

PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020 RESPONSE FORM

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

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

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

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

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

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

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

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

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



ACCESSIBILITY

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

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

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

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

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

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

Tel: 01467 536230

Email: ldp@aberdeenshire.gov.uk

Web: www.aberdeenshire.gov.uk/ldp

Follow us on Twitter @ShireLDP

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

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

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

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

Email: ldp@aberdeenshire.gov.uk

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

YOUR DETAILS

Title:	Mr
First Name:	John
Surname:	Handley
Date:	01 July 2020
Postal Address:	John Handley Associates Ltd, [REDACTED]
Postcode:	[REDACTED]
Telephone Number:	[REDACTED]
Email:	[REDACTED]

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

Are you responding on behalf of another person? Yes No

If yes who are you representing?

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

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

YOUR COMMENTS

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

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

Protected Land P2 and Development Bid Site BU021 - Land South of Fordyce Terrace, New Deer Pages 334 & 337 of Appendix 7B Settlement Statements Buchan

On behalf of our client, The Church of Scotland General Trustees, we would request that further consideration is given to the merits of our client's site at Land South of Fordyce Terrace, New Deer which was the subject of Development Bid Site BU021.

As requested in our submission at the Call for Sites stage, we would request that this site is allocated in the replacement LDP as a new housing proposal with capacity for 40 homes.

The Protected Land P2 designation for this site should also be removed to facilitate the new housing proposal.

We would therefore request that the Proposed LDP is modified to include a new Housing Proposal *OP4 Land South of Fordyce Terrace, New Deer* on pages 334 and 337 of Appendix 7D Settlement Statements Buchan with capacity for 40 homes.

We trust this amendment can be accommodated and the reasons for this suggested change are discussed below.

Reason for change:

Introduction & Background

This representation has been prepared by John Handley Associates Ltd, Chartered Town Planning Consultants. It is submitted on behalf of The Church of Scotland General Trustees, who are the owners of the 3.8 hectare site which is currently designated in the Adopted LDP as part of New Deer site P2 (safeguarded to conserve the setting of the settlement).

On behalf of The Church of Scotland General Trustees, we welcome this opportunity for further engagement in the replacement LDP process and wish to provide the following comments on the published version of the Proposed Plan. This submission follows on from our submissions on this site which were made on behalf of the General Trustees at the earlier Call for Sites consultation stage in March 2018.

Please note that this particular submission is restricted to matters relating to our client's current land interests in New Deer, separate submissions have been made in respect of our client's other land interests throughout the Aberdeenshire area.

Merits of Development Bid Site BU021 – Land South of Fordyce Terrace, New Deer

The General Trustees met with the Council's Policy & Delivery Team in January 2018 to review this site within the context of the call for sites process. It was confirmed at this meeting that the General Trustees site in New Deer was well located in relation to the existing housing development in the settlement and was close to services and facilities. The Policy Team were unsure why the site was designated as safeguarded land in the current LDP as the site is not open space nor used by the public as it is actively farmed. On this basis, it was suggested that this site could be a possible location for new housing development in New Deer, but this would need to be assessed through the call for sites process.

CONTINUED...

The General Trustees therefore submitted the site for consideration as part of the call for sites process. In the submission it was noted that whilst the site is designated as protected land in the adopted LDP, the site is used for agricultural purposes and is not open space or available for public use. It was also confirmed that the site benefits from its location within the existing settlement boundary and is close to services and facilities. In response to suggestions that the development of this site would affect the setting of the listed church, it was confirmed that the church sits at a much higher level than this low-lying site and its setting and aspect would continue to be protected. It was also confirmed that the site is well-located in relation to the existing settlement, is accessible and is surrounded by existing housing on three sides. It was therefore requested by the General Trustees that the site's allocation is changed from the current P2 designation to a new residential allocation with capacity for around 40 units.

The site was assessed by the Council as Development Bid Site BU021, but was not identified as a preferred option in the MIR on the basis that: *"The proposed site is situated on the east side of New Deer, on flat topography and on a low level from the main settlement. The protection of the vista towards the church from the A948 remains important for the character of the community and is a protected site designated in the Aberdeenshire Local Development Plan 2017. While there are no infrastructure issues, however, the setting of the church and adjacent listed buildings means the site could not be supported"*.

The sole reason for not selecting this site would therefore appear to be as a result of concerns regarding the setting of the church and adjacent listed buildings. However, and as noted in the MIR, the General Trustees' site is flat and lies at a lower level than the main settlement. As such, any development on this site would not affect the setting of the Church which sits at a much higher level. The site is also surrounded by existing housing which sits at a higher level and two of the main access roads into New Deer. As such, any development on this site would be readily and easily absorbed into the landscape/townscape without any adverse impact on the setting of the settlement or the church.

Through a sensitive and considered design and layout of the site there would be ample opportunity and scope to protect the setting of the church and adjacent buildings. It should also be noted that the agricultural use of the site means it currently provides no active or passive open space use but it is an accessible site located within the existing settlement boundary. Furthermore, the site is surrounded by residential development on three sides forming clearly defensible boundaries. Strategic landscaping could also be provided to enhance the eastern boundary creating a defined edge to this part of the settlement. A site masterplan could be prepared to encourage links with existing residential development and green spaces within the village, and any development on the site would take into consideration the setting of the listed church and continue to offer protection to the historic environment as well as respecting the character, scale, type and density of the housing surrounding the site.

We would also note that the Proposed LDP (at page 334) advises that: *"There are opportunities in New Deer for further development, which may help to increase the number of amenities and local services present within the settlement. There is an aspiration for a link road through the protected site P2 and joining the A981 with the A948 (Auchreddie Road East) to create a safer route at The Brae."*

The Proposed Plan therefore acknowledges that there is scope for further new development in New Deer and that this would provide benefits in terms of supporting and enhancing local facilities and services.

In addition, the Proposed Plan is also indicating that the P2 site could be developed in the future as a new link road to join the two existing main roads which serve New Deer. This means that the Council is supportive of development in this particular location and acknowledges the benefits of further development in New Deer. This clearly supports our client's submission.

In this respect, we would suggest that the proposed allocation of our client's site for new housing development could help to facilitate the aspirational link road, which would provide further local community benefits.

As we noted in our call for sites submission for this site, all Church of Scotland sites are led by the local community and are only promoted for development if there is local support for this form of development. Any uplift in value from the sale of any site is also reinvested back into that local community. This means that the local community will benefit directly from the development of this site, and this local benefit could include facilitating the delivery of the new link road. However, this would only be possible by way of a positive development allocation on our client's site.

CONTINUED...

On behalf of The Church of Scotland General Trustees we would therefore request that further consideration is given to the particular merits of our client's site at New Deer. As requested in our submission at the Call for Sites stage, we would request that this site is allocated in the replacement LDP as a new housing proposal with capacity for 40 homes.

As confirmed in our Call for Sites submission for this site, we can confirm that this site is an available, effective, viable and deliverable housing site, capable of development within the plan period. The site does not present any particular challenges in terms of topography or gradient, and the development of the site would follow and reflect the pattern of development in the surrounding area.

The location of the site within the existing settlement boundary and surrounded by housing defines it as a natural and logical infill site which would help to sustain and support local facilities and services, and could facilitate the delivery of a new link road.

A sustainable and high quality development could therefore be delivered which would complement the established housing development in this area and meet the objectives of the settlement by further meeting local housing needs in an accessible and sustainable location; sustaining local services; and enhancing the role and attractiveness of this settlement.

Summary & Requested Modification

In summary, and for the reasons noted above, we would request that further consideration is given to the merits of our client's site at Land South of Fordyce Terrace, New Deer which was the subject of Development Bid Site BU021.

As requested in our submission at the Call for Sites stage, we would request that this site is allocated in the replacement LDP as a new housing proposal with capacity for 40 homes. The Protected Land P2 designation for this site should also be removed to facilitate the new housing proposal.

We would therefore request that the Proposed LDP is modified to include a new Housing Proposal: *OP4 Land South of Fordyce Terrace, New Deer* on pages 334 and 337 of Appendix 7D Settlement Statements Buchan with capacity for 40 homes.

We trust these comments and suggested change will be of interest and assistance, and can be accommodated.

We would be grateful if you could confirm safe receipt of this submission and keep us informed of progress on the replacement LDP.

JOHN HANDLEY ASSOCIATES LTD

Chartered Town Planning Consultants

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[REDACTED]

[REDACTED]

[REDACTED]

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.

