

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.

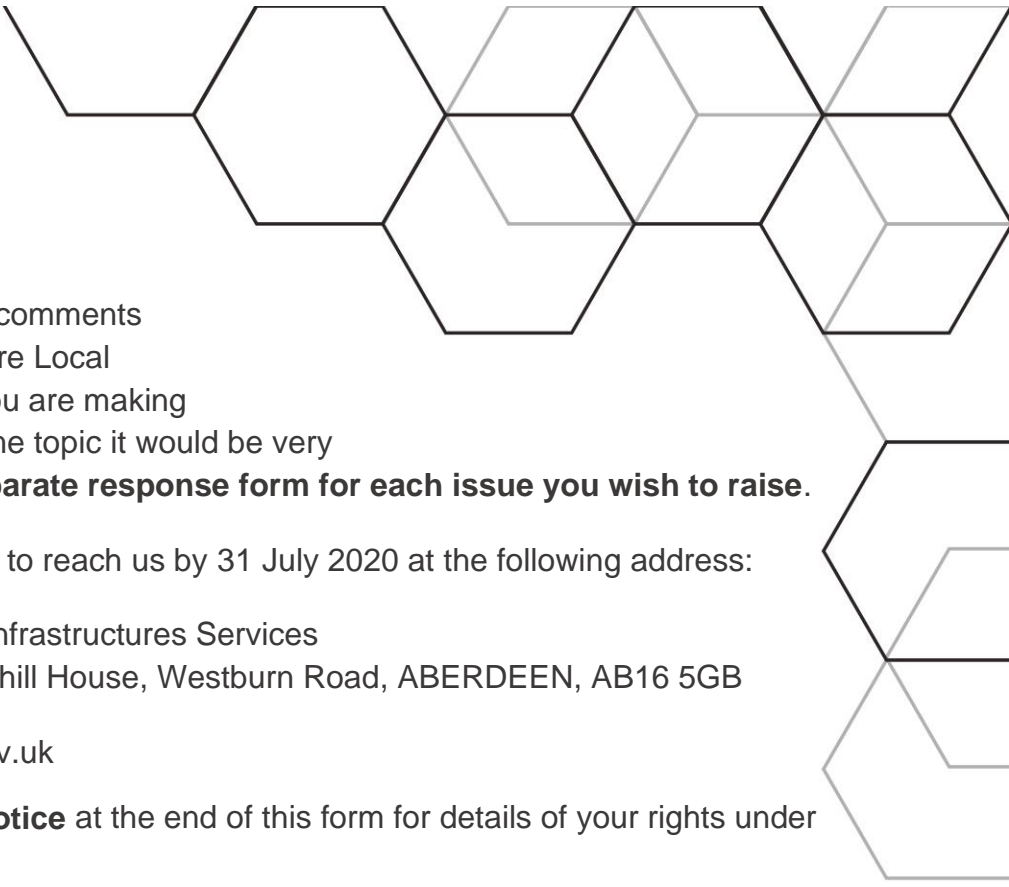
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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

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:	Daniel
Surname:	Harrington
Date:	31/07/2020
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?

Sentinel Properties Limited

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

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

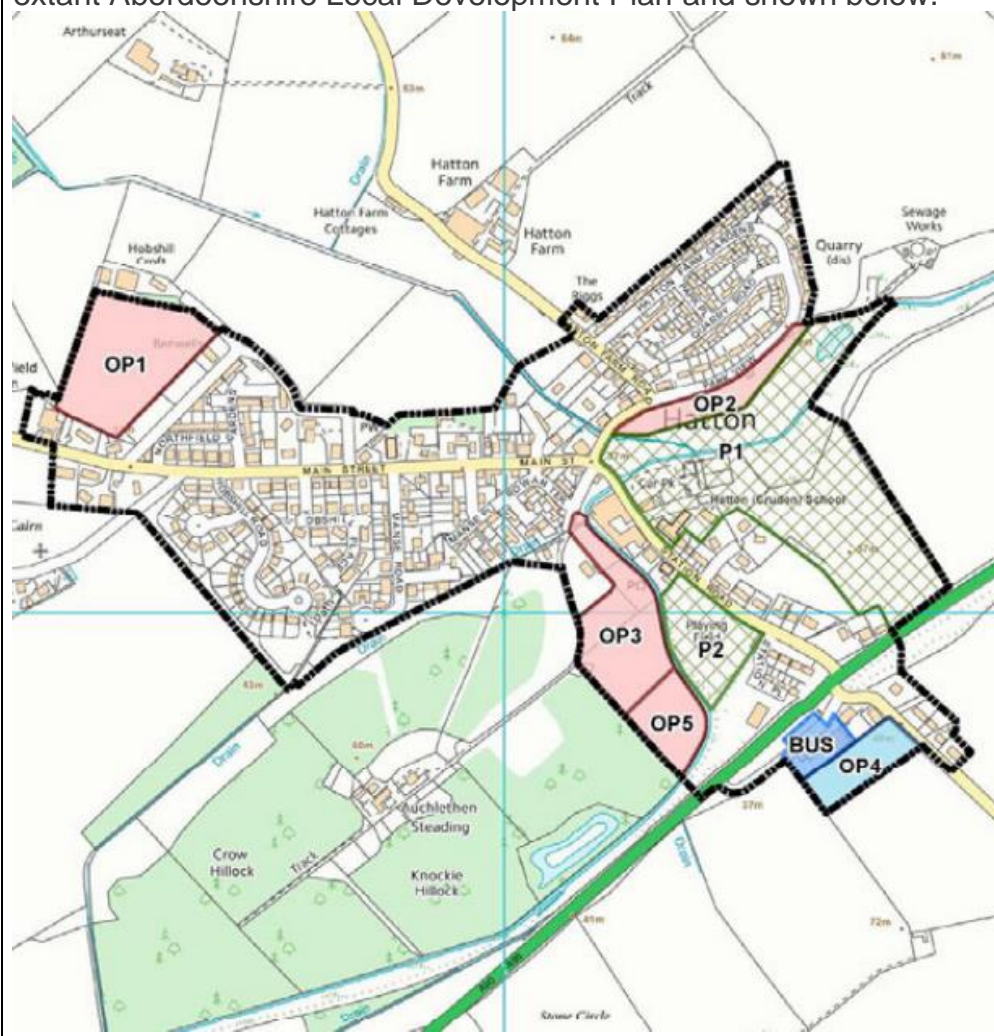
YOUR COMMENTS

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

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

Appendix 7B Settlement Statements Buchan

Reinstate the existing OP5 allocation in the settlement of Hatton as identified in the extant Aberdeenshire Local Development Plan and shown below.



Reason for change:

In response to the call for sites confirmation was provided to the Council that the development of OP5 will be progressing as planned. It was then proposed for removal by the Main Issues Report, which appeared to be in error. The owner sought to have the site reinstated, but the Proposed Plan has been published with the allocation removed.

The development of OP5 has always been planned as a second phase to the development of OP3. There has been a more challenging economic period for house sales in this area of Aberdeenshire, but progress is continuing to be made on the development of OP3.

An application for Planning Permission in Principle has now been lodged to commence the planning process for the development of this next phase, application reference APP/2020/1157. Copies of the indicative layout submitted has been enclosed with this response along with the supporting planning statement.

The site continues to contribute towards the effective housing supply in the Rural Housing Market area and service connections have already been provided to the site and the development will make efficient use of existing infrastructure.

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:

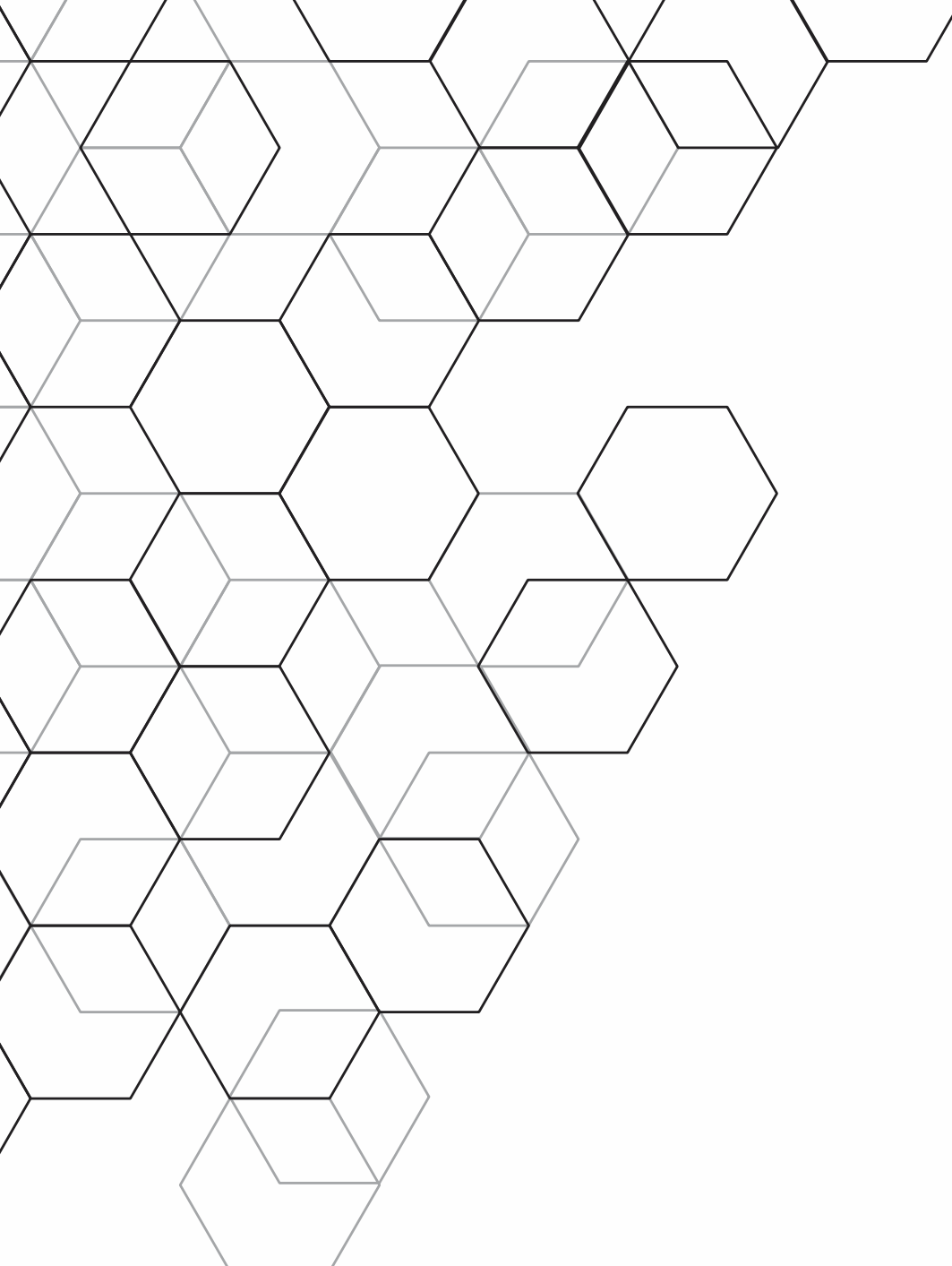
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue 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.





Planning Statement

OP5 Hatton

THE-20-0028



June 16, 2020

1 INTRODUCTION

- 1.1 This planning statement has been prepared on behalf of [REDACTED] for an application for planning permission in principle for residential development of land at the Sheiling, Hatton (OP5 or the Application Site).
- 1.2 Planning Permission in Principle is defined by Section 59 of the Town and Country Planning (Scotland) Act 1997. "*Planning permission in principle*" is planning permission (granted in accordance with the provisions of regulations or a development order)—
- (a) in respect of the carrying out of building, engineering, mining or other operations in, on, over or under land, and*
- (b) as subject to a condition, imposed under section 37(1)(a), that the development in question will not be begun until certain matters (which may, but need not be, particularised in the application) have been approved by the planning authority or as the case may be the Scottish Ministers.*
- 1.3 The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, Regulation 10, details the information that must be provided with applications for Planning Permission in Principle.
- 1.4 The application is in principle only and the information submitted has been provided in accordance with these requirements. Additional details have been prepared to assist understanding of the proposals, but these are indicative only. The following is a list of information submitted with this application:
- Application form with details of application and applicant and landownership certificate.
 - Location Plan identifying the site and surrounding location.
 - Indicative site layout identifying point of access for development, 13 houses and open space
 - Flood risk assessment.

2 SITE LOCATION

- 1.5 Hatton is located in Buchan and is located on the A90. Hatton is a small settlement, but has a range of services providing a location where active travel opportunities are greater. The settlement statement for Hatton notes that "There is a range of services in the village, including a primary school. Although predominantly residential, the main employment opportunity is provided by a national bakery, and there is land safeguarded for employment use and an employment land allocation to the south of the A90." Figure 1 below identifies the settlement, services and the location of the site edged in red.

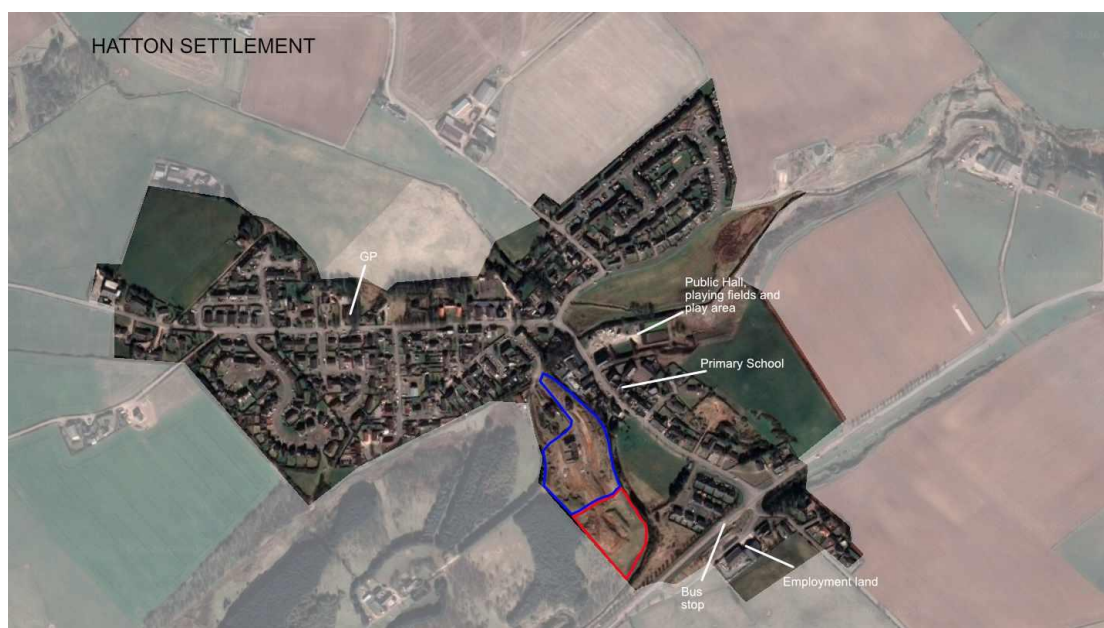


Figure 1: Hatton Settlement Plan

- 1.6 The application site is located adjacent to the previous phase of the development and there is a direct connection to Main Street and the facilities available in Hatton are all available by walking. The application site is within 800m of the school, GP and public hall and within 1km of the bus stop and employment land at the A90, which is equal to the majority of housing in Hatton.
- 1.7 To the east of the site is the recreation ground where there is newly installed play equipment. The playing field was relocated to the north of the public hall due to flooding problems on the site. The recreation ground is very wet and large areas along the Water of Cruden are unusable.

3 PLANNING HISTORY

- 1.8 Planning permission has been approved for the land to the north of the site, which is currently under construction for 21 houses. The development forms an extension to the development as planned and is under single ownership. The allocation for OP3 specifically notes that the design of the development "should also allow for possible vehicular access to the adjacent greenfield land to the south to allow further

development or integration to occur in the future." This has been the case and access has been considered for the future development of OP5.

- 1.9 Planning Permission in Principle APP/2011/2388 granted permission for the residential development of OP3 and APP/2015/1065 approved the Matters Specified in Conditions granting permission for 21 houses.
- 1.10 The approval for 21 houses provides details of relevance to the development of this allocated site:
- With regards to open space provision, it is noted that The Section 75 legal agreement has agreed that the majority of public open space is to be provided elsewhere. However, some public open space is to be provided within the site in order to soften the appearance and develop the character of the area.
 - There will be no development of ground below 37.52mAOD including any land raising. In addition all fencing within the flood plain will be post and wire and should therefore not interfere with the flow of water in the flood plain.
 - A traffic Regulation Order has been implemented that restricts the movement of vehicles on the private lane to the north of the site with access for motor vehicles being removed.

4 PRINCIPLE OF DEVELOPMENT

- 1.11 The Aberdeenshire Local Development Plan (2017) (ALDP) identifies the application site as OP5 Land at Hatton Vale. The allocation in is noted the Settlement Statement for Hatton (Appendix 8B to ALDP) as being allocated for 15 homes. It states that
- "This site involves the southward extension of development of allocated site OP3, planning permissions granted for the development of which make provision for access to the site. The design of the development should take account of the rural character of the site and existing trees should be retained where possible. A pedestrian and cycle route should be provided to link to the crossing of the burn to be provided in conjunction with the development of OP3 to the north. It is expected that at least 4 affordable homes will be provided by the developer, integrated into the design of the development. A flood risk assessment may be required."*
- 1.12 The settlement statement for Hatton notes that "There is a range of services in the village, including a primary school. Although predominantly residential, the main employment opportunity is provided by a national bakery, and there is land safeguarded for employment use and an employment land allocation to the south of the A90."
- 1.13 Policy H1 Housing Land addresses allocated sites such as this and states that "We will support the development of housing on sites allocated for that purpose within the local development plan and as shown in the settlement statements."
- 1.14 The forward of the ALDP states that "The benefits of development following a plan-led system are helping enormously in providing services and scheduling transport improvements, as well as giving certainty about the future both to the communities and developers. This local development plan will continue to give that certainty for at least the next five years." The allocation provides certainty for investment in progressing the proposals on this site and this proposal has been submitted on the basis of this certainty provided by Aberdeenshire Council.
- 1.15 This is consistent with Scottish Planning Policy (SPP), which requires local development plans to "set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achieved." SPP also directs that "action programmes should be actively used to drive delivery of planned developments: to align stakeholders, phasing, financing and infrastructure investment over the long term." The Action Programme for the ALDP identifies the Application site (OP5) and notes that delivery will progress following construction of OP3. This remains the case and this application starts the process of planning and design for this next phase of development.
- 1.16 It is clear that there is support for residential development on this site provided by the ALDP and that the residential development is acceptable in principle. As an application for planning permission in principle only, this application does not require consideration of all detailed matters.

5 OTHER PLANNING POLICY CONSIDERATIONS

- 1.17 The application is in principle only, and detailed designs have not been prepared and the development will be subject to approval of matters to be specified in conditions. This section deals with those matters of detail that are relevant to the principle of development and any specific conditions that would be necessary.

Policy P1 Layout, Siting and Design

- 1.18 Policy P1 expects developments to demonstrate six qualities of place. The development is in principle only and is allocated for development in the ALDP. The site and location is well connected to the services and facilities available in Hatton promoting active travel. Through the determination of approval of matters specified in conditions these qualities can be provided in the development. Planning conditions will detail the matters for approval.
- 1.19 A new pedestrian crossing is noted in the OP5 allocation to the recreation ground to the east. This note reflected the original outline planning permission for the development of OP3, which identified a pedestrian crossing. The recreation ground sits lower than the development site and is prone to flooding from the Water of Cruden. In discussion with SEPA and Aberdeenshire Council on APP/2015/1065, the previous phase of development, it was considered that this was not an appropriate link to provide due to the flood risk. The new play equipment is located to the north east of the recreation area and a more pedestrian friendly route is already available from Main Street. This is a small settlement and the access available provides links to all services available in the settlement in convenient walking distance and as with the development of OP3 is considered appropriate.

Policy H2 Affordable Housing

- 1.20 Affordable housing will be subject to the requirement for 25% provision in line with policy and there will require to be a condition or legal agreement to confirm the Council's requirements.

Policy C4 Flooding

- 1.21 The Water of Cruden is located to the east of the site and takes water in from the local catchment to the north of the A90 and passes through the centre of Hatton discharging at the Harbour at Port Erroll. A flood risk assessment has been submitted with this application identifying that there can be no development below 37.5m AOD. The indicative layout identifies the levels and identifies that development can be accommodated and comply with this restriction.

Policy RD1 Services and Infrastructure

- 1.22 Policy RD1 requires development to meet standards for water, waste water and drainage serving new development. The development will connect to the mains connections provided for the development to the north. On-site drainage will be required in accordance with the requirements to provide appropriate levels of treatment. This detail will be subject to approval of matters specified in conditions.
- 1.23 Policy RD1 States that *"We will support new development if it is well related to existing developments, is in accordance with the national policy "Designing Streets" and does*

not create an impermeable barrier to further development. Development must be close to existing public transport services (if available) or deliver major improvements to public transport services, in scale with the development. All developments must include provision for access by wheelchair users, people with sensory disabilities, the elderly, those accompanied by small children and other less mobile groups. As appropriate, safe and convenient access should also be provided for service, delivery and other goods vehicles required by the development." This site is at the edge of the settlement and bound by woodland and the Water of Cruden and is considered to be the end of new development in this location and it is not necessary to make provision for future access. As noted in the site description in the ALDP the site is well located for active travel and use of public transport, with bus stops accessible to the site as shown in Figure 2. The development will connect to the new road built as part of OP3, which is designed to adoptable standard.



Figure 2: Bus Stops in Hatton on A90

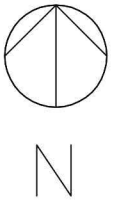
- 1.24 The new access for connection has been planned in previous development and this connection is shown in the indicative site layout. This is as expected by the ALDP, which states "This site involves the southward extension of development of allocated site OP3, planning permissions granted for the development of which make provision for access to the site."
- 1.25 The detailed roads design will be subject to approval of matters specified in conditions and with condition the development is considered to comply with policy RD1.


Policy P2 Open Space


- 1.26 For smaller developments the expectation is for 120sqm of open space for each home, which equates to 1,560sqm. Each property benefits from a private garden and the surrounding amenity space extends to 3,943sqm. This meets the requirements of policy.

6 CONCLUSION




- 1.27 The application seeks planning permission in principle for residential development of the land in Hatton allocated for residential development. The ALDP actively supports the development of allocated sites and identifies actions for its delivery in the Action Programme.
- 1.28 The proposals will follow the established principles established for development in this location in relation to flood risk and detail will be required through application for approval of matters specified in conditions to confirm that the development is not at flood risk or increase flood risk elsewhere.
- 1.29 There remain details to confirm compliance with the ALDP, but in terms of the principle this is promoted and development approval subject to condition will be in accordance with the ALDP.



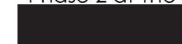
 FLOOD LEVEL 37.52M

 FLOOD LEVEL 36.80M



C	16/06/20	Revised for Planning submission	
B	28/05/20	Revised per client comments	
A	27/05/20	Revised per client comments	
Rev.	Date.	Details.	Drawn. Checked.

Issued for: **INFORMATION**

Project/Client:	Project No:
Phase 2 at The Sheiling, Hatton	THE20-0034
	Drawing No:
	A1-01
	Revision:
	C

Drawing:	Scale:	
Indicative Site Layout	1:500@A3	
	Drawn by:	Date:
	NE	05/2020
	Checked by:	Date:

THE ARCHITECTURE + PLANNING

Thain
Harrington
Edward

