

PP1232

5477 – BLAIRYTHAN PARTNERSHIP

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:	Mrs
First Name:	Lesley
Surname:	Tierney
Date:	30 July 2020
Postal Address:	Lippe Architects + Planners, [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): Appendix 7c - Formartine

Appendix 7c Formartine

Bid site FRO67 was accepted by the Planning Service at the bid stage. It was subsequently removed at the Main Issues Report stage. Site FR067 should be included again especially in support of the newly identified "indicative link road" in Foveran. Part of bid site FR109 should also be allocated.

Reason for change:

The Planning Service supported the inclusion of bid sites FR065, FR066 and FR067 in Foveran to support the strategy of housing delivery in the Aberdeen to Peterhead corridor. Each site was to be allocated for 36, 20 and 49 homes. The removal of bid site FR067 at the Main Issues Report stage related to the apparent cumulative impact of the total number of units being served by Blairythan Terrace. We disagree with this assessment and all three sites should be allocated.

In addition, the new addition of an "indicative link road" on land in the ownership of the Blairythan Partnership and a neighbouring land owner (part of bid FR109) should be supported by an appropriate level of development to make it viable. A masterplan has been prepared to show how all three sites and land in the ownership of the neighbouring land owner can help deliver this road.

We also wish to support the representation made by Strutt and Parker on behalf of the neighbouring land owner with reference to bid site FR109 which will help to ensure the delivery of an appropriate level of development and infrastructure in this key development area.

Please see attached paper apart which details the full representation objecting to this proposal.

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:

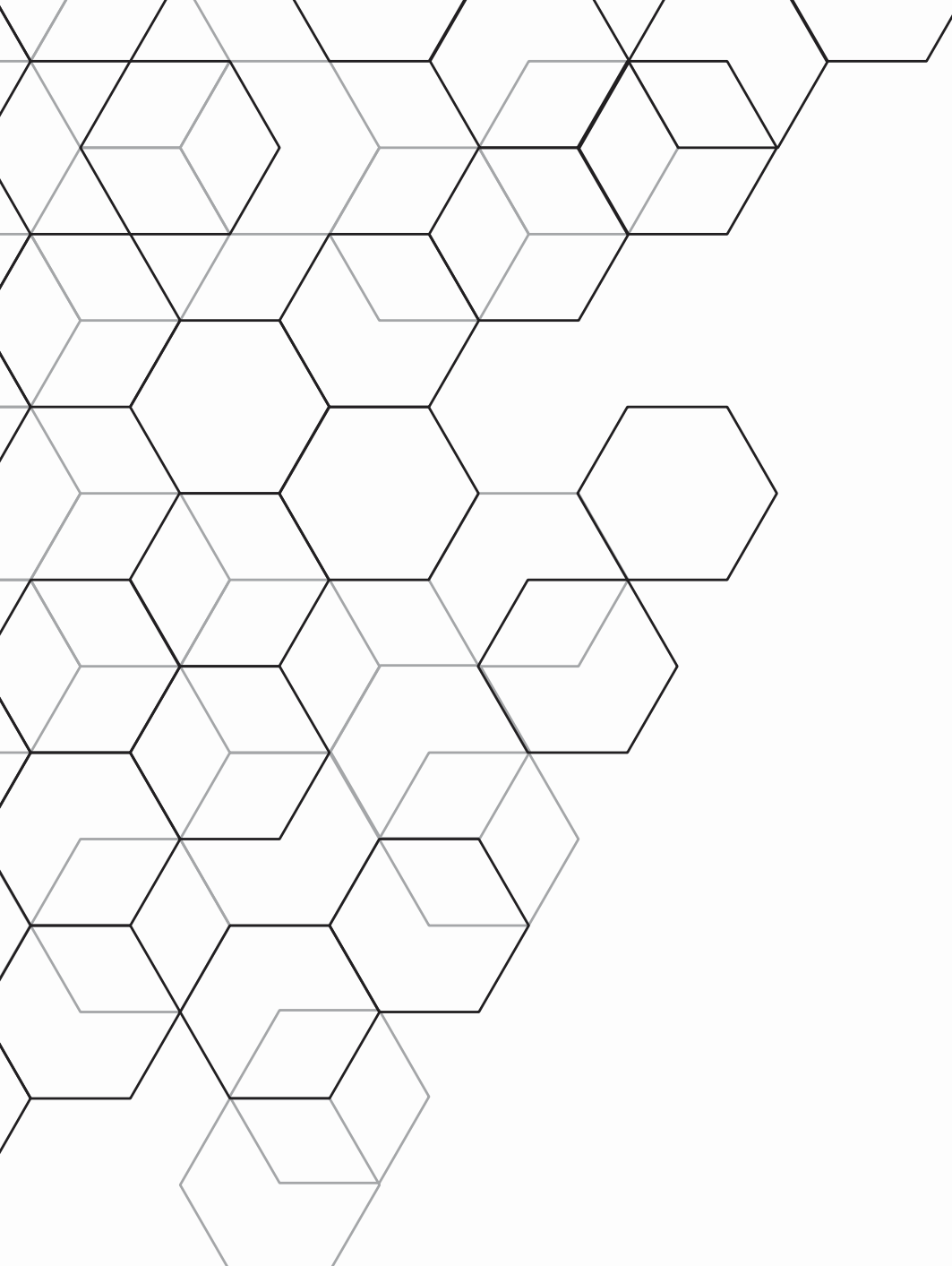
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue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



Proposed Modification to the Proposed Aberdeenshire Local Development Plan 2020

Appendix 7c – Formartine

Inclusion of bid sites FR067 (and support for part of bid site FR109) at land at Blairythan Terrace, Foveran on behalf of the Blairythan Partnership

This response to the consultation on the Proposed Aberdeenshire Local Development Plan seeks a modification to include bid site FR067 to the south of Blairythan Terrace, Foveran. It also seeks a modification to include part of site FR109 to the south of site FR067. The response should be read in conjunction with the supporting information attached in each Appendix and with the response submitted by Strutt and Parker re FR109.

Bids for three sites at Foveran were submitted by Lippe Architects and Planners on behalf of the Blairythan Partnership, subsequently referred to as FR065, FR066 and FR067. These bids are attached as Appendix 1. All three bids were preferred by officers when the Main Issues Report was published and on this basis no further comment was made. A copy of preferred sites FR065, FR066 and FR067 from the Main Issues Report is attached as Appendix 2.

The Planning Service accepted that the sites at Foveran could be sustained and enhance existing facilities in the village, that they formed logical extensions to the settlement and that their location within the Energetica corridor was a benefit. An increase in the capacity of each site to avoid underdevelopment was also recommended. Site FR065 was proposed to be increased from 12 to 36 homes, site FR066 from 5 to 20 homes and site FR067 from 38 to 49 homes.

There was then a dramatic change when the MIR was reported to the Formartine Area Committee on 10 September 2019. The Committee report is attached as Appendix 3. The comment on site FR067 specifically reads “However, bid FR067 cannot take access down the current C class road and would be dependent on a new access to be formed to the south east of the site passing through bids FR065 and FR066. As there remains third party land in the intervening land the delivery of the sites must be questioned and in hindsight it has been recommended that it is not included in the Proposed Local Development Plan”. The comment about intervening third party land is important in considering site FR067 and also part of bid site FR109 (in separate ownership) to the south.

An email was sent to the Policy Team on 4 September 2019 asking why bid site FR067 had now been removed as the site “cannot take access though the current C class road” as it was

not clear where this information had come from. A copy of the email is attached as Appendix 4.

A response was finally received from the Policy Team ([REDACTED], Team Leader) on 9 September 2019 at 4.08pm, less than 24 hours before the Committee meeting to discuss the Main Issues Report. No reason is given in the email why the site FR067 was now proposed to be removed and stated "Information provided by [REDACTED] in Transportation as part of the discussion on the DPMTAG. He REALLY does not like development". A copy of the email is attached as Appendix 5. This was a wholly unsatisfactory response to the matter and there was still no justification why the roads officer was saying the site would now not be included.

An email was sent to the four local Councillors the evening before the meeting expressing our concern about the late reply, that we still had not been provided with a reason for the site being removed and we therefore had no opportunity to address any access concerns. A copy of the email is attached as Appendix 6.

At a break in the morning Committee proceedings, the question was able to be asked of [REDACTED] where the concerns about access (from Blairythan Terrace) had come from. A full answer was still not forthcoming, however, the conversation included a comment from [REDACTED] that "he did not think the larger bid site to the south FR109 will ever come forward but he was happy that a small area of it could come forward along with FR065, FR066 and FR067 in due course". This information was passed to the Blairythan Partnership recommending that the comments of a road engineer should be sought and this email is attached as Appendix 7.

Fairhurst Engineers were subsequently engaged and [REDACTED] reviewed the various papers and contacted [REDACTED], Transportation, Aberdeenshire Council, to discuss the matter. [REDACTED] responded in an email dated 17 October 2019 that their view on Blairythan Terrace was that it could not be considered as a second point of access to the west and that only 100 houses could take access from Blairythan Terrace, approximately 70 of which already exist. It should be noted at this point that the existing OP2 allocation to the north of Blairythan Terrace is being carried forward as an allocation for 75 units. It is also stated by [REDACTED] that the formation of a loop road is also important for delivering bus services closer to the site. A copy of the email from [REDACTED] to [REDACTED] is attached as Appendix 8.

Information pertaining to site FR067 was contained within a separate email concerning a different site, from [REDACTED], Planning Manager, on 15 October 2019. Reference is made about how the three sites do not now link together so a second link to the B977 cannot be delivered. A copy of the excerpt from the email is attached as Appendix 9.

The concern about the process and handling of the matter is contained in a letter from Lippe Architects and Planners to the Director of Infrastructure Services on 8 November 2019 and is attached as Appendix 10. The response from the Director of Infrastructure Services dated 3 December 2019 is attached as Appendix 11. However, concerns remain about the use and influence of the DPMTAG, the view of officers that Blairythan Terrace is substandard and that the delivery of a second point of access through FR065 and FR066 does not appear to be available.

In advance of the publication of the Proposed Local Development Plan and the opportunity to comment, the Blairythan Partnership has sought to progress a masterplan solution for their three sites and part of the adjoining third party land to allow all four parcels of ground to be allocated in the next Plan and deliver an access solution. Useful discussions have taken place with the owner of the adjoining ground to the south [REDACTED] and his agent [REDACTED] of Strutt and Parker, with a view to demonstrating the collective effort which can be made to bring forward development in Foveran. A copy of the masterplan which has been prepared is attached as Appendix 12. The masterplan shows development of 188 houses across OP3, OP4, FR067 and part of FR109 which could all be delivered and phased over the life of the Plan. The part of FR109 corresponds with the phase 1 area which Strutt and Parker showed in the Development Framework in support of their bid.

When the Proposed LDP was published, in addition to the issue of FR067 not being allocated for development, an “indicative link road” is now proposed across FR067 and part of the neighbouring FR109 site linking to the edge of FR065 and FR066, now proposed to be allocated as OP3 and OP4 respectfully. The proposed settlement map is attached as Appendix 13. The text for the sites OP3 and OP4 is attached as Appendix 14 and talks about a joint Access Strategy for OP3 and OP4 that connects the two sites internally, delivers two points of access to the B977 and protects a future route west from the site linking to Blairythan Terrace to the north.

The greater concern now with FR067 is the indicative link road shown in the Proposed Plan. If deliverability is a key feature of the Plan then showing an indicative link road without any development to support it or make it a viable option is not going to result in a road and is potentially prejudicial to the delivery of OP3 and OP4. Delivery of a section of road on part of FR109 will also not be delivered if consideration is not given to allocating a portion of that site alongside FR067. If FR067 is allocated then at least two thirds of the indicative link road can be delivered through the allocations on land in the ownership of the Blairythan Partnership.

What the masterplan shows is that the previous comments [REDACTED] made about being happy if a small area of FR109 came forward along with FR065, FR066 and FR067 can be

addressed and the indicative link road delivered but, importantly, with a required amount of development to facilitate delivery of the link.

In looking at proposed sites OP1 and OP2 to the north which there is no specific objection to, if the vehicular link between the two cannot be delivered, OP2 could not be delivered as it would exceed the amount of acceptable development on Blairythan Terrace. Therefore, to ensure deliverability, the allocation of FR067 to the south to allow the indicative link to be provided, with linkage further to the south, must be an important consideration in delivery of other development in Foveran.

Fairhurst has provided a technical note to support the proposed modification and this is attached as Appendix 15.

In further support of this representation we stress that there are concerns about the delivery of the Proposed Plan given the constrained nature of some sites. The key aim of delivery has not been achieved by officers. As a ten year plan the decision made on these sites is crucial and the Blairythan Partnership and the neighbouring land owner are committed to the delivery of these sites. However, not only is there a risk proposed sites won't be delivered, the desire for an indicative link road cannot be delivered without development including FR067 which was an officer's preference.

With regard to the matter of housing land supply, while the proposed LDP will be for ten years, there is still a need to maintain a five year housing land supply and FR067 can assist in the delivery of a steady rate of development over the Plan period. It is evident that additional housing land should be being allocated to align with the Reporter's findings for the Strategic Development Plan. There is an under delivery issue which has been evident for a long period of time, particularly for larger strategic sites not being brought forward for development. Land was also removed from the Proposed LDP at the Main Issues Report stage. The Proposed LDP does not allocate sufficient deliverable land which runs contrary to all national planning advice. There is an estimated shortfall of 483 units in the Aberdeen Housing Market Area and an estimated shortfall of 1261 units in the Rural Housing Market Area according to analysis carried out by Homes for Scotland. It is clear from this analysis that there are sites which are not deliverable, have been, and continue to be, constrained but are not being recognised as such by the Council. There can also be no doubt that as a result of the recent pandemic situation that development such as proposed at FR067 at Foveran, will assist in the provision of much needed essential infrastructure, contribute towards affordable housing and help boost the economy.

The land which the Council shows the indicative link road on is prime agricultural land which should not be developed for the purpose of a road alone. This is simply not good planning, however, if the road is to be supported by appropriate development as part of a wider masterplan seeking to ensure future development is not piecemeal, then that is good planning. Topography in this area may result in an alternative route for the road but the masterplan shows how the aspiration for a road could be accommodated by both landowners which as [REDACTED] stated verbally on 10 September 2019, a small area of FR109 could come forward in due course with FR065, FR066 and FR067.

It is considered that the overall approach being promoted for development in this area is constructive and well considered and will deliver FR065 and FR066 and with FR067 and part of FR109 facilitating the delivery of the desired link road and with built in flexibility to adapt to updated DPMTAG conditions in the future. It is therefore respectfully requested that FR067 is included in the Proposed Plan and we also wish part of FR109 as shown in the masterplan to be included in support of our allocations at OP3 and OP4 and proposed inclusion of FR067.

The indicative capacity of the site is for 12 houses including 3 affordable units. Consideration would be given to fully affordable development if a delivery partner could be identified.

In terms of design, the site will be able to take direct access onto the current A90 once the road is downgraded to a local road. One point of access will be able to be utilised for this site and adjacent bid site Foveran 2. The location of the site directly adjacent to existing older and newer development in Foveran means that the use of the site for housing adds a cohesion to the settlement. The layout incorporates open space and SUDS and strategic and landscaping. The [REDACTED] development to the north-west of the site was developed on land in the ownership of this land owner and as part of that permission there is a landscaping strip on part of the current OP3 site. The owner has retained an access point onto neighbouring land to ensure connectivity to the village and Foveran Burn. Connectivity will therefore be well provided for.

In terms of drainage discussions with Scottish Water have taken place with a number of developers at Foveran over the years, but there is still no public waste water plant in Foveran. As the current LDP identifies a growth project has been initiated. Depending on the timescales for development, a private system is capable of being installed as a temporary measure. It is suggested further development at Foveran will add to the case for the planned public treatment being provided sooner rather than later.

In terms of access the site lies adjacent to the current A90 which will be downgraded when the new A90 is complete. Direct access will therefore be possible onto the 'old' A90. The site remains in a strategic location for growth and is also extremely accessible. Connectivity is provided to the rest of the village as shown in the drawings.

Contributions towards all identified areas of infrastructure and services would be acceptable. Pupils from this development are zoned to Foveran Primary School which will be operating well within capacity in 2022. Pupils from this development are zoned to Ellon Academy which will operate below capacity in 2022. Capacity would be available for this small development.

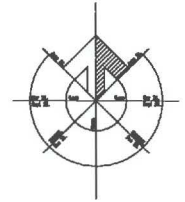
In terms of delivery, as a site in the Energetica Corridor (Invest Aberdeen), the site is located in a strategically important location for homes and employment. It is understood that the provision of business land in this corridor will remain an important part of the strategy,

however, after a number of years of being available and marketed for employment use, there has been no development interest for this use. Please refer to the report by [REDACTED]. It should also be noted that the other allocated business land in Foveran delivers 3 hectares of employment land which it is considered is sufficient for a settlement such as Foveran. The larger settlements in this corridor also include large employment allocations.

In addition, the use of this area of ground for employment uses does not sit as comfortably with the adjacent residential development. The current LDP itself states that landscaping is required to the north end of the site to minimise the impact on the homes beside it. It therefore seems more sensible that rather than having to screen adjacent houses from a business area, that there are other more suitable locations for business both at Foveran and beyond elsewhere and that the alternative housing proposed is a far better 'fit' for the settlement. The layout and connectivity to the settlement and larger master planned development area to the north can be designed into the development. The entire village will be walkable and accessible with links to and across Foveran Burn.

Given this is still an important strategic location in Aberdeenshire where development can be delivered, it is important to consider what kind of development can be delivered. It is clear that the current allocation which has been zoned for employment use since the previous LDP 2012, is not deliverable. There have been issues with the wider general economic situation, but this would not appear to be an attractive or suitable site for employment use in any case. Housing on this site relates well to the immediate site and surroundings the wider village and the much wider aspirations for the strategic corridor and the site is immediately available in the first part of the Plan period 2021 – 2031.

REVISIONS



PROJECT DETAILS

Land at
Blairythan Terrace
Foveran

for Blairythan Partnership

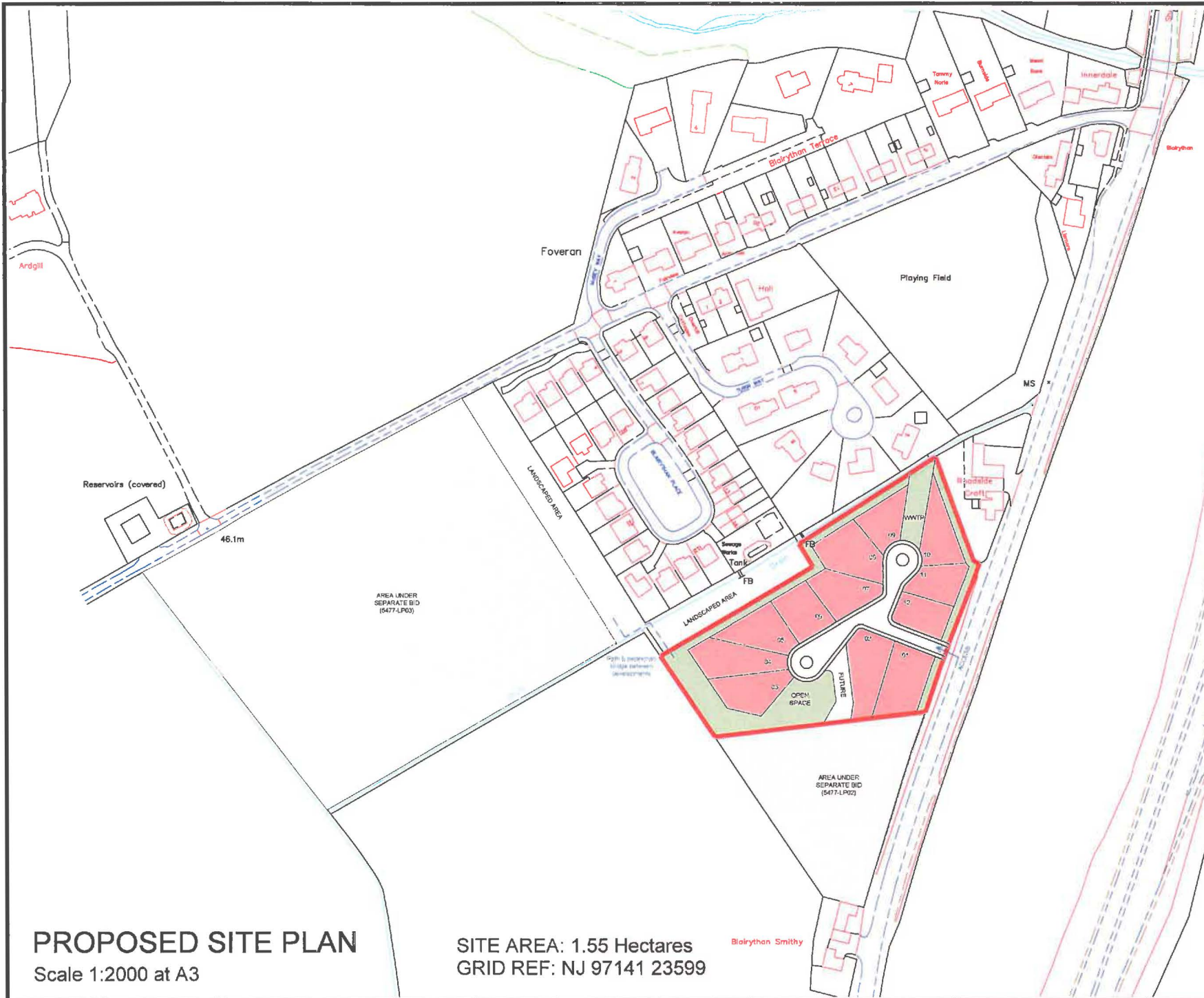
LDP SITE PLAN

Scale: 1:2000 @ A3
Date: MAR 2018
Drawn: em

CHECK	INITIALS	DATE
planning:		
warrant:		
tender:		



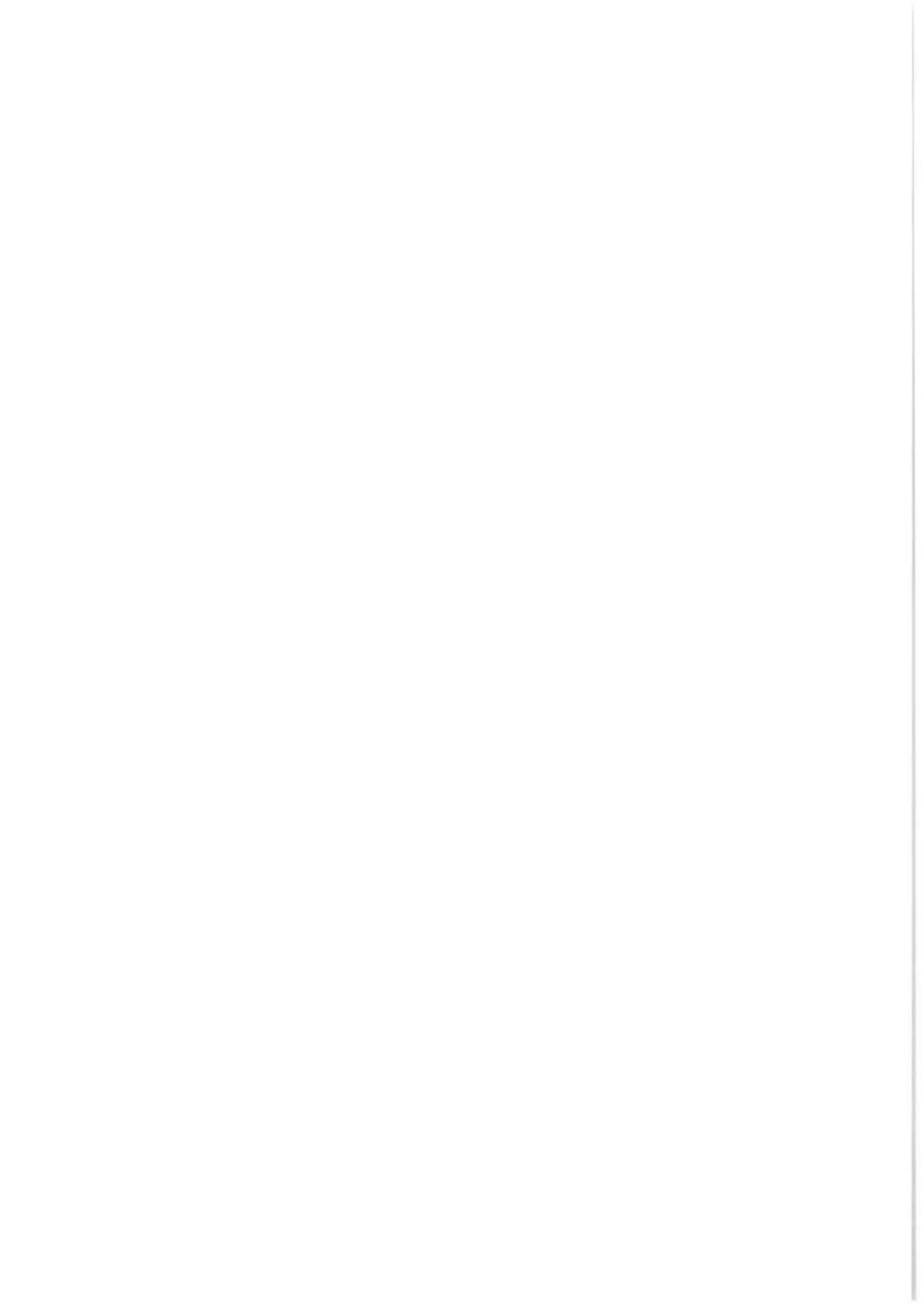
Ref: 5477/LP01



PROPOSED SITE PLAN
Scale 1:2000 at A3

SITE AREA: 1.55 Hectares
GRID REF: NJ 97141 23599

Blairythan Smithy



The indicative capacity of the site is for 5 houses including 1 affordable unit. Consideration would be given to a fully affordable development if a delivery partner could be identified.

In terms of design the site will be able to take direct access onto the current A90 once the road is downgraded to a local road. This access will be provided through the adjacent land subject to the bid for the land to the north currently zoned as OP3. The location of the site directly adjacent to existing older and newer development in Foveran means that the use of the site for housing adds a cohesion to the settlement. The layout incorporates open space and SUDS and strategic and landscaping. The [REDACTED] development to the north-west of the site was developed on land in the ownership of this land owner and as part of that permission there is a landscaping strip on part of the current OP3 site. The owner has retained an access point onto neighbouring land to ensure connectivity to the village and Foveran Burn. The linkages to this will be provided in the overall design for this parcel of ground along with the current OP3 parcel of land. Connectivity is therefore well provided for.

In terms of drainage, discussions with Scottish Water have taken place with a number of developers at Foveran over the years but there is still no public waste water plant in Foveran. As the current LDP identifies a growth project has been initiated. Depending on the timescales for development, a private system is capable of being installed as a temporary measure. It is suggested further development at Foveran will add to the case for the planned public treatment being provided sooner rather than later.

In terms of access the site lies adjacent to the current A90 which will be down graded when the new A90 is complete. Direct access will therefore be possible onto the 'old' A90. The site remains in a strategic location for growth and is also extremely accessible. Connectivity is provided to the rest of the village as shown in the drawings.

Contributions towards all identified areas of infrastructure and services would be acceptable. Pupils from this development are zoned to Foveran Primary School which will be operating well within capacity in 2022. Pupils from this development are zoned to Ellon Academy which will operate below capacity in 2022. Capacity would be available for this small development.

In terms of delivery, as a site in the Energetica Corridor (Invest Aberdeen) the site is located in a strategically important location for homes and employment. It is proposed to link the development into the neighbouring site for housing only. The reasons given for the neighbouring site not continuing as employment land are given in the bid for Foveran 1. The

requirement for landscaping in this area can be provided and the site links well with existing residential development and landscaping on adjacent development. The site offers a small addition to the settlement to its southern edge and will complement the newer and allocated development to its northern side assisting in balancing the development across the village with access to and across the Foveran Burn. The layout and connectivity to the settlement and larger master planned development area to the north can be designed into the development. The entire village will be walkable and accessible.

Given this is still an important strategic location in Aberdeenshire where development can be delivered, it is important to consider what kind of development can be delivered. It is clear that the adjacent employment site is not deliverable. Housing on this site relates well to the immediate site and surroundings, the wider village and the much wider aspirations for this corridor and the site is strategic immediate availability is the first part of the plan period 2021 - 2031.

REVISIONS



PROJECT DETAILS

Land at
Blairlythan Terrace
Foveran

for Blairlythan Partnership

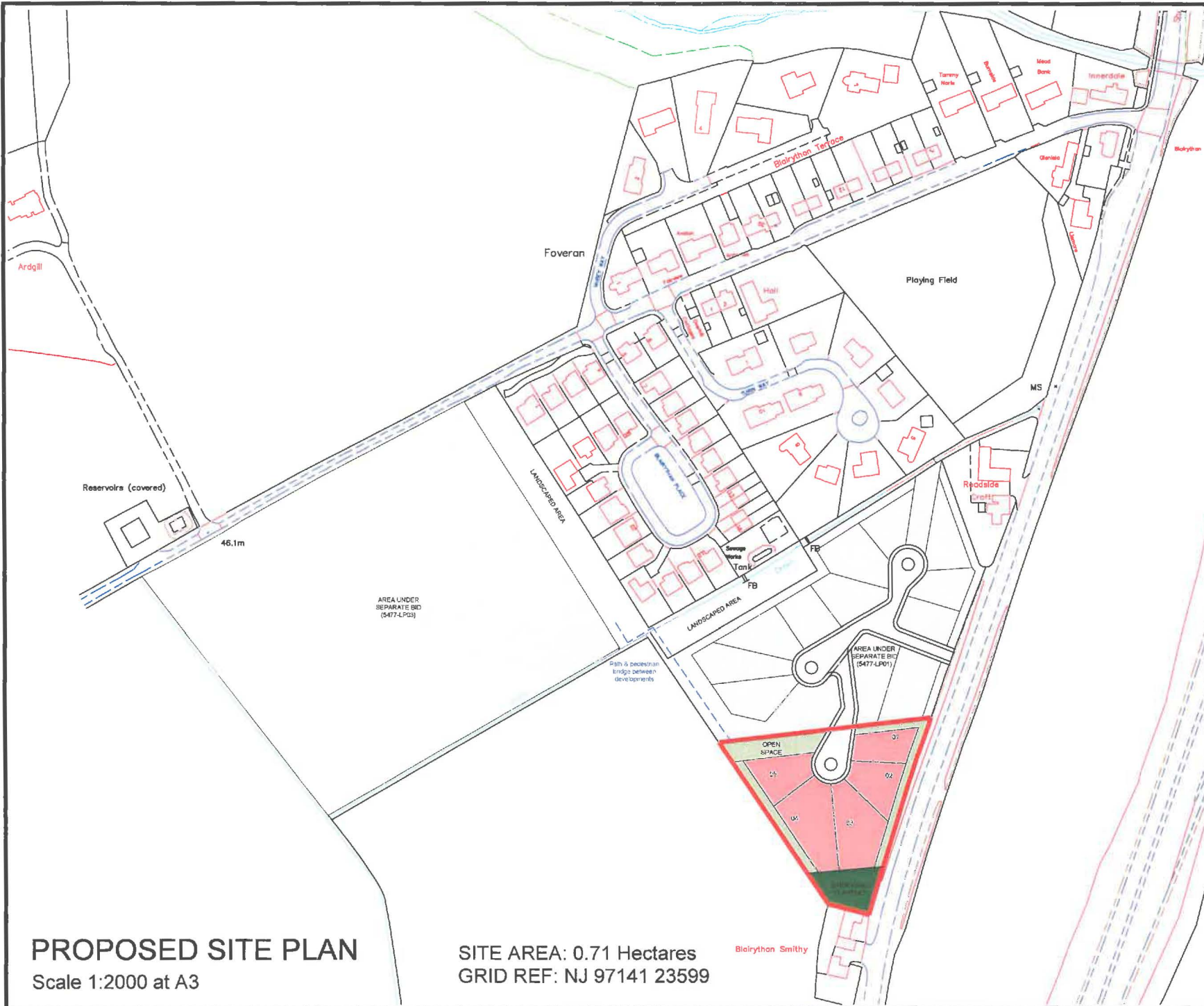
LDP SITE PLAN

Scale: 1:2000 @ A3
Date: MAR 2018
Drawn:em

CHECK	INITIALS	DATE
planning:		
warrant:		
tender:		



Ref: 5477/LP02



PROPOSED SITE PLAN
Scale 1:2000 at A3

SITE AREA: 0.71 Hectares
GRID REF: NJ 97141 23599

Blairlythan Smithy

The indicative capacity of the site is for 38 houses including 9 affordable houses. Consideration would be given to a fully affordable development if a delivery partner could be identified.

In terms of design the site will be able to be accessed from the existing entrance to the village on the A90. While this is the current trunk road it will be downgraded upon completion of the new A90. The location of the site directly adjacent to existing development in Foveran means that the use of the site for housing adds a cohesion to the settlement. The layout incorporates open space and SUDS and strategic landscaping. The [REDACTED] development to the north-west of the site was developed on land in the ownership of this land owner and as part of that permission there is a landscaping strip on part of the current OP3 site. The owner has also retained an access point from OP3 and onto this site to ensure connectivity to the village and Foveran Burn. The linkages to this will be provided in the overall design for this parcel of ground along with the current OP3 parcel (Foveran 1) and the land to the south (Foveran 2). Connectivity is therefore well provided for.

In terms of drainage, discussions with Scottish Water have taken place with a number of developers at Foveran over the years but there is still no public waste water plant in Foveran. As the current LDP identifies a growth project has been initiated. Depending on the timescales for development, a private system is capable of being installed as a temporary measure. It is suggested further development at Foveran will add to the case for the planned public treatment being provided timeously.

The reasons given for the neighbouring site not continuing as employment land are given in the bid for Foveran 1. The requirement for landscaping in this area can be provided and the site links well with existing residential development and landscaping on adjacent development. The site offers a modest addition to the settlement to its western edge and will complement the newer and allocated development in the village ([REDACTED] to the east and OP2 to the north) assisting in balancing development across the village with access to and across the Foveran Burn. The layout and connectivity to the settlement and large master planned development area to the north can be designed into the development. The entire village will be walkable and accessible. It is proposed to link the development (pedestrian access) into the neighbouring sites.

In terms of access the site lies adjacent to the current A90 which will be down graded when the new A90 is complete and it will therefore be comfortably accommodated from the existing access into Foveran. The site remains in a strategic location for growth and is also extremely accessible. Connectivity is provided to the rest of the village as shown in the

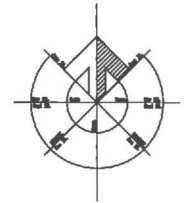
drawings. Contributions towards all identified areas of infrastructure and services would be acceptable. Pupils from this development are zoned to Foveran Primary School which will be operating well within capacity in 2022. Pupils from this development are zoned to Ellon Academy which will operate below capacity in 2022. Capacity would be available for this modest development.

In terms of delivery, as a site in the Energetica Corridor (Invest Aberdeen) the site is located in a strategically important location for homes and employment. It is important to consider what kind of development can be delivered. It is clear that the nearby employment site is not deliverable. Housing on this site relates well to the immediate site and surroundings, the wider village and the much wider aspirations for this strategic corridor. The site is deliverable in the second period of the Plan 2026 – 2031.

Future approved
and/or linking
CP2 to CP1

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REVISIONS



PROJECT DETAILS

Land at
Blairythan Terrace
Foveran
for Blairythan Partnership

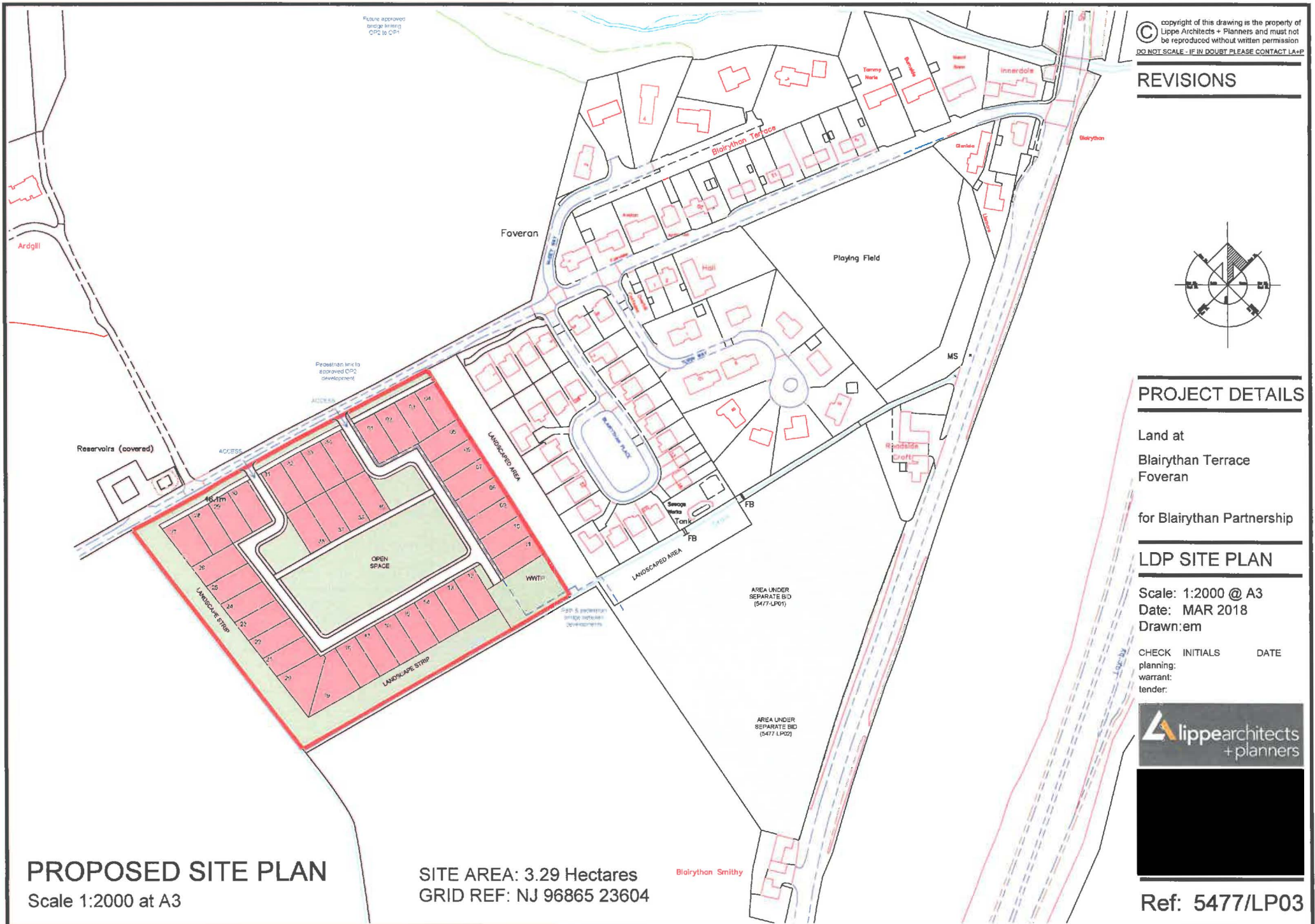
LDP SITE PLAN

Scale: 1:2000 @ A3
Date: MAR 2018
Drawn:em

CHECK INITIALS DATE
planning:
warrant:
tender:



Ref: 5477/LP03

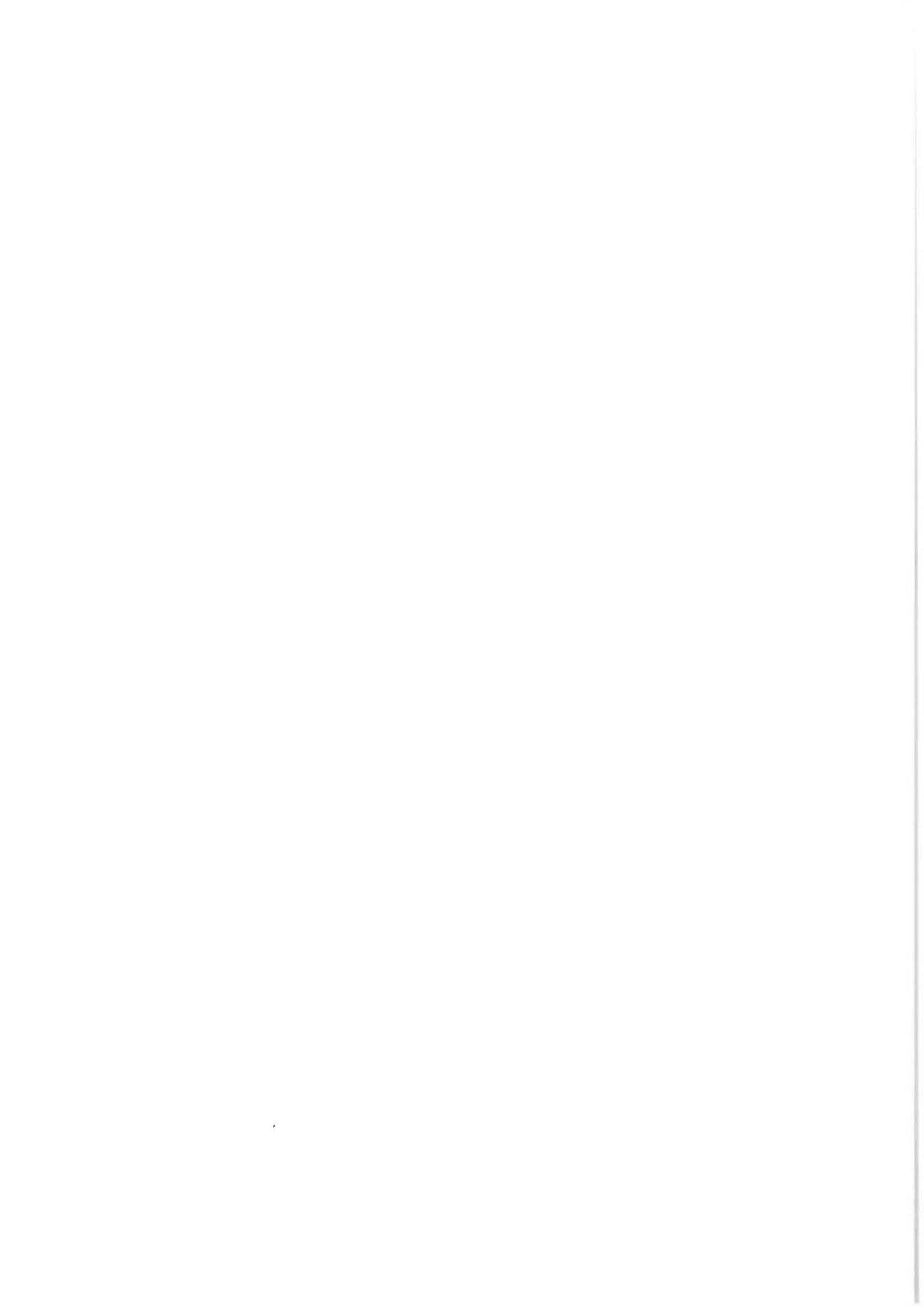


PROPOSED SITE PLAN

Scale 1:2000 at A3

SITE AREA: 3.29 Hectares
GRID REF: NJ 96865 23604

Blairythan Smithy

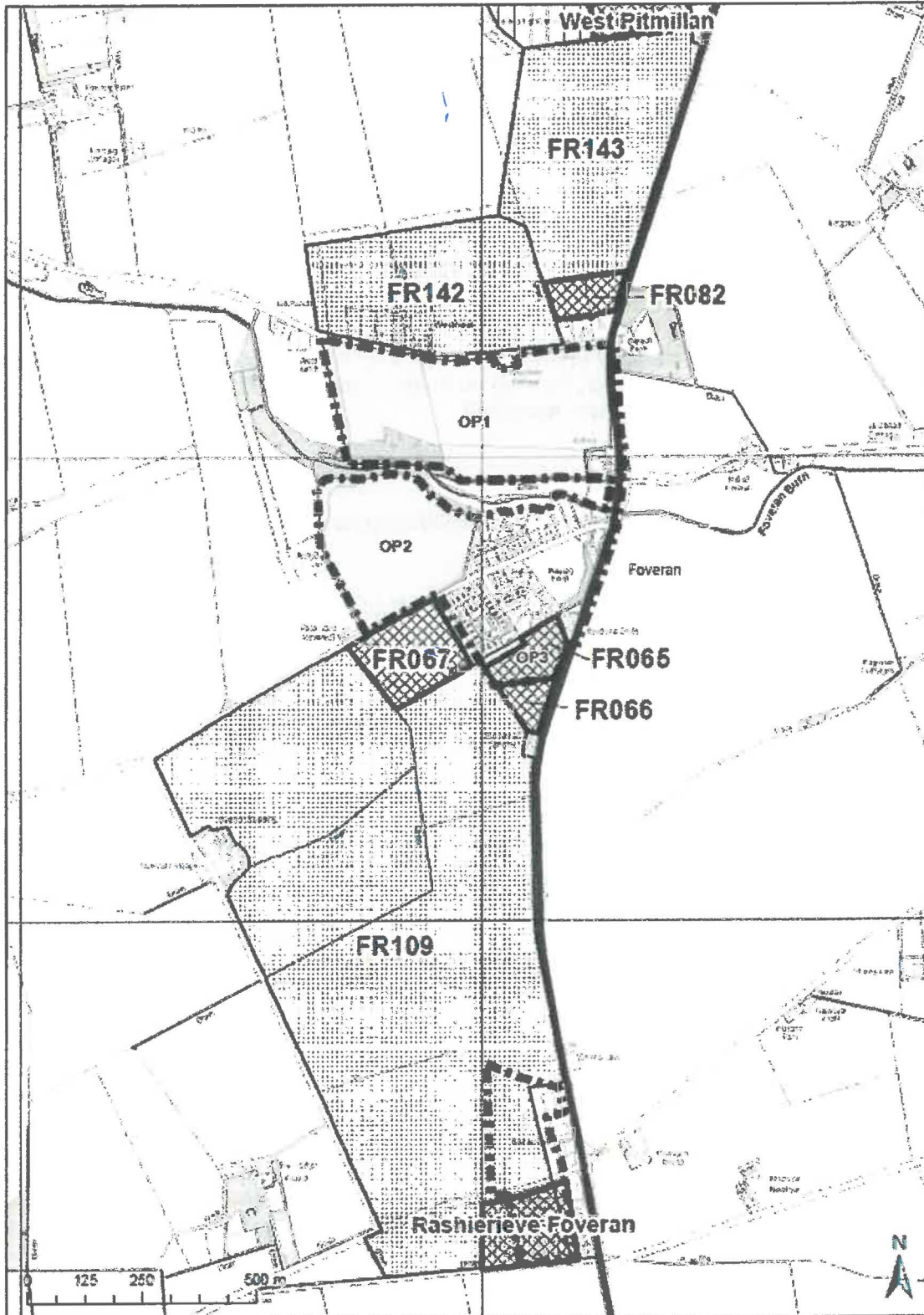


Foveran

Foveran is a village set within the open countryside of eastern Formartine. The village is characterised by its development along the A90 and by the Foveran Burn running through the centre of the village. Traffic close to the village has mainly been diverted to the A90(T). Foveran is located in both the Energetica Corridor and the Aberdeen to Peterhead Strategic Growth Area (SGA). Foveran will provide opportunity to deliver strategic housing and employment allowances according to its scale. In line with the vision of Energetica, it is expected that new development in Foveran will contribute to transform the area into a high quality lifestyle, leisure and global business location. Due to its strategic location, there is development pressure to deliver homes and business land in the village. Primary education may be a constraint to development as the current school is not easily extendable due to the condition of the building and topographical restrictions. Another planning objective is to enhance the settlement's role as a service centre by providing improved community facilities. Representatives from the community feel that no more houses should be allocated in the village until a replacement school has been built.

Planning Objectives:

- Meet housing need in the wider strategic growth area as defined by the Aberdeen City and Shire Strategic Development Plan.
- To support community facilities and services.
- To support economic development in the Energetica Corridor.



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Existing Development Sites

Reference	Proposal	Overview
OP1	100 homes, 2ha employment land and 3ha of strategic reserve	Effective in the 2018 Housing Land Audit and under construction. Employment land allocated in 2017. Employment Land Audit. Retain in Local Development Plan.
OP2	75 homes	Effective in the 2018 Housing Land Audit. Retain in Local Development Plan.
OP3	1.5ha employment land	Add to LDP until built out. Retain in Local Development Plan.

Development Bid Sites

The following sites have some potential for development and may be considered to be an **Officers' preference**:

Reference	Proposal	Overview
FR065 Site 1, Land at Blairythan Terrace, Foveran	36 homes	The capacity of this site has been increased from 12 to 36 homes to avoid underdevelopment. The proposed site is located on the periphery of Foveran, within the Energetica Corridor. There are adequate site services/access available. The proposed site is currently allocated for employment development, which has not come forward, and which already accepts the loss of prime agricultural land. Housing could sustain and enhance existing amenities within the village. The watercourse will require a buffer strip. Access is proposed from the A90, this would only be permitted when the road has been de-trunked.
FR066 Site 2, Land at Blairythan Terrace, Foveran	20 homes	The capacity of this site has been increased from 5 to 20 homes to avoid underdevelopment. The proposed site is located on the periphery of Foveran and forms a logical extension to the settlement, which is within the Energetica Corridor, and has adequate site services/access available. Housing could sustain and enhance existing amenities within the village.
FR067 Site 3, Land at	49 Homes	The capacity of this site has been increased from 38 to 49 homes to avoid underdevelopment.

Blairythan Terrace, Foveran		The proposed site is located on the periphery of Foveran and forms a logical extension to the settlement, which is within the Energetica Corridor, and has adequate site services/access available. Housing could sustain and enhance existing amenities within the village and support the school role. The watercourse will require a buffer strip.
FR082 Land Adjacent to Former A90, North of Westfield Road, Foveran	14 homes	<p>The proposed site is to the north of the existing settlement of Foveran, outwith the defined settlement. Access to the site is to be gained directly from the (soon to be) former A90 to the east.</p> <p>The proposed site is well located in relation to the settlement. Loss of prime agricultural land in the western section of the site is justified to allow growth in this part of Foveran and the wider Energetica corridor.</p>

Other options which Planning Officers have not preferred:

Reference	Proposal	Overview
FR109 Land to South West of Foveran	580 homes	<p>The density of the development (580 homes) is low for a 69ha site. The site is constrained in terms of educational provision as Foveran school could not support a development of this size. Furthermore, the site goes through the Balmedie to Tipperty road scheme.</p> <p>Part of the site is within waste water hotspots and the majority of the site is categorised as prime agricultural ground, making it a very unsustainable site.</p> <p>This proposal would constitute a significant extension to the village. No mitigation measures have been identified and the site is considered to be constrained.</p>
FR142 Land West of A90 (Phase 1), North of Blairythan, Foveran	150 homes	<p>The scale of the proposed development (when viewed in conjunction with current development in Foveran and a future related phase of development included as separate bid) would create an unnatural extension to the north which would erode all the character of the original form of the settlement.</p> <p>Furthermore the entire site is identified as prime agricultural land and could have a potential implication on the existing road network whilst approximately half of the site is within a waste water hotspot. This site (and associated phase 2 bid) are considered to be unsuitable for development.</p>
FR143	Housing (mixed) (estimated 410 homes)	The scale of the proposed development (when viewed in conjunction with current development in Foveran and a future related phase of development included as

Land West of A90 (Phase 2), North of Blairythan, Foveran		<p>a separate bid) would create an unnatural extension to the north which would erode all the character of the original form of the settlement.</p> <p>Furthermore the entire site is identified as prime agricultural land and could have a potential implication on the existing road network whilst approximately half of the site is within waste water hotspots. This site (and associated phase 1 bid) are considered to be unsuitable for development.</p>
--	--	---

Conclusion

Foveran is a key location on the Aberdeen to Peterhead Strategic Growth Area and the "Energetica" Corridor. Dualling of the A90(T) between Balmedie and Tipperty has released capacity in the current A90 which can be used to promote significant development in this area. No employment land has been identified to sustain the "Energetica" vision. The allocations proposed for the village will increase the scale of opportunity to 280 new homes over the next 10 years. This represents a sustained build rate twice that currently active on the existing development sites.

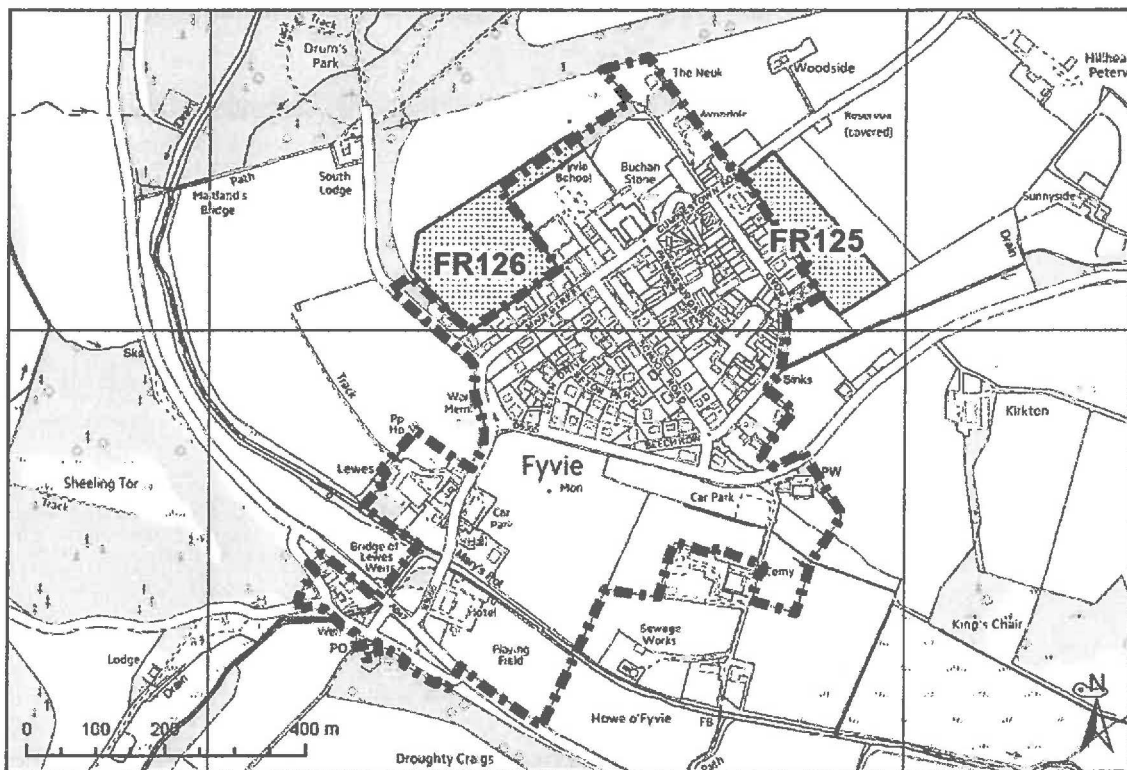
Over this period issues associated with waste water treatment will be resolved and potentially a new school will be required.

Fyvie

Fyvie is a large village characterised by its historic assets and generous open space provision, with a large park to the south and the Fyvie Castle Designed Landscape to the north. The village has an important role as a key service centre for the surrounding rural community, containing a primary school, shops, an inn, garage and a post office. While an important location on the A947, opportunities for development are constrained by land ownership issues and existing designations. The planning objective is to preserve the amenity of the village and to sustain the school roll through the rural development policy within shaping development in the countryside.

Planning Objectives:

- To help contribute to the overall sense of place in the community.
- Enhance the role of the settlement as a service centre.
- Support local services and facilities, including the primary school.
- Preserve the amenity of the settlement.
- To support community facilities and services.



Existing Development Sites

None.

Issue 74 Foveran

1. List of Respondents

M/R Ref	Respondents
121	Ryden LLP on behalf of Mr Graham Brown
506	Scottish Natural Heritage
565	Halliday Fraser Munro on behalf of Harper & Cochrane Ltd
805	SEPA
1020	Strutt & Parker on behalf of Mr Ian Ross

2. Issues

General

Foveran sits in the heart of the Energetica and Strategic Growth Area, and is therefore ideally located for investment and development (565).

Scottish Natural Heritage (SNH) has requested that within the 'Services and Infrastructure' section of the Draft Proposed Local Development Plan (LDP) reference is made to green infrastructure and active travel routes to promote connectivity to other settlements and amenities in the vicinity. SNH has also suggested that the Masterplan for sites in the village should consider OP4/bid FR066, OP5/bid FR067 and OP6/FR067, and highlight green infrastructure and active travel routes (506).

The sites which have been identified as an Officers' preference would add 280 homes to the existing village during the next Plan period and would extend the current village to the south and west. It is considered that the proposed allocation of these sites solidifies the Council's aspirations for growth in Foveran and confirms the focus on new housing development, with associated employment uses in this accessible location during and beyond the LDP period (1020).

Existing site - OP1

SEPA has stated this site may require a Flood Risk Assessment (FRA). A buffer strip will be required adjacent to the watercourse which should be integrated positively into the development. Enhancement of watercourses through re-naturalisation and removal of any redundant features should be investigated. The Draft Proposed LDP uses former text "growth project has been initiated at Blairythan Terrace septic tank". Scottish Water should confirm if the growth project has taken into account all the sites identified in this LDP. Development will be restricted until this upgrade is operational due to the Foveran Burn not having dilution capacity (805).

Existing site - OP2

SEPA has confirmed that they have no concerns regarding flood risk due to the site boundary being set back from the watercourse and the land being quite steep. The request for an FRA could be deleted if the Council's Flood Risk and Coastal Protection Unit agree. A buffer strip will be required adjacent to the watercourse on the northern boundary which should be integrated positively into the development.

Enhancement of these through re-naturalisation and removal of any redundant features should be investigated (805).

Existing site OP3 / Bid FR065, Bid FR066, and Bid FR067

No comments were received on any of these three sites and the recommendations contained in the Main Issues Report for 36 homes, 20 homes and 49 homes are maintained.

However, bid FR067 cannot take access down through the current C class road and would be dependent on a new access to be formed to the south east of the site, passing through bids FR065 and FR066. As there remains third party land in the intervening land the delivery of this site must be questioned and in hindsight it has been recommended that it is not included in the Proposed Local Development Plan.

Bid FR109

It is considered that development of this site would result in the coalescence of Foveran and Rashierieve, which are two distinct settlements each with their own characteristics (121).

However, another respondent was of the view that this site will provide an opportunity to deliver strategic housing and employment allowances to contribute towards transforming the wider area into a high-quality lifestyle, leisure and global business location as part of the Energetica corridor. A 41 hectare site would extend the settlement in a planned manner for 1,000 to 1,200 homes in a mixed use development area, including 3ha for commercial or community use and 4ha for employment use. This is adjacent to the AWPR which is considered to act as an appropriate boundary for future growth aspirations. The site has a good relationship with the village core and is well connected and complements the existing residential development in the village. The respondent is not aware of any issues with waste water in the area and highlights the different assessment of FR067 located immediately adjacent to the site. Development on prime agricultural land would be permitted where it is required to meet an established housing need. The respondent considers that this site exhibits significantly more potential to deliver new homes in the future with fewer impacts than might be expected elsewhere within the Strategic Growth Area (1020).

Bid FR142 and FR143

Inclusion of these sites within the LDP has been sought as they enhance the vision expressed through the Westfield and Ardgill Masterplan 2013. The sites offer the potential to enhance the settlement's role as a service centre and create a well-connected, mixed use focal heart to the village that is currently lacking. The development would not 'create an unnatural extension to the north'. There is already an existing commercial hub at Westfield. These bid sites propose giving this a more central, diversified role by creating a mixed-use village centre (565).

The respondent has disagreed with the comments within the Main Issues Report that stated development on FR142 and FR143 could have a 'potential implication' on the existing road network. The existing local road network has been significantly improved following the opening of the Balmedie - Tipperty dual carriageway (A90) as part of the AWPR work (565). A Scottish Water Growth Project has been initiated

[REDACTED]

From: [REDACTED]
Sent: 04 September 2019 11:15
To: [REDACTED]
Subject: Foveran queries

Morning [REDACTED]

I don't know if you are covering Formartine next week or which officer is dealing with Formartine but I have a couple of questions – hope you don't mind and can answer.

Our bid FRO67 was accepted as preferred in the MIR. In the Formartine report it states this site is being removed as the site 'cannot take access down through the current C class road'. It is not clear where this information has come from of who is saying the access cannot be taken from the C Class road. As there are otherwise no constraints and no representations we would be keen to clear this up as soon as possible.

Could you also please clarify the position on bid site FRO82 – this is recommended for inclusion in the MIR but it not mentioned in the report or the recommendations.

Many thanks

[REDACTED]

Regards

[REDACTED]

Associate + Chartered Planning Consultant

[REDACTED]

 lippearchitects
+planners



[REDACTED]

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Reply 1 day before TAZ

[REDACTED]

From: [REDACTED]
Sent: 09 September 2019 16:08
To: [REDACTED]
Subject: Re: Foveran query

That statement is in the wrong place in the paper, and should be in our "Actions" section and I will make that apology tomorrow. Information provided by [REDACTED] in Transportation as part of the discussion on the DPMTAG. He REALLY does not like development!

[REDACTED]
Policy Team Leader
Local Development Plan Team

[REDACTED]
Subscribe to: <http://publications.aberdeenshire.gov.uk/dataset/local-development-plan-updates>

From: [REDACTED]
Sent: Monday, September 9, 2019 4:01 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Foveran query

Afternoon [REDACTED]
Would you be able to reply re the earlier query over access to the foveran site please as the referral to this in tomorrow's papers is the first we have heard about any inability to get access into the site and we were wondering where this has come from? Bid site FR067 for reference.
Many thanks
[REDACTED]

Sent from my iPhone

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[REDACTED]

From: [REDACTED]
Sent: 07 November 2019 11:53
To: [REDACTED]
Subject: Fwd: Formartine Area Committee LDP Foveran sites FRO67 and FR082

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 11 September 2019 at 11:30:47 BST
To: [REDACTED]
Subject: Fwd: Formartine Area Committee LDP Foveran sites FRO67 and FR082

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 11 September 2019 at 11:30:10 BST
To: [REDACTED]
Subject: Fwd: Formartine Area Committee LDP Foveran sites FRO67 and FR082

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 11 September 2019 at 11:18:05 BST
To: [REDACTED]
Subject: Fwd: Formartine Area Committee LDP Foveran sites FRO67 and FR082

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 9 September 2019 at 18:43:55 BST

To: [REDACTED]

**Subject: Formartine Area Committee LDP
Foveran sites FRO67 and FR082**

Dear Councillors

Thank you in advance for your consideration of these matters with ref to tomorrow's meeting. Also my apologies for the late correspondence however we were waiting for clarification from the policy team which has in one case been late in coming through today and in the other case not replied to.

First case relates to bid site FR067 which having been preferred along with FR065 and FR066 is now not being proposed. The late information received today appears to relate to road access but we are not aware of any constraint to providing vehicular access to this site and have been keen to ensure pedestrian connectivity to the other two bids which are preferred and also the other allocated land in the village. We have had no opportunity to consider what the reason is behind the access concerns. This is a strategically located site which links well with other existing and planned development in Foveran and we would appreciate your support for its inclusion.

Second site is FRO82 which is not mentioned in the papers at all yet is a preferred site in the MIR. The Policy team has not replied to our questioning why it is not included or even mentioned so I would ask that the question is raised tomorrow as we see no reason for the lack of commentary or it being included as an allocated site.

Again, my apologies for the late email but I have been waiting for responses from the policy team before contacting you.

Many thanks in advance.

[REDACTED]
Associate and Chartered Planning Consultant
Lippe Architects and Planners

Sent from my iPhone

[REDACTED]

From: [REDACTED]
Sent: 11 September 2019 11:13
To: [REDACTED]
Subject: FW: Foveran query

Hello [REDACTED]

I have attached the information the policy team sent through on Monday. While there was some discussion yesterday on Foveran, the Committee agreed to progress with the sites at Foveran as proposed. At this stage therefore we have got the two sites included nearer the old road included but not the third site. I was concerned that we had not been able to comment on this information as it came through so late on Monday, however, I emailed the Councillors to raise our concerns about this but it did not change their minds yesterday. In talking to [REDACTED] he does not think the larger bid site to the south FR109 will ever come forward but he is happy that a small area of it could come forward along with your other site in due course and that we should consider thinking about accessing it through the first two sites.

I should clarify that the [REDACTED] that owns the land to the south is not the [REDACTED] I also carry out work for. So if you consider that there is an alternative solution perhaps you could approach him about that, but certainly you would be able to tell him what [REDACTED] is thinking about accessing through your site which would allow him at least some development in the future.

The process going forward is that the Council's Infrastructure Services Committee will ratify all the Area Committee decisions on 3 October. We would be able to make further representations to ISC if you wanted this to be done but we would have to engage an engineer to look at the access to the third site before we would be able to make a further robust representation. Time for that is, however, tight.

I am sure you have been thinking things over so please don't hesitate to get in touch and if you would like to meet for a full debrief so to speak please just let me know.

Thank you

[REDACTED]

Regards

[REDACTED]

Associate + Chartered Planning Consultant

 lippearchitects
+ planners



[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 17 October 2019 11:56
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: 135017: Foveran LDP Sites

Hi [REDACTED]

Our advice to the LDP team was a second access to the B977 is required to support further development on Blairythan Terrace. Blairythan Terrace narrows to around 5m at some locations and has traffic calming along its length so we view it as equivalent in standard to a housing road with a single point of access to the B977. The single track road U11c road to the west is very narrow at some locations and the route to the A975 is convoluted so our view is that it can be considered as an 'emergency' access but not a second point of access. Therefore, based on our standards we could potentially allow up to 100 units access from Blairythan Terrace. It currently serves around 70 units so a further 29 more units may be supported by the current network prior to a second access being delivered. The existing OP2 allocation opposite is for up to 75 units. The formation of a B977 loop is also important for delivering bus services closer to the site.

I trust that provides clarity on our advice to planning.

Regards

[REDACTED]
Principal Engineer (Transportation)
Infrastructure Services
Aberdeenshire Council
Woodhill House, Westburn Road
Aberdeen, AB16 5GB

[REDACTED]
www.aberdeenshire.gov.uk

From: [REDACTED]
Sent: 10 October 2019 10:55
To: [REDACTED]
Subject: 135017: Foveran LDP Sites

Hi [REDACTED]

One other item I was going to raise with you yesterday if we had met was in regards to the LDP sites at Foveran. We have been asked to investigate the issues that have, at the last minute, been raised resulting in one of the recommended sites now not being proposed for inclusion in the LDP.

The Main Issues Report recommended three sites (bids FR065, FR066 and FR067) to be included in the next LDP. Two sites can take access from the old A90 but the third site (FR067 and bid site plan attached) was to be accessed from Blairythan Terrace. The Formartine Area Committee said that FR067 was now not proposed to be taken forward and this is what the Formartine Committee agreed.

The comment in the Committee papers stated that the site *“cannot take access down through the current C class road and would be dependent on a new access to be formed to the south east of the site, passing through bids FR065 and FR066. As there remains third party land in the intervening land the delivery of this site must be questioned and in hindsight it has been recommended that it is not included in the Proposed Local Development Plan”*.

When [REDACTED] was questioned about this (given the late nature of it and inability to respond to it) his reply was “Information provided by [REDACTED] in Transportation as part of the discussion of the DPMTAG” is the reason it is now not included. He also said “[REDACTED] REALLY does not like the development”.

Having looked at the site and the number of units proposed (38) I am struggling to see exactly what the concerns are and also for sites of this size, of what relevance DPMTAG really has. Whilst the existing C class road passing the site is not currently of sufficient width to serve the site, it could be upgraded to a sufficient width, as it has been for the adjacent sites at Blairythan Place and Turin Way that have recently been developed. The 30mph speed limit could be re-positioned further west, again as it has been recently for the adjacent developments. To the west the C class road connects with the B999 and to the east with the old A90, and then with the new A90, and therefore 2 points of access are provided to the overall Foveran village.

In order for us to feedback to our Client, it would be helpful if you could provide clarification of what your concerns with the FR067 site are and why mitigation such as I have identified above would not be acceptable in ensuring appropriate access can be achieved? This would avoid the specific need for connection through bids FR065 and FR066 and third party land.

Regards

[REDACTED]

Principal Engineer - Transportation

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[REDACTED]

From: [REDACTED]
Sent: 16 October 2019 14:22
To: [REDACTED]
Subject: FW: Brief meeting
Attachments: Transportation Summary for Ellon - FAC 29 October 2019.docx

Hi [REDACTED]

For your info – appreciate you are seeing [REDACTED] today.

There is a para in this email from [REDACTED] (about sites at Ellon we have issues with which you may be aware of through CHAP) with ref to the Foveran site.

I am off tonight until 29th so can catch up once I am back with a view to doing whatever we might need to do for Full Council on Foveran. I think the client would be keen to meet with you too.

Thanks again

[REDACTED]

Regards

[REDACTED]
Associate + Chartered Planning Consultant



[REDACTED]

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↓
From: [REDACTED]
Sent: 15 October 2019 14:49
To: [REDACTED]
Subject: RE: Brief meeting

Hello [REDACTED]

Acknowledging your e mail of yesterday. I am aware and have had sight of the letter from [REDACTED] sent to [REDACTED]. This will be responded to in due course.

Foveran

I'm not aware of the specific issues you have with the Foveran sites and presumably the Ellon sites you mention are the same ones as the subject of the [REDACTED] correspondence? With the exception of the Ellon sites, where a specific set of circumstances had to be addressed prior to and at ISC and now again at the next Formartine Area Committee, the MIR/committee processes have followed due process.

With regards the Ellon sites and to the information that came from our Transportation team, if I can further detail. You will be aware of the DPMTAG and its purpose with regards the Local Plan. This is going through due process and as it is intended will be available along with the Proposed Local Development Plan when it will be reported to Full Council. The process of preparing the DPMTAG is substantial and unfortunately timescales for its completion is very much dependent on the timescales of Transport Scotland, thus not within our gift. As such [REDACTED] advice to you was correct and based purely on the current set of circumstances. The DPMTAG is in draft form as it progresses towards the final version. However that draft form contains what is considered at this stage substantive information and along with advice from Transport Scotland the Council would have been remiss to ignore, at a time when bid sites were being considered and elected members being informed. With this in mind the information was put forward to ISC with the officer's view in terms of recommendation. It also took into consideration the likely level of funding required for the infrastructure to resolve the congestion issues and how this would be unlikely to be generated by sufficient developer obligations, thus putting an unreasonable expectation on any future developer.

It is also worth noting that the issues at Ellon were specifically raised by Transport Scotland as a concern in discussion with the Council's Transportation team, regarding the ongoing DPMTAG work.

You/your clients will have the opportunity to defend or challenge the content of the DPMTAG and the detail in dismissing the bid sites at any future examination of the plan, offering the same opportunity as others facing a similar situation.

Given the timing of the Transportation response, as I indicated to you, the decision has been taken to report back to the Formartine area committee, giving the elected members the chance to consider the material change in the circumstances as a result of the work done towards the final DPMTAG. The Transportation response and the reasoning behind this will be included within the Committee papers. I am happy to give you sight of this and this is now attached. Timescales are very tight with regards all the LDP processes as we head towards Full Council and this is the first opportunity Transportation colleagues have had to provide this information. I am sure you will request to address members on this issue.

The Formartine Members will consider these Ellon sites again on 29 October with the relevant information in front of them giving them an opportunity to take a view which will be presented to Full Council. This has been done to allow a fair opportunity to be had for them and for you/your clients. This has been decided as an appropriate way of addressing a certain set of circumstances that has occurred through what is considered to be substantiated information received from the DPMTAG currently in a draft form along with comment from Transport Scotland. Both the Planning Service, Transportation and the Council's Legal Service consider the actions taken to be appropriate.

With regards the Foveran sites I would firstly point out that this is not a DPMTAG issue but is based on Transportation's assessment of the site. I have taken the opportunity to liaise with Transportation and they have responded that their initial advice was that a link to the B997 (Old A90) should be provided to site FR067 through sites FR065 and FR066 as these initially linked up. They considered that Blairythan Terrace was not to a sufficient standard to accommodate additional development in addition to existing consents/allocations. However the three sites do not now link together so a

second link to the B997 cannot be delivered. This was part of the Issues and Actions papers presented to and considered by the Formartine Members.

Given current timescales in preparing the LDP and other work pressures I'm afraid I'm not in a position to meet prior to the 29th and hope the time taken to explain and address the issues above will suffice. There is further due process yet to take place with regards the LDP and by definition the bid sites, for which you have the opportunity to both prepare and partake.

Kind Regards

[REDACTED]

[REDACTED]
Planning Manager
Planning & Environment
Infrastructure Services
Aberdeenshire Council
Woodhill House
Westburn Road
Aberdeen
AB16 5GB

[REDACTED]

From: [REDACTED]
Sent: 14 October 2019 10:10
To: [REDACTED]
Subject: RE: Brief meeting

Morning [REDACTED] and thanks for your email.

[REDACTED] has already written to [REDACTED] about the Ellon matter and late on Thursday he acknowledged [REDACTED] letter and will be responding, which I now presume will be effectively as you have replied to my email.

I was not really asking about these specific sites as I was leaving this to [REDACTED] but what I was looking for was a brief discussion about what has happened with one of our sites at Foveran and also Ellon with respect to how these sites have been handled, the late nature of comments from roads and planning affecting how they have been treated by Formartine Area Committee and Infrastructure Services Committee, the lack of ability to scrutinise what information has led, particularly the Roads Service in this case to come to the views they have done, and the manner in which [REDACTED] has been forthcoming with such information.

[REDACTED]
8th November 2019

[REDACTED]
Director of Infrastructure Services
Aberdeenshire Council
Woodhill House
Westburn Road
Aberdeen
AB16 5GB

Dear [REDACTED]

Aberdeenshire LDP 2021 – Site FR067, Site 3, Land at Blairythan Terrace, Foveran

I write on behalf of our client, the Blairythan Partnership, to express our concern about the handling of this bid site in relation to the reporting of it to the Formartine Area Committee on 10 September 2019.

Lippe Architects and Planners submitted three bids for land at Blairythan Terrace, Foveran – FR065, FR066 and FR067 - which were all accepted as preferred sites in the Main Issues Report for the allocation of 36, 20 and 49 units respectively. However, upon reading the report when it was published the week prior to the Formartine Area Committee meeting, it was noted that with regard to bid site FR067 the report stated..... *“cannot take access down through the current C Class road and would be dependent on a new access to be formed to the south east of the site, passing through bid sites FR065 and FR066. As there remains third party land in the intervening land the delivery of this site must be questioned and in hindsight it has been recommended that it is not included in the Proposed Local Development Plan”*.

In looking for clarification on this comment and why, contrary to the MIR, the site was now not being recommended, an email was sent to [REDACTED] Senior Policy Planner, on Wednesday 4 September 2019 stating that it was not clear where this information had come from as there were otherwise no constraints and no representations on the matter. Indeed, the report to the Formartine Area Committee of 10 September 2019 highlights that no comments were received about any of the three bids. [REDACTED] replied that [REDACTED] Policy Team Leader would respond.

I followed up [REDACTED] reply with a further email to [REDACTED] on Thursday 5 September 2019 given the late nature of the comment and the possibility of being able to request to speak at the Formartine Area Committee meeting, which request would need to have been submitted by Friday 6 September 12 noon.

I finally received a reply from [REDACTED] on Monday 9 September 2019 at 4.08pm stating that the reason for recommending the site now be removed was as a result of *“information provided by [REDACTED] in Transportation as part of the discussion on the DPMTAG”* and he goes on to say that *“he REALLY does not like development”*.



Directors/Company Secretary
[REDACTED]

Associates
[REDACTED]



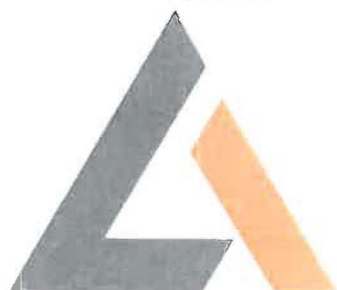
At such a late stage, the evening before the Formartine Area Committee meeting, we were not afforded an opportunity to request to speak, it then being past the deadline to do so, and with it now being apparent what the background was to the site being proposed to be removed. Given the late nature of the clarification from [REDACTED] no time was available to appropriately address and respond to the Transportation team saying that site FR067 could not be accessed down the existing C Class road and would be dependent on a new access passing through bid sites FR065 and FR066. While we were able later that evening, prior to the Committee meeting the next day, to contact the local Ward Councillors to express our concern about the situation which had arisen, the timing of response from [REDACTED] causes us great concern as there was clearly insufficient time to analyse what was being said, provide a full response or make representations to the Formartine Area Committee. The timing of [REDACTED] response meant no meaningful reply could be prepared in advance of the Committee meeting the next day. The only information the Committee considered on the day was a comment from [REDACTED] that site FR067 should now not be allocated as *"the access road is insufficient"*.

Further to discussion with our client, they have engaged the services of a transportation engineer to review matters. A response was received from [REDACTED] Principal Engineer – Transportation on 17 October 2019 which states that *"our advice to the LDP team was a second access was required to support further development on Blairythan Terrace. Blairythan Terrace narrows to around 5m at some locations and has traffic calming along its length so we view it as equivalent in standard to a housing road with a single point of access to the B997. The single track road U11C road to the west is very narrow at some locations and the route to the A975 is convoluted so our view is that it can be considered as an 'emergency' access but not a second point of access. Therefore, based on our standards we could potentially allow up to 100 units accessed from Blairythan Terrace. It currently serves around 70 units so a further 29 more units may be supported by the current network prior to a second access being delivered. The existing OP2 allocation opposite is for up to 75 units. The formation of a B997 loop is also important for delivering bus services close to the site"*.

Our response at this stage is that we cannot understand why the Transportation Service considers the bid site FR067 to only have a single point of access with an emergency access. We do not consider the road to the west to be an emergency access as it is an adopted road that routes to Udry Station and the B999 and there is also linkage to the B9000.

[REDACTED] makes reference to the existing OP2 allocation which is for up to 75 units. If that were to be developed as 75 units there would be around 145 units served from Blairythan Terrace. If it is considered that it is a single point of access and an emergency access then there should be no more than 99 units in total from Blairythan Terrace. The 2017 LDP which includes the OP2 sites makes no mention of any requirements for a second point of access. There is also no reference to this requirement in the Main Issues Report which recommends that site OP2 carries forward into the 2021 LDP.

With respect to the reference for a bus loop we consider it would be unlikely that bus services would divert off the old A90 and if someone wanted to take the bus this remains easily accessible via the existing bus stops located on the old A90 that currently serve Foveran.





In terms of design, the internal road layout of the proposed sites could be designed in such a way that the future link could be provided.

We are also aware as a result of the information which pertains to the sites at Auchterellon Farm, Ellon that the DPMTAG report, also referred to by [REDACTED] is not at a stage that any conclusions can yet be drawn from it.

In [REDACTED] email of Monday 9 September 2019, he had specifically referenced DPMTAG as being a reason for recommending the site was now to be removed, however, email correspondence from [REDACTED] on Tuesday 15 October 2019 states that *"with regards to the Foveran sites I would firstly point out that this is not a DPMTAG issue but is based on Transportation's assessment of the site"*.

In conclusion, firstly, we seek clarification about the timing of the response from the Transportation Service as it would appear there is no reason why this should not have been apparent prior to the publication of the Main Issues Report which then would have afforded ample time and opportunity to assess and comment on the matter.

Secondly, the extremely late response from the Planning Service the night prior to the Formartine Area Committee has precluded the Blairythan Partnership from providing a response and the Formartine Area Committee being able to have a meaningful discussion on the matter. Similar to the late presentation of information in relation to bid sites FR063 and FR064 at Auchterellon Farm, Ellon related to roads and access matters, the Foveran bid FR067 should also be returned to the Formartine Area Committee to facilitate the presentation of all the information and a full discussion and debate where the Blairythan partnership will be able to make an informed and professional response to the comments of the Transportation Service.

Finally, we would like to express our concern about the way in which [REDACTED] responded, both in terms of the lateness of this given the matter was clearly known about to officers in preparing the published Committee report, and also the general nature and inaccuracy of his email.

We look forward to hearing from you once you have had an opportunity to consider the above and would also welcome a meeting with you to discuss this matter in greater detail.

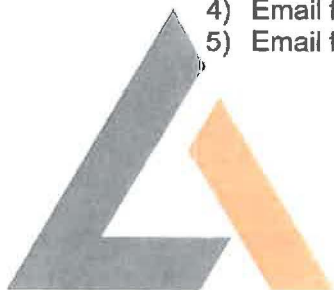
Yours sincerely

[REDACTED]
[REDACTED]
[REDACTED]

ASSOCIATE + CHARTERED PLANNING CONSULTANT
LIPPE ARCHITECTS + PLANNERS

Encs:

- 1) Email response from [REDACTED] 4 September 2019
- 2) Email to [REDACTED] 5 September 2019
- 3) Email response from [REDACTED] 9 September 2019
- 4) Email from [REDACTED] 15 October 2019
- 5) Email from [REDACTED] 17 October 2017





Our ref SA/LS/2019/0028479
Your ref

[REDACTED]
Director of Infrastructure Services
Woodhill House
Westburn Road
Aberdeen
AB16 5GB

3 December 2019

[REDACTED]
[REDACTED]
www.aberdeenshire.gov.uk

By Email: [REDACTED]

Dear [REDACTED]

Aberdeenshire LDP 2021 – Site FR067, Site 3, Land at Blairythan Terrace, Foveran

Thank you for your letter of 8 November 2019 regarding the above to which I would respond as follows.

[REDACTED] provided a response to Lippe Architects and Partners' email on 5 September 2019, within three working days. I do not consider this to be unreasonable given the scale of the work that the Local Development Plan Team is undertaking at this time. Whilst email is an acceptable way of communicating with officers, it should be noted that many people use this method and responses cannot be immediate and indeed will be prioritised as you would expect. With regards your request to speak, I can only advise that there is scope for this to be done well in advance of any committee and will always ensure that the request is made in time, should it be required or otherwise.

The recommended exclusion of site FR067 from the Plan was based on the professional advice of the Transportation Team. With regards the issue of the text referencing access into the site, [REDACTED] apologised to the Area Committee that the text was in the wrong location in the Area Committee Report. He also highlighted this to you in his response to your e mail of 9 September.

A fundamental difference between the Auchterellon sites (FR043 and FR064, adjacent to Golf View, Ellon) was that they had been omitted from the "preferred" recommendations to the Area Committee on the 10 September 2019. As with any site not ultimately included in the Proposed Local Development Plan, it will be for a site owner/developer/agent to present a case to the Reporter, during the Examination process, to re-consider for subsequent inclusion.

The Policy Team use information available to them to populate the Proposed Local Development Plan. This would include information that colleagues in the Transportation Service have provided as reasons why sites should not be included in the Proposed Local Development Plan. It was information that arose during discussions on the DPMTAG and not directly attributable to the results in the DPMTAG itself that brought attention to site FR067 and the subsequent decision to omit the site from the Proposed Plan.



Colleagues in the Transportation Service have provided their professional view, based on our Road Standards.

Blairythan Terrace is equivalent in standard to a Core Road, and in fact substandard in some locations. Where a Core Road serves more than 50 units but less than 100 units, an emergency access is required, and a second point of access is required beyond 100 units. The continuation of Blairythan Terrace beyond the application site, is the single track U11C road which is not of Core Road standard so it not considered as being a second point of access, however, can be considered as an emergency access.

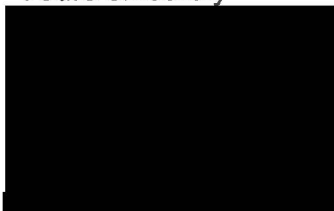
In order for site FR067 to meet our standards, a second point of access is required when the cumulative total units served from Blairythan Terrace reaches 100 units. This can only be achieved either by way of a second link to the B977, most likely through sites FR065 and FR066, or by upgrading the U11C road to Core Road standard (5.5m width). Neither of these options appear to be available for this site.

This would be the advice of Roads Development at any stage of the planning process, whether an LDP bid or a planning application. In general, the decision to not include a site in the Proposed LDP, is when it is known that the technical standards cannot be met and as such the Transportation Team are likely to object to it at the planning application stage. Colleagues in the Transportation Service support this stance.

With regards to the OP2 allocation opposite the FR067, we have advised that the same standard should apply to this site even if this was not the case previously, and this requirement is stated in the site allocation summary in the Proposed LDP. This site, however, does have the option of crossing the burn to the north and forming a second access to the B997 through the existing housing site off Westfield Road. It is the understanding of Transportation colleagues that this was suggested as part of the Masterplan that covers both these sites.

I trust the above answers your queries.

Yours sincerely



Director of Infrastructure Services

REVISIONS



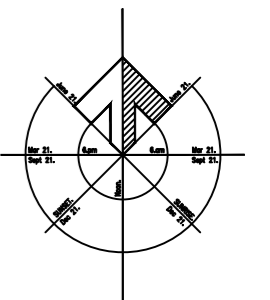
SITE AREAS:

- 55 - 32,942m²
- 36 - 17,029m²
- 20 - 7,155m²
- 77 - 44,665m²

GRID REF: NJ 96865 23604

PROPOSED SITE PLAN

Scale 1:2000 at A2



PROJECT DETAILS

Land at
Blairythan Terrace
Foveran

for Blairythan Partnership

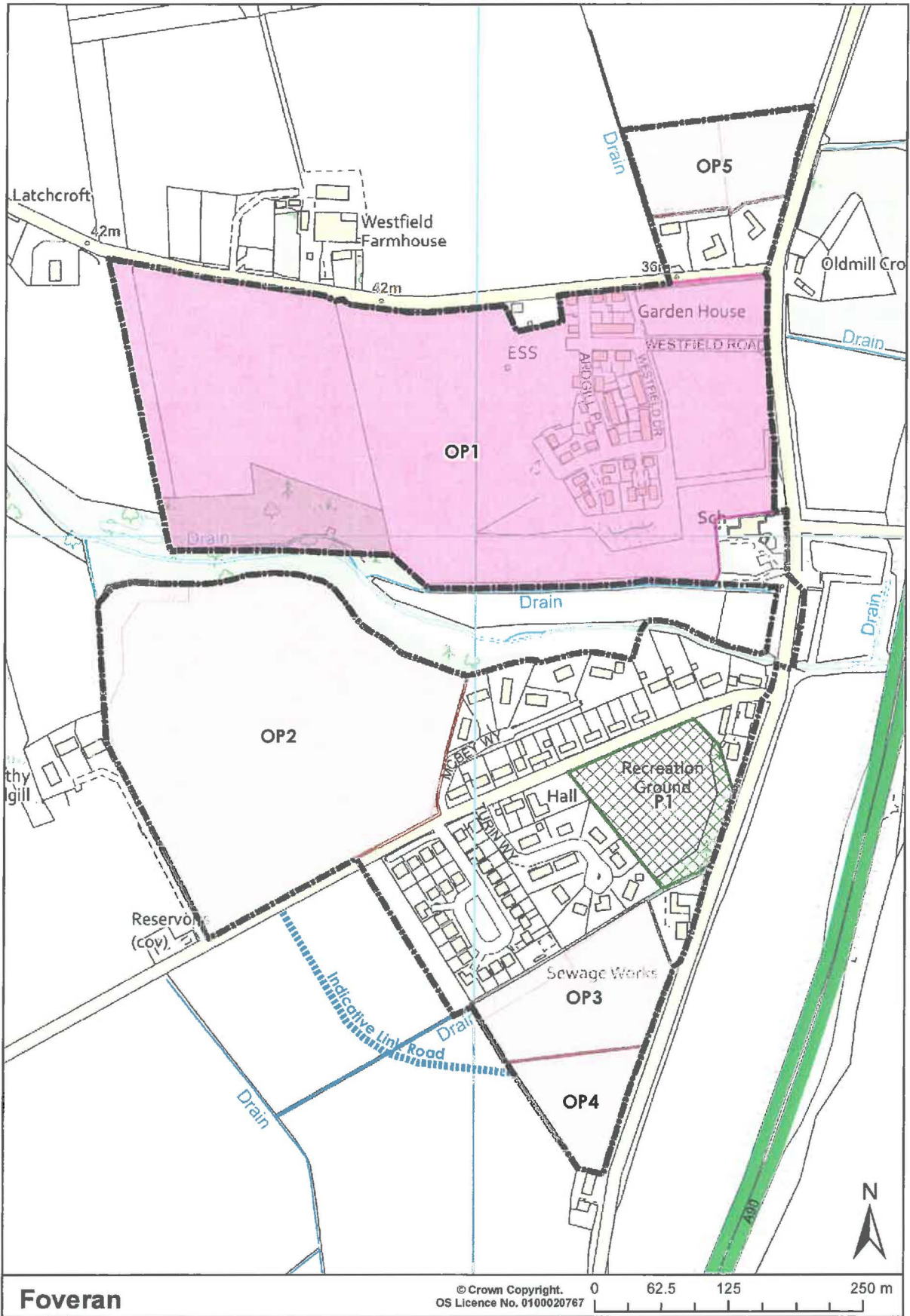
LDP SITE PLAN

Scale: 1:2000 @ A3
Date: JUL 2020
Drawn:em

CHECK	INITIALS	DATE
planning:		
warrant:		
tender:		



Ref: 5477/100



OP3: South of Turin Way

Allocation: 36 homes

This site was previously allocated as site OP3 in the LDP 2017. The site was allocated for employment uses, however this has not been delivered and therefore the allocation has been amended to residential development.

The site fits well into the settlement pattern. A joint Access Strategy will be required for OP3 and OP4 that connects the two sites internally, delivers two accesses to the B977 and also protects a future route west from the site linking to Blairythan Terrace to the north. A new footway is required on the B977 linking to the existing network and connecting to bus stops. Access for active travel onto the site will be expected. Landscaping will be expected on the south of the site to minimise the visual impact on the approach to the village, and also to the north to minimise its impact on the homes there. It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and be integrated into the design of the development to provide a mix of house types and sizes to meet local need.

A Flood Risk Assessment may be required due to the presence of a small watercourse on the northern boundary that has been straightened. A buffer strip will be required adjacent to the watercourse which should be integrated positively into the development. The buffer strip will need to allow sufficient space for restoration of the watercourse. Enhancement of these through re-naturalisation and removal of any redundant features should be investigated.

OP4: Site 2, Land at Blairythan Terrace

Allocation: 20 homes

This is a newly allocated site at the southeast of the existing settlement. It forms a logical extension to the OP3 site. A joint Access Strategy will be required for OP3 and OP4 that connects the two sites internally, delivers two accesses to the B977 and also protects a future route west from the site linking to Blairythan Terrace. A new footway is required on the B977 linking to the existing network and connecting to bus stops. It is expected that the site will take access directly onto the road directly to the east of the site from the former A90, which will be feasible once the existing road has been downgraded to a local road. Access for active travel onto the site will be expected. Open space provision should be provided in accordance with LDP policies. It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and be integrated into the design of the development to provide a mix of house types and sizes to meet local need.

Allocation: 75 homes

This site was previously allocated as site OP2 in the LDP 2017. A Masterplan which covers OPI and OP2 was agreed by Formartine Area Committee in September 2013, but will need to be reviewed if development has not commenced on this site at the date of adoption of this Local Development Plan. A 12" trunk water main runs through part of this site. Scottish Water should be contacted by the developer to ascertain whether this will impact on the layout of the site. A major wayleave may be required at either side of the water main. It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and be integrated into the design of the development to provide a mix of house types and sizes to meet local need. Blairythan Terrace requires to be upgraded to a suitable adoptable standard for the number of homes proposed, with footway provision on the north side to connect to the existing network. Proposals for a link across the Foveran Burn through OPI in line with the site Masterplan are required to form a loop road from Blairythan Terrace and provide two points of access to the B977. A Flood Risk Assessment may be required. A buffer strip will be required adjacent to the watercourse on the northern boundary which should be integrated positively into the development. Enhancement of these through re-naturalisation and removal of any redundant features should be investigated.

135017: Inclusion of bid sites FR067 (and support for part of bid site FR109) at land at Blairythan Terrace, Foveran on behalf of the Blairythan Partnership – Site Access Review Technical Note 30th July 2020

Introduction

1. This Technical Note has been prepared on behalf of the Blairythan Partnership in support of the inclusion of Aberdeenshire Local Development Plan 2020 (ALDP) bid site FR067 to the south of Blairythan Terrace, Foveran.
2. The Technical Note also considers the benefits of the inclusion of part of site FR109 to the south of Site FR067 in order to ensure delivery of the proposed new link road from the B977 to Blairythan Terrace, which has been identified by Aberdeenshire Council as a requirement for all proposed ALDP sites in Foveran.
3. A high level review of the access requirements for all of the proposed sites identified in the ALDP is discussed. This includes Sites OP1, OP2, OP3 and OP4. All relevant sites are identified in Figure 1 below.

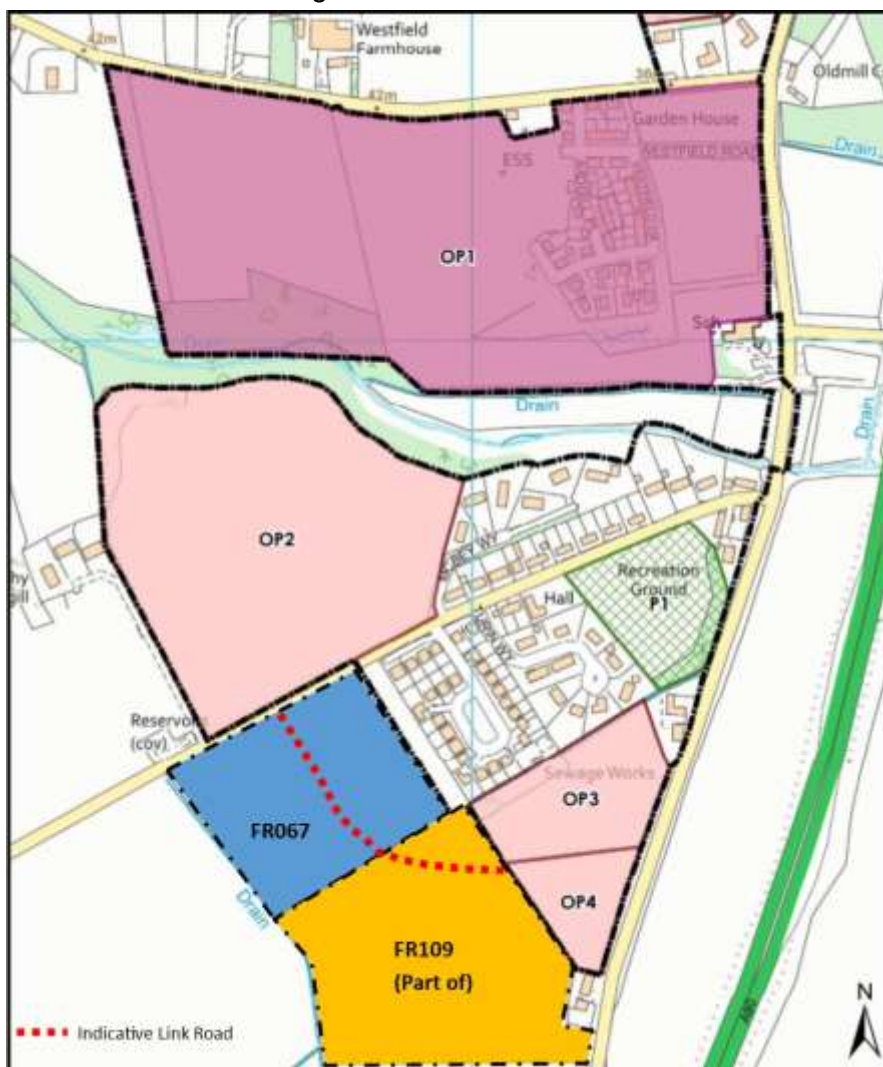


Figure 1: ALDP Proposed Sites and Bid Sites

Existing Access Arrangements

4. Access to all existing development within Foveran is currently via Blairythan Terrace, which routes from the B977 (old A90) to the east and then continues to the west as the U11c towards the B999. 500m to the west of the FR067 site, the U11c provides access to the south which connects back with the B977, the A975 and the A90 AWPR Newburgh Interchange. Figure 2 identifies the existing access routes and the ALDP bid sites being considered.



Figure 2: Existing Access and ALDP Bid Sites

5. Site FR067 was originally included as a preferred site when the Main Issues Report was published, however when being reported to the Formartine Area Committee on 10 September 2019 the officer comment on site FR067 stated that *“bid FR067 cannot take access down the current C class road and would be dependent on a new access to be formed to the south east of the site passing through bids FR065 and FR066. As there remains third party land in the intervening land the delivery of the sites must be questioned and in hindsight it has been recommended that is not included in the Proposed Local Development Plan”*. For clarification, bids FR065 and FR066 are the ALDP preferred sites now referenced as OP3 and OP4 respectively as shown in Figure 1.

6. It was not considered that the existing access arrangements at Foveran restricted the access to site FR067 and further clarification was sought from the Council's Transportation Service as to the reasons for the site's removal. In response the Transportation Service stated that *"our advice to the LDP team was a second access to the B977 is required to support further development on Blairythan Terrace. Blairythan Terrace narrows to around 5m at some locations and has traffic calming along its length so we view it as equivalent in standard to a housing road with a single point of access to the B977. The single track road U11c road to the west is very narrow at some locations and the route to the A975 is convoluted so our view is that it can be considered as an 'emergency' access but not a second point of access. Therefore, based on our standards we could potentially allow up to 100 units access from Blairythan Terrace. It currently serves around 70 units so a further 29 more units may be supported by the current network prior to a second access being delivered. The existing OP2 allocation opposite is for up to 75 units. The formation of a B977 loop is also important for delivering bus services closer to the site."*
7. It is considered that this is an unjust assessment of the local road network and application of the Council's standards. The U11c road to the west provides a second point of access into Foveran and links to the B999, the A975, the B977 and the A90 AWPR. Whilst it may be classed as a single track road, this is not uncommon for rural areas and smaller settlements within Aberdeenshire, and indeed across the country. The route to the A975 is not considered to be convoluted (as can be seen in Figure 2) and there are opportunities for the provision of passing places and / or localised road widening if required. Passing places are already provided along the U11c to the west and the road could be widened accordingly along the FR067 site frontage to tie in with the existing traffic calmed scheme along Blairythan Terrace. This road widening would also be required for the allocated OP2 site which is located directly opposite the FR067 site. Further passing places could also be provided at appropriate locations on the U11c if required.
8. Similar access arrangements (single track roads) provide 2nd points of access to a number of settlements within Aberdeenshire that have over 100 houses. This is to be expected given the rural nature of Aberdeenshire and includes the settlements of Hatton, St Combs, Inverallochy, Gardenstown, Daviot, Sauchen, Auchenblae and Drumlithie.
9. The U11c is an adopted public road with no restrictions in vehicle use. It is used by existing residents within Foveran on a daily basis, not to mention the adjacent rural community in accessing Foveran and its existing facilities, and onwards to adjacent settlements such as Newburgh and Ellon and provides access to the strategic road network; the A90 AWPR. As can be seen in Figure 2 above, part of the A90 AWPR Newburgh Interchange road works included a new road link which provides access to the A975, the B977 and the U11c.

10. Whilst the Council have expressed that the existing road passing the FR067 site is not wide enough to serve the site, it could be upgraded to a sufficient width, as it has been for the adjacent sites at Blairythan Place and Turin Way that have recently been developed. This would also be required for the allocated OP2 site which is directly opposite site FR067. The existing 30mph speed limit could also be re-positioned further west, again as it has been recently for the adjacent developments and as it would be required for the OP2 site.
11. It is therefore not considered that the U11c route is equivalent to only an emergency access and it clearly already provides a second point of access for the existing settlement and surrounding area.

Proposed LDP Access Arrangements

12. The proposed ALDP for Foveran states that *“access to sites OP2, OP3 and OP4 should be considered collectively in order to provide a new link from the B977 to Blairythan Terrace.”* However specifically for site OP2, the proposed ALDP states that *“Blairythan Terrace requires to be upgraded to a suitable adoptable standard for the number of homes proposed, with footway provision on the north side to connect to the existing network. Proposals for a link across the Foveran Burn through OP1 in line with the site Masterplan are required to form a loop road from Blairythan Terrace and provide two points of access to the B977.”*
13. Site OP1 is located to the north of OP2 and a Masterplan which covers OP1 and OP2 was previously agreed and includes a road connection between both sites and therefore would provide an additional access to the B977.
14. With this link in place there would be a 2nd point of access to / from the B977 which would also provide a 2nd point of access to the FR067 site. Given the Council's stated position in regards to the number of houses that can be served by the existing road network, this 2nd point of access for the OP2 site would need to be delivered by the 30th house occupied. The ALDP proposed sites OP3 and OP4 are under the same ownership as the FR067 bid site and can provide access directly to the B977 and therefore do not need to link with Blairythan Terrace or require a new link road or a road connection between OP1 and OP2. The allocations for Sites OP3 and OP4 total 56 houses and therefore one point of access should be acceptable, however as the sites bound the B977 some frontage access could also be provided or alternatively an emergency or 2nd point of access could easily be provided.
15. Sites OP3 and OP4 can be delivered in full and by which time it would be likely that Site OP2 will have provided the vehicle link through to Site OP1 and therefore delivering a 2nd point of access to the B977. Site FR067 could therefore be developed without the need for a new link road to the south.

16. It is unclear therefore why there would be a need for the proposed link road as the agreed Masterplan for sites OP1 and OP2 provides the 2nd point of access to the B977 that the Council considers is required. The provision of the proposed Link Road to the south would therefore provide a 3rd point of access to / from the B977, which wouldn't be required to adhere with the Council's standards even on the basis that the existing U11c adopted public road is not considered an existing 2nd point of access.
17. However if there were to be difficulties in the delivery of the road link between OP1 and OP2, then the proposed link road to the south would be an alternative option for providing the 2nd point of access. The road link between OP1 and OP2 requires to cross the Foveran Burn and there could be unknown engineering and environmental difficulties in providing that link, and the preference / alternative may be to provide the 2nd point of access to OP2 via the Council's desired link road to the south. This is alluded to within the proposed ALDP which only identifies the indicative link road to the south, does not show any indicative link between the allocated sites OP1 and OP2 and further states that *"access to sites OP2, OP3 and OP4 should be considered collectively in order to provide a new link from the B977 to Blairythan Terrace."*

Desired Link Road to the South

18. The land which the desired link road to the south routes through is not all allocated for development within the proposed ALDP. Even with the inclusion of bid site FR067 there would still be a section of the desired link road that is located within unallocated land which is under separate ownership. Without the land required for the link road being allocated, it would be unlikely that the desired link road identified within the ALDP would be deliverable which would then question the delivery of the sites that have been allocated given that the Council's stated position is that they should be considered collectively in order to provide the indicative link road to the south.
19. However a larger ALDP bid (FR109) was also submitted on behalf of that land owner and discussions have progressed between the parties in order to develop a Masterplan layout that would see the delivery of the desired link road to the south through the allocation of the FR067 and an initial phase of the FR109 bid sites.
20. The Masterplan layout is enclosed and demonstrates that the Council's desired link road could be delivered and incorporated into the overall site layout and provide the access requirements internally as well as providing an additional access route to the south.
21. Assuming that a link between OP2 and OP1 to the north could also be delivered, then this would essentially provide a new link road from the B977 south of Foveran to

the B977 North of Foveran which would address the Council's desires for the formation of a B977 loop for delivering bus services closer to the allocated sites. Bus access directly via Blairythan Terrace is not considered feasible as the traffic calming and width restrictions through the existing settlement results in a road width of 5m in some locations. A road width of at least 6m is usually required for a bus route.

22. Only by allocating the FR067 and part of the FR109 bid sites can the delivery of a link road to the south be certain, which would secure the Council's desire for a B977 loop that is capable of delivering bus services closer to all of the new development land. The allocation of the bid sites identified will also facilitate the future development of the sites already allocated.

Conclusion

23. The U11c road already provides a second point of access for the existing Foveran settlement and surrounding area, providing access to the B999, B977, A975 and the A90 AWPR.
24. Blairythan Terrace / U11c can be upgraded to a sufficient width, as it has been for the adjacent sites that have recently been developed. This would also be required for the allocated OP2 site which is directly opposite site FR067.
25. A Masterplan which covers OP1 and OP2 was previously agreed and includes a road connection between both sites and therefore would provide an additional access to the B977. With this link in place there would be a 2nd point of access to / from the B977 which would also provide a 2nd point of access to the FR067 site.
26. The delivery of the road link through OP1 and OP2 would be required by the 30th house and would therefore need to be delivered within the early stages of any development on the OP1 allocated site. With this link in place there would be a 2nd point of access to / from the B977 which would also provide a 2nd point of access to the FR067 bid site.
27. The allocated sites OP3 and OP4 are under the same ownership as the FR067 bid site and can provide access directly to the B977 and therefore do not need to link with Blairythan Terrace or require a new link road or a road connection between OP1 and OP2.
28. There is no need for the proposed link road for the development of bid site FR067 or in order to achieve the Council's desire for a 2nd point of access to the B977 as the agreed Masterplan for sites OP1 and OP2 provides the 2nd point of access to the B977. However if the road link between OP1 and OP2 cannot be delivered then the link road to the south would be required at an early stage of any development in order to address the Council's stated position in regards to the number of houses that can be served from Blairythan Terrace.

29. The land which the proposed link road to the south routes through is not all allocated for development within the proposed ALDP. Even with the inclusion of bid site FR067 there would still be a section of the proposed link road that is located within unallocated land which is under separate ownership. Without the land required for the link road being allocated, it would be unlikely that the link road identified within the ALDP would be deliverable which would then question the delivery of the sites that have been allocated.

30. A Masterplan layout has been prepared that demonstrates how the desired link road could be delivered and incorporated into the individual development site layouts and there is no suggestion that there would be any engineering or environmental constraints in its delivery. Only by allocating the FR067 and part of the FR109 bid sites can the delivery of a link road to the south be certain, which would secure the Council's desire for a B977 loop that is capable of delivering bus services closer to all of the new development land.

Enclosures

Proposed Masterplan Layout

REVISIONS



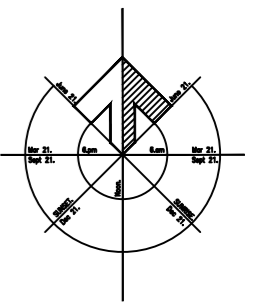
SITE AREAS:

- FR067 - 32,942m²
- FR065/OP3 - 17,029m²
- FR066/OP4 - 7,155m²
- FR109 - 44,665m²

GRID REF: NJ 96865 23604

PROPOSED SITE PLAN

Scale 1:2000 at A2



PROJECT DETAILS

Land at
Blairythan Terrace
Foveran

for Blairythan Partnership

LDP SITE PLAN

Scale: 1:2000 @ A3
Date: JUL 2020
Drawn:em

CHECK	INITIALS	DATE
planning:		
warrant:		
tender:		



Ref: 5477/100