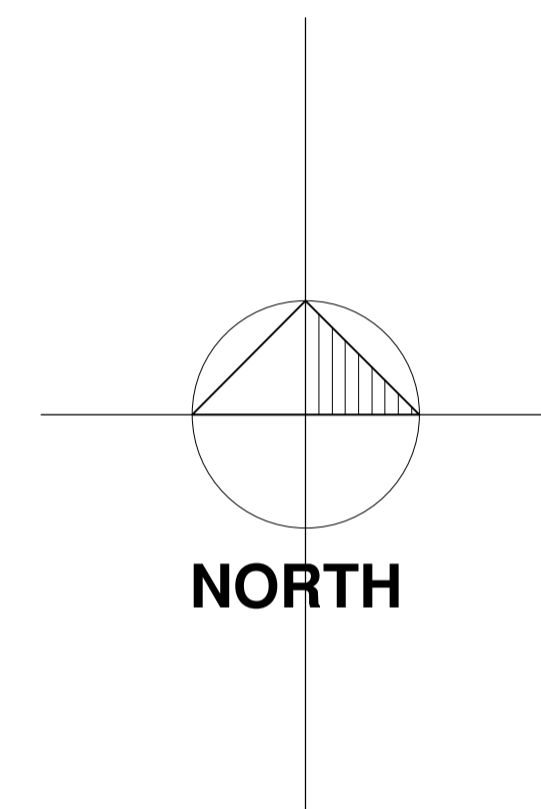


Schedule

Site Area  
 Field 1 - 1.322 ha (3.26 acres)  
 Field 2 - 8.134ha (20 acres)  
 [Area of field 2 outwith "Inner Zone" 3.925ha (9.70 acres)]

Approx Developable area fields 1&2- (outwith approx flood zone and pipeline inner zone)  
 3.444ha + 0.963ha = 4.407ha (10.89 acres)

108 residential units  
 27 affordable terraced houses  
 81 open market detached and semi-detached houses  
 (24 semi-detached & 57 detached)



A	Updated	Feb '19
Rev	Description	Date



Project  
**PROPOSED RESIDENTIAL DEVELOPMENT**

CAIRNTRADLIN, BLACKBURN  
 ABERDENSHIRE

Drawing  
 INDICATIVE SITE LAYOUT

Scale 1:2000@A3/1:1000@A1

Status Info

Date Feb 2019

Drawn By

Project No. 2146	Drawing No. L(00)11 A
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