

PP1159

# 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.

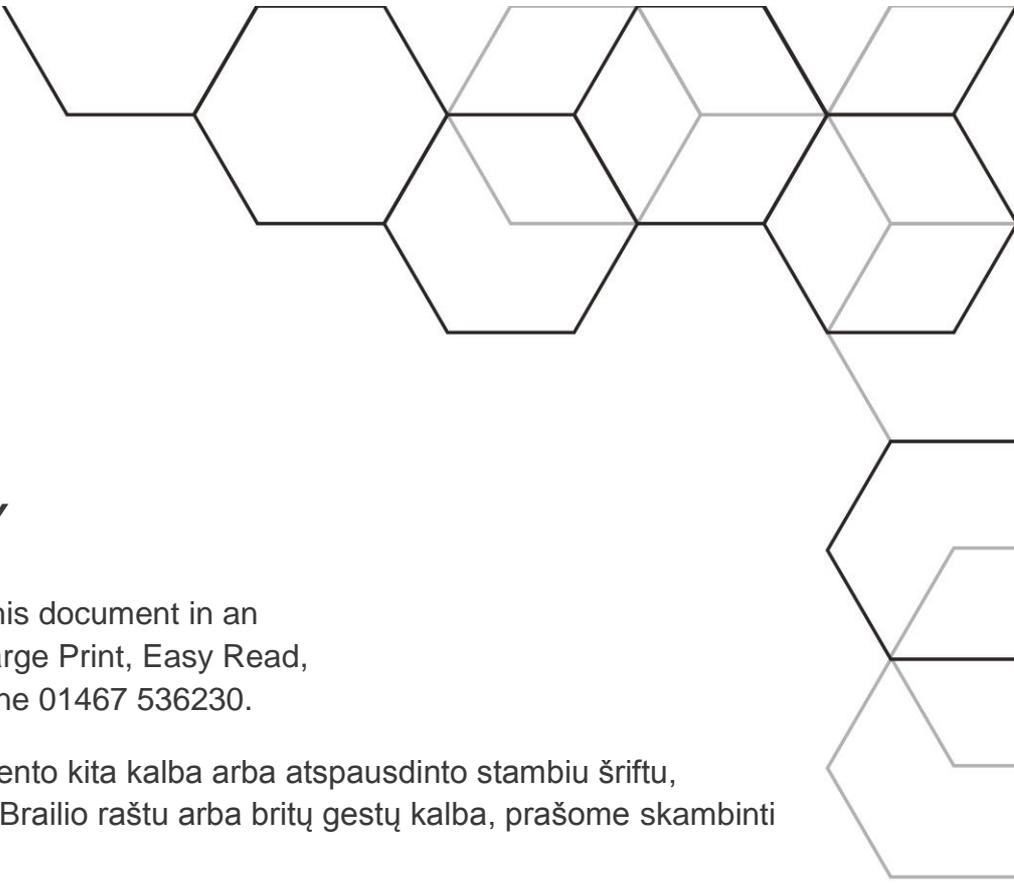
This is the only remaining opportunity to comment on the Proposed Plan. The reasons for any requested changes will be analysed and reported to Scottish Ministers. They will then appoint a person known as a Reporter to conduct a public examination of the Proposed Plan, focusing particularly on any unresolved 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

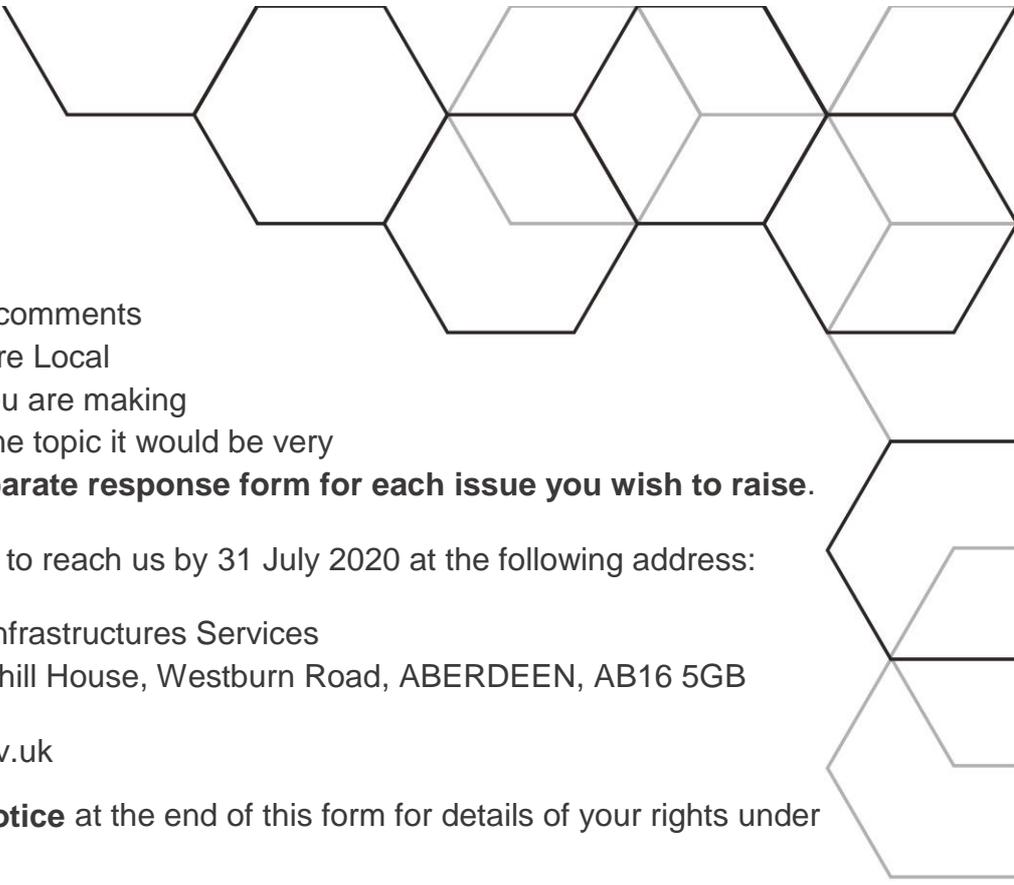
Tel: 01467 536230

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:	Audrey
Surname:	Anderson
Date:	30 July 2020
Postal Address:	██
Postcode:	██████████
Telephone Number:	██████████
Email:	████████████████████

Are you happy to receive future correspondence only by email?  **Yes**

Are you responding on behalf of another person?  **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):

I wish to object to the development of OP46 ("Royal Devenick Park") in Aberdeen City/Aberdeenshire as submitted by [REDACTED] as set out in development bid ref 1314. The proposal is for the development of 150 homes bordering on Deeside Braes to the south (within the City boundary), and wrapping around the Burn of Leggart to the west (partly in the Shire).

## Reason for change:

The City development part of 'Phase 1 Royal Devenick Park' was previously assessed by Aberdeen City Council Planning Officers as '**undesirable**' following the previous development application **KN 069 - 072, Land at Tollochill Wood, Kincardine and Mearns Part 2 PDF**. The development was also assessed by Aberdeenshire Council as "not preferred" at that time.

The main reasons for this decision were provided as follows:

- *"The proposed site is situated in the countryside, on the edge of Aberdeen City, and is constrained for a variety of reasons.*
- *This area is important in terms of the landscape setting of the City, and the site would have a negative impact on the Aberdeen green belt and the City.*
- *There would be a significant loss of trees, much of which is ancient woodland, parts of the wider site are environmentally sensitive, and this area provides an important habitat and green corridor between the River Dee and Tullo Hill.*
- *Even with the opening of the Aberdeen Western Peripheral Route (AWPR), there are significant access constraints requiring substantial new road infrastructure. The proposal requires a significant upgrade to access to the A92(T) (formerly the A90) south of the Bridge of Dee (two new roundabouts), and traffic modelling would also need to be considered further as even after the AWPR, the Bridge of Dee presents a significant bottleneck.*
- *Waste water treatment may be a significant issue, as the proposer states there is limited capacity and private drainage arrangements are proposed, which is not acceptable at this scale nor so close to the River Dee Special Area of Conservation.*
- *There is insufficient primary and secondary school capacity for any homes in this location without immediate upgrades or new school provision. Except for Banchory Devenick Primary School over 800m away, there are no other Aberdeenshire based*

*services in the vicinity of the proposal and co-ordination with Aberdeen City would be required.*

- *Despite this the site is close to the many facilities offered by Aberdeen City and could provide improvements to non-vehicular access to recreation on the edge of the City.*
- *However, these issues are not considered to outweigh the significant constraints.”*

This decision was made 18 months ago and I would ask that consideration be given as to what has changed in these aspects in the interim which would make the development of this site now desirable.

I believe the reasons underpinning the Council's decision in March 2019 are still relevant, and therefore in addition to those, I would like to object to the proposed development on the following grounds:

- The crucial importance of the green belt (as Banchory Devenick is designated) as a 'lung' for the City and an essential habitat for a wide range of wildlife.
- The Den of Leggart - a Local Nature Conservation Site and a designated a Prime Landscape (DWP) Area - lies inside the Phase 1 Royal Devenick Park site. The Den comprises semi-natural and ancient woodland, and provides an essential habitat for a number of protected species. Designated species identified in the NESBReC 'Notable species search' (survey undertaken in July 2018) identifies the following: bats, badgers, red squirrel, pine marten, hedgehog; owls.
- Road upgrades would be necessary for site entry - presumably from Deeside Braes (constrained by the Den of Leggart), the A92 and from the ancient Causey Mounth itself. Tollohill Braes are historically significant. These were the resting and camping place of the Covenanter army coming up Causey Mounth from the south before the Battle of Aberdeen in 1646. The Causey Mounth, an ancient drovers' road constructed in the 12th century, is a designated 'Heritage Path'
- There is definitely a case for 'finishing what you started' - completing the numerous housing developments (Shire and City) that are already in progress eg the new town of Chapelton, the large development at Countesswells, Riverside of Blairs - which has apparently come to a stop. The slow progress and poor uptake of such developments should make the Council question the viability of another extensive housing proposal.
- The landscape vistas of Banchory Devenick (especially Tollohill Wood) from Holburn Street, Duthie Park, the Riverside, Garthdee and Cults would be degraded. With regard to this particular Phase, views from Kincorth and the A92, of the Wood, the Dee Valley and Aberdeen west would be particularly adversely affected, significantly impacting on the green belt and landscape setting of Aberdeen.
- The area's key recreational role for the City and Shire, for example, Tollohill Wood as a natural resource for walkers, runners, dog walkers, schoolchildren, mountain bikers, etc; the 12th Century Causey Mounth road as a scenic route for individual cyclists, club cyclists, seniors walking groups, runners, etc.
- If the City Phase is eventually approved it would constitute 'the thin end of the wedge', paving the way for further unwanted and far more substantial developments in the wider Banchory-Devenick area.

# 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.

