

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.

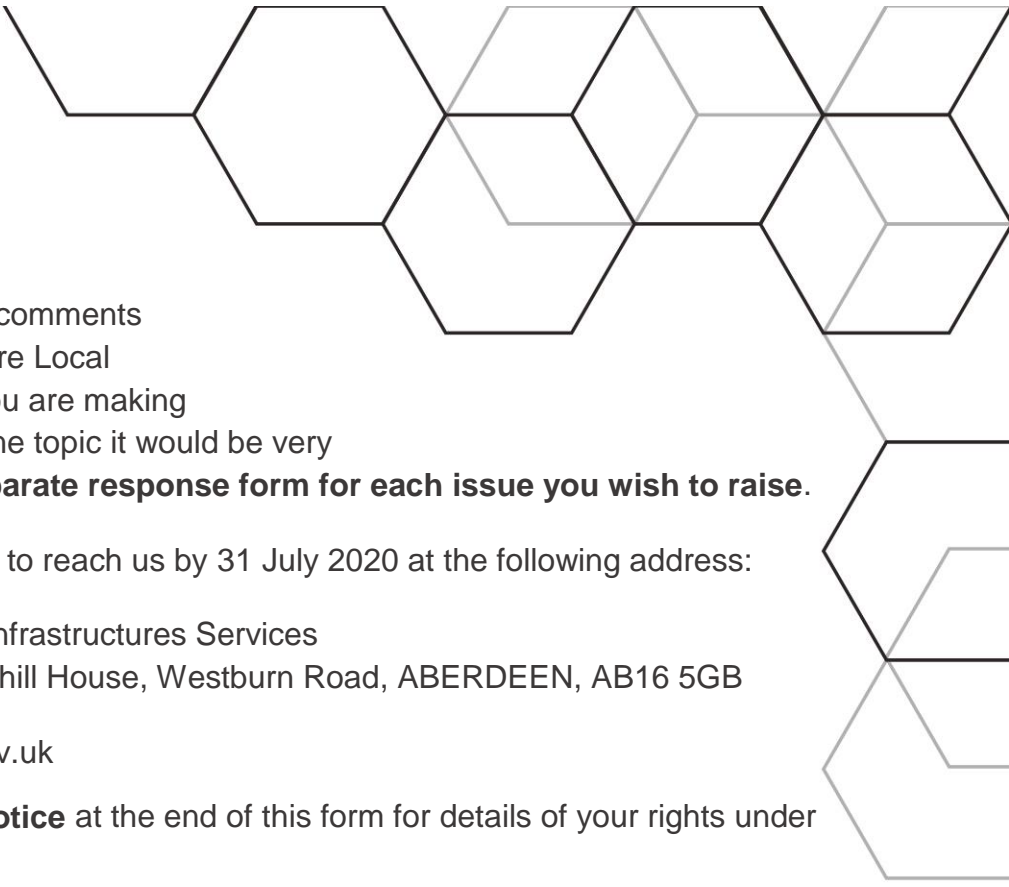
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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):

Proposals R2 & OP1, Land North of Distillery Road, Oldmeldrum (Development Bid Site FR119)

Pages 461, 463 & 469 of Appendix 7c Settlement Statements Formartine

On behalf of our client, The Church of Scotland General Trustees, we support the allocation of Housing Proposal OP1 and the related community church (Proposal R2) on Land North of Distillery Road, Oldmeldrum.

However, and as requested in our submissions at the Call for Sites and MIR stages, we would also request the following minor modifications to the description of Proposal OP1 on page 463 of Appendix 7c Settlement Statements Formartine:

1. the housing capacity of the OP1 site should be maintained at 50 homes, in addition to the provision of the community church.
2. the requirement that "*a second access point is required to deliver further development beyond the existing consent*" should be deleted, as this is neither required nor possible.

We trust these minor amendments can be accommodated and the reasons for these changes 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, the owners of the 4.04 hectare development site which is currently allocated in the adopted LDP as *Proposal OP1, Land North of Distillery Road, Oldmeldrum*. The site is allocated in the adopted LDP for the development of "*50 homes and community facilities*".

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 and the MIR/Draft Proposed Plan consultation in April 2019.

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

Support for Proposed Allocation of OP1 and R2 Sites in Oldmeldrum

The General Trustees welcome and support the proposed retention of their site in Oldmeldrum as an allocated development site, and commends the Council for adopting this position in the replacement LDP.

In this respect we support the proposed retention of this site as an allocated development proposal as set out on pages 461, 463 and 469 of Appendix 7c Settlement Statements Formartine.

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We would therefore request that the Council maintains the allocation of this site throughout the LDP Examination process which would see the site allocated for housing (OP1) and a community church (R2) in the Adopted LDP.

As we confirmed in our submissions on the MIR, a key element of the site's promotion has been the provision of a new church for use by the local community. As such, we are pleased to note that this important aspect of the proposed development has been reconsidered and reinstated in the published version of the Proposed Plan as Proposal R2, and shown on the Proposals Map on page 469 and described on pages 461 and 463. The confirmation on page 463 that: "*Land to the east of the site has been reserved for a Community Church*" is therefore welcomed and supported by the General Trustees.

We also welcome the reference on page 463 to the approved masterplan for the site and also the acknowledgment that there is a pending planning application on the site for 37 homes with land set aside for affordable housing (planning application reference APP/2019/1555).

Suggested Changes to Capacity and Deletion of Requirement for Second Access

We also note that the capacity of the site has been reduced from the 99 units suggested in the MIR and Draft Proposed Plan to 88 units in the published version of the Proposed Plan. However, this is still a significant increase from the capacity of the site as currently set out in the adopted LDP and the approved masterplan. It is also a substantial increase from the number of units set out under the current planning application for the site.

We would therefore suggest that the Proposed Plan's suggested revised capacity of 88 homes may still be overambitious. In this respect, we would note that the approved masterplan for the site, which was undertaken at considerable time and expense remains relevant, and shows the provision of a new community church and associated car parking on the site's eastern section. This amounts to around 20% of the total allocated site. The approved masterplan also identifies a landscaped buffer and associated open space and SUDS along the site's southern boundary. This takes up a further 20% of the site for the provision of new open space and landscaping as a key part of the development. The remainder of the site is available for new housing development, but not the site in its entirety. It is therefore not considered possible to deliver 99 units on this site whilst also providing the new church building; the required open space and landscape buffer to the south; and respecting the pattern of housing surrounding the site.

On this basis, we would suggest that the approach set out in the already approved masterplan for this site should be retained and carried through to the replacement LDP. As noted above, given the requirements to deliver the new church building on site, as well as the provision of a substantial area of open space and landscaping on site, it is therefore not considered realistic or achievable to increase the density of this site from 50 units to 88 units – in effect a 66% increase.

It is also anticipated that the planning application submitted by Claymore Homes (reference APP/2019/1555) will be approved and implemented before the replacement LDP is formally adopted. This would see the site developed for 37 homes with land also set aside for affordable housing. As part of the design of this development, there has been significant discussion on housing densities and the need for a substantial area of open space to be delivered on this site, in addition to the delivery of the new church building (which is to be progressed by the local church group once planning permission has been secured for the housing development). The pending planning application therefore accords with the terms of the adopted LDP and the approved masterplan, i.e. a c. 50 unit development with landscaping and open space provision on site, with land for the new church building reserved for future development by the local church group, once planning permission has been granted for the housing element.

In this respect, it should be noted that it is the sale of this housing development that will help to fund the delivery of the new church building on the remaining part of the site. It should also be noted that 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. So the local community will benefit directly from this development. In this case, the community benefit will be the provision of a new community church. .

CONTIUNED...

Having set this context, and given the Council's earlier desire for a 50 unit housing development on this site, it appears unrealistic for the replacement LDP to suggest increasing the housing capacity of the site by two-thirds.

This suggested increase is not considered to be achievable, and our client would therefore suggest that the Proposed Plan is amended to retain the current LDP allocation for this site as 50 homes and the community church.

As part of the progression of the detailed design of the site, it has also been established that it is only possible to serve the new development by way of a single vehicular access from Urquhart Road. This approach is considered appropriate for the development of 50 homes and the new church.

For these reasons, we would therefore request that the Proposed Plan's requirement that: "*a second access point is required to deliver further development beyond the existing consent*" should also be removed, as this is not needed for the proposed development, and is not achievable.

Summary & Requested Modifications

In summary, the allocation of our client's site at Oldmeldrum for housing and a new community church in the published version of the Proposed Plan is welcomed and supported. This will result in the creation of a sustainable and high quality development which would be seen as a logical infilling of the settlement. This will complement established housing development in this area and provide opportunities for open space and landscaping improvements associated with the new development. This would also provide additional public benefits through the development of a new community church and accord with the planning objectives for Oldmeldrum by meeting local housing needs in an accessible and sustainable location.

We are therefore pleased that the Council has continued to acknowledge the development potential of our client's site at Oldmeldrum, and support the Council's allocation of this site as Proposals OP1 and R2 in the replacement LDP for the development of housing and a community church.

However, and as noted above, we would also request the following minor modifications on page 463 of the Proposed Plan:

1. the housing capacity of the site should be maintained at 50 homes, in addition to the provision of the community church.
2. the requirement that "*a second access point is required to deliver further development beyond the existing consent*" should be deleted, as this is neither required nor possible.

We trust these comments and suggested minor changes 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

[REDACTED]

[REDACTED]

[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.

