

PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020 RESPONSE FORM

As part of the production of the Local Development Plan, a 'Main Issues Report' was published in January 2019. The responses from these consultations have helped to inform the content of the Proposed Local Development Plan ("the Proposed Plan").

The Aberdeenshire Local Development Plan will direct decision-making on land-use planning issues and planning applications in Aberdeenshire for the 10-year period from 2021 to 2031. The Proposed Plan was agreed by Aberdeenshire Council in March 2020 as the settled view of the Council. However, the Proposed Plan will be subjected to an independent examination and is now open for public comment.

This is your opportunity to tell us if anything should be changed in the Proposed Plan, and why.

When writing a response to the Proposed Plan it is important to specifically state the modification(s) that you would wish to see to the Plan.

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

Ministers expect representations (or responses) to be concise (no more than 2000 words) and accompanied by limited supporting documents. It is important to ensure that all of the information that you wish to be considered is submitted during this consultation period as there is no further opportunity to provide information, unless specifically asked.

Please email comments to ldp@aberdeenshire.gov.uk or send this form to reach us by 31 July 2020*.

We recommend that you keep a copy of your representation for your own records.

**UPDATE 16 June 2020: Consultation period was extended from 17 July 2020 for a further two-week period.*



ACCESSIBILITY

If you need information from this document in an alternative language or in a Large Print, Easy Read, Braille or BSL, please telephone 01467 536230.

Jeigu pageidaujate šio dokumento kita kalba arba atspausdinto stambiu šriftu, supaprastinta kalba, parašyta Brailio raštu arba britų gestų kalba, prašome skambinti 01467 536230.

Dacă aveți nevoie de informații din acest document într-o altă limbă sau într-un format cu scrisul mare, ușor de citit, tipar pentru nevăzători sau în limbajul semnelor, vă rugăm să telefonați la 01467 536230.

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

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

Aberdeenshire Local Development Plan
Woodhill House, Westburn Road, Aberdeen, AB16 5GB

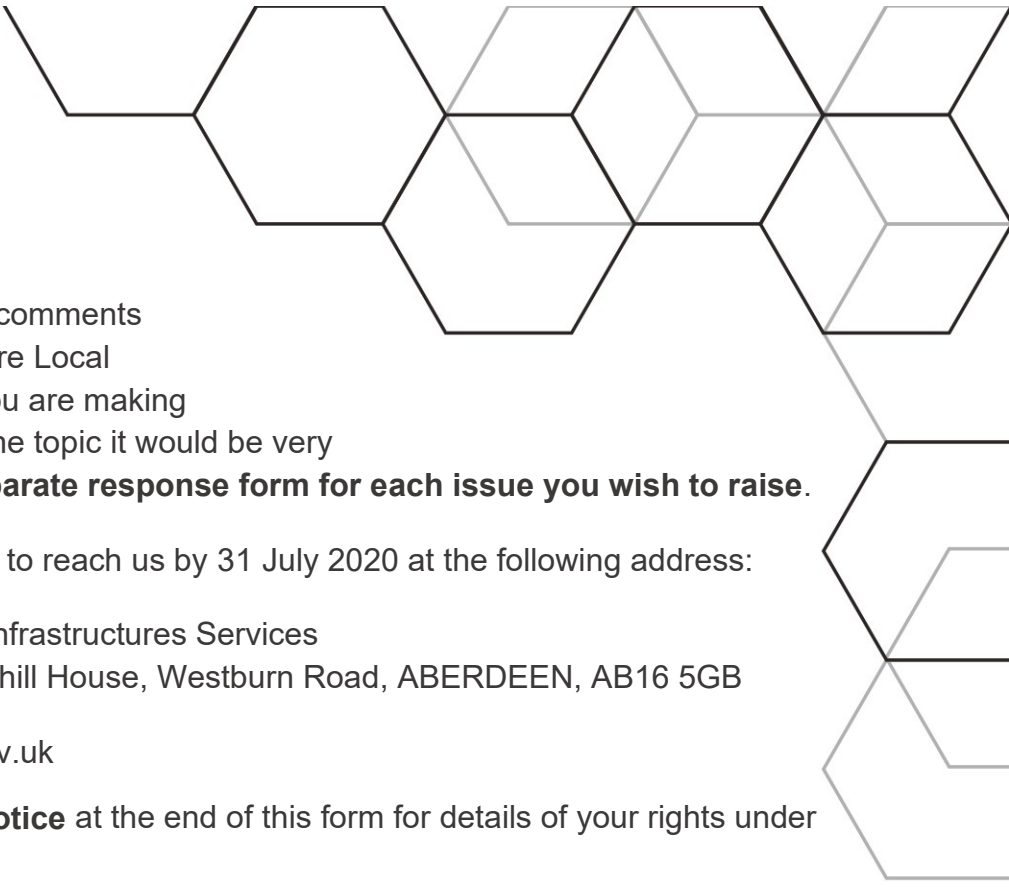
Tel: 01467 536230

Email: ldp@aberdeenshire.gov.uk

Web: www.aberdeenshire.gov.uk/ldp

Follow us on Twitter [@ShireLDP](https://twitter.com/ShireLDP)

If you wish to contact one of the area planning offices, please call 01467 534333 and ask for the relevant planning office or email planning@aberdeenshire.gov.uk.



Please use this form to make comments on the Proposed Aberdeenshire Local Development Plan 2020. If you are making comments about more than one topic it would be very helpful if you could fill in a **separate response form for each issue you wish to raise**.

Please email or send the form to reach us by 31 July 2020 at the following address:

Post: Planning Policy Team, Infrastructures Services
Aberdeenshire Council, Woodhill House, Westburn Road, ABERDEEN, AB16 5GB

Email: ldp@aberdeenshire.gov.uk

Please refer to our **Privacy Notice** at the end of this form for details of your rights under the Data Protection Act.

YOUR DETAILS

Title:	Mr
First Name:	Ian
Surname:	Chapman
Date:	30 th July 2020
Postal Address:	████████████████████
Postcode:	████████
Telephone Number:	██████████
Email:	████████████████████

Are you happy to receive future correspondence only by email? Yes No

Are you responding on behalf of another person? Yes No

If yes who are you representing?

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

An acknowledgement will be sent to this address soon after the close of consultation.

YOUR COMMENTS

Please provide us with your comments below. We will summarise comments and in our analysis will consider every point that is made. Once we have done this we will write back to you with Aberdeenshire Council's views on the submissions made. We will publish your name as the author of the comment, but will not make your address public.

Modification that you wish to see (please make specific reference to the section of the Proposed Plan you wish to see modified if possible, for example Section 9, paragraph E1.1):

- 1) Remove Inchmarlo OP3 (Land at East Mains and Alder Wood) from the LDP. Appendix 7f page 825
- 2) Edit the wording under vision, page 822 Appendix 7f.

Reason for change:

1) Planning permission for 'windfall' site Inchmarlo site OP3 was originally provided in 2011 and then again in 2015 after a revised planning application.

Given that development has not progressed it cannot reliably be included in the LDP as a project that will be delivered and should be removed. Any future development of the site, whilst undesirable should be handled outside of the LDP. Indeed, if it was possible existing permissions should be rescinded to bring closure to a project that continues to drain valuable Council resources and Tax Payer's money.

- The development was originally approved in 2011 on the basis that it was an employment and tourism opportunity and conditionally approved by Council on the basis that a hotel/ lodge was completed prior to the commencement of any home building. Provision for this was included in the S75 for the development.
- Home building was only included in the approvals to support financing of the hotel. A standalone, homes only development would not, I understand, have been approved then as it would and should not now for reasons described below.
- Despite Council approving a revised APP in 2015, to help facilitate the development, there has been no substantive if any progress on the hotel and its long term commercial viability remains highly questionable despite previous reassurances, more so in the current economic environment.
- The development was not included in the 2016 LRP despite having prior planning approvals.
- It was only included in the 2021 LDP after comments made on the MIR issued earlier in the planning cycle, counter comments could not be presented, therefore.
- The Developer is still to fully complete other nearby developments despite all homes being built and sold over 10 years ago. This further reduces confidence in the hotel/lodge being completed as proposed.

Scottish Planning Outcomes call for the “right development in the right place“. Windfall site Inhchmarlo OP3 clearly does not meet that criteria. The arguments made in 2011 and again in 2015 against the development of this site and particularly the building of a large number of homes on the East Mains side of the Glassel Road remain valid as do new considerations.

- The site will be car dependent and the Environmental Assessment confirms that the development as being likely to have a long term negative environmental impact.
 - The bus service is extremely limited and was scheduled to be reduced even further before more recent changes due to COVID considerations. Bus stop(s) maybe accessible but the service is not ‘suitable’ and unlikely ever to be so. The current Travel Plan is therefore obsolete if not largely worthless before any development work has even started and serves only to tick a box in the planning process.
 - The documented lit safe walking route to both primary and secondary schools is approximately 4.5 kilometers. This is clearly impractical to walk or even cycle on a regular basis, even in the best of weathers.
 - There are no services or amenities on the west side of Banchory, other than those associated with the private care home/ housing, and none are planned. This will cause an increase in traffic to and through Banchory town center and/ or surrounding roads to access supermarkets, schooling and centers of employment as well as having an environmental impact
 - Narrow country roads (to Glassel, Brathens and Raemoir) with passing places surrounding the site are not suitable for the increased vehicle traffic resulting from the planned number of homes; there is negligible scope for road upgrades which in any event would be costly to Council Tax payers as well as the environment.
- Affordable Housing is a requirement and necessary to ensure a mix of housing but the demographics of those benefiting most from Affordable Housing is not to a car dependent location
- The development will have a significant impact on the landscape of what is part of the Dee Valley Special Development Area
 - A part of the development, where homes are to be built, is on a steep hillside that will seemingly require significant excavation and or demolition of the natural rock just to create garden space for some of the proposed homes.
 - The visual impact of the elevated parts of the site will not be mitigated by woodland as suggested by the Environmental Assessment
 - Increased light pollution from an elevated position will be detrimental to the wider Development Area
- There has been an increase in pedestrian and bicycle traffic using the local narrow roads during the COVID lockdown. This utilization may not decrease with the renewed emphasis on personal health. Increased vehicle traffic presents an increase risk to pedestrians and cyclists on these roads.
- There is no mains gas to this part of Banchory; dependence on more costly or polluting fuels for heating, hot water and fuel will be increased.
- The site is unlikely to be attractive to buyers for many of the reasons listed above leaving an unfinished/ partially finished development in a non-urban part of a Special Landscape Area

- Banchory Academy is full. More housing in Banchory will only exasperate the current issues, especially since a significant number of homes have or are being built as part of the 2016 LDP.

Since planning permission has already been granted and cannot, I anticipate, be rescinded despite the concerns identified above, then inclusion in the LDP should be contingent on the current or any future developer meeting existing S75 provisions for APP/2015/2262 , and consequently development of the site should not be relied upon to meet housing or other targets.

- 2) The wording suggests that Inchmarlo is only a retirement village. It is not. The Inchmarlo Retirement home is located in Inchmarlo but other non retirement home related dwellings exist as well. Wording should be fully reflective of the breadth of the Inchmarlo area— minimal housing, farmland, forest etc with reference to the home. (It reads as if the [REDACTED] wrote it!) This change is especially required with the inclusion of OP3 which is not associated with the care home.

PRIVACY NOTICE

LOCAL DEVELOPMENT PLAN PUBLIC COMMENT

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: dataprotection@aberdeenshire.gov.uk

Your information is being collected to use for the following purposes:

- To provide public comment on the Aberdeenshire Local Development Plan. The data on the form will be used to inform Scottish Ministers and individual(s) appointed to examine the Proposed Local Development Plan 2020. It will inform the content of the Aberdeenshire Local Development Plan 2021.

Your information is:

Being collected by Aberdeenshire Council	X
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The Legal Basis for collecting the information is:

Personal Data	
Legal Obligations	X

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

It is a Statutory Obligation under Section 18 of the Town and Country (Scotland) Act 1997, as amended, for Aberdeenshire Council to prepare and publish a Proposed Local Development plan on which representations must be made to the planning authority within a prescribed period of time. Failure to provide details requested in the 'Your Details' section of this form will result in Aberdeenshire Council being unable to accept your representation.

Your information will be shared with the following recipients or categories of recipient:

Members of the public are being given this final opportunity to comment on the Proposed Aberdeenshire Local Development Plan. The reasons for any changes that the Council receives will be analysed and reported to Scottish Ministers. They will then appoint a person to conduct a public examination of the Proposed Plan, focusing particularly on the unresolved issues raised and the changes sought.

Your name and respondent identification number (provided to you by Aberdeenshire Council on receipt of your

submission) will be published alongside a copy of your completed response on the Proposed Local Development Plan website (contact details and information that is deemed commercially sensitive will not be made available to the public).

In accordance with Regulation 22 of the Town and Country (Development Planning) (Scotland) Regulations 2008 where the appointed person determines that further representations should be made or further information should be provided by any person in connection with the examination of the Proposed Plan the appointed person may by notice request that person to make such further representations or to provide such further information.

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

Not applicable.

The retention period for the data is:

Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue to retain your information for a longer period. A redacted copy of your submission will be retained for 5 years beyond the life of the Local Development Plan 2021, possibly until 2037.

The following automated decision-making, including profiling, will be undertaken:

Not applicable.

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a Contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.

