

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

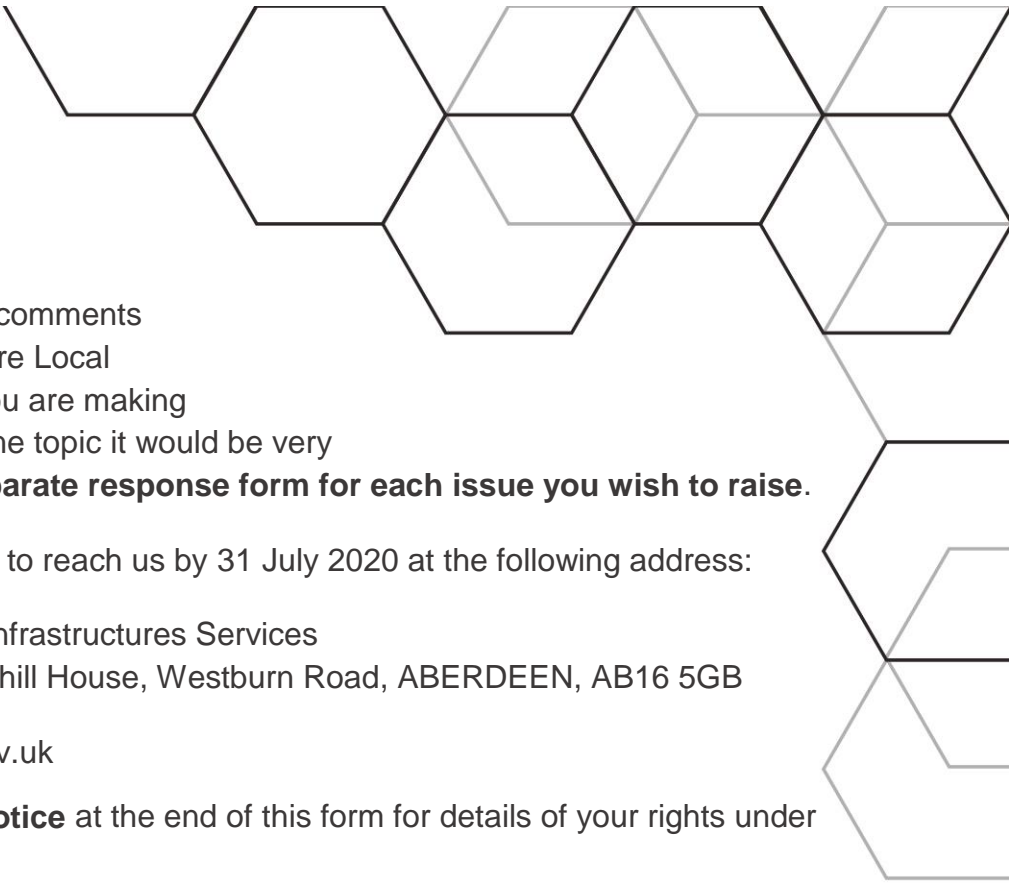
Tel: 01467 536230

Email: ldp@aberdeenshire.gov.uk

Web: www.aberdeenshire.gov.uk/ldp

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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):

Development Bid Site BB034 – Land North and East of Rathen West Church, Rathen Pages 261 to 263 of Appendix 7A Settlement Statements Banff & 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 on Land North and East of Rathen West Church, Rathen which was the subject of Development Bid Site BB034.

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 10 large house plots each with its own paddock area, and potentially for self-build plot development.

We would therefore request that the Proposed LDP is modified to include a new Housing Proposal *OP2 Land North and East of Rathen West Church, Rathen* on pages 261 and 263 of Appendix 7A Settlement Statements Banff & Buchan with capacity for 10 self-build house plots.

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 2.2 hectare site which is currently unallocated in the Adopted LDP.

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 April 2018.

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

Merits of Development Bid Site BB034 – Land North and East of Rathen West Church, Rathen

The General Trustees submitted this site for consideration as part of the call for sites process in 2018. In the submission it was noted that the site is a logical extension of the current settlement boundary and would complement the existing, established housing to the south and the allocated housing site to the west. As such, it would provide an opportunity to consolidate and "round-off" the settlement in this location.

It was also explained that the proposals for the site were specifically promoted by the local community in Rathen as all Church of Scotland sites are led by locals and are only promoted for development if there is local support for such development.

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The proposals put forward for this site would involve a small number of individual housing plot development set within generous landscape areas and paddocks. The proposed new housing would connect with the existing housing to the south and the existing development to the south and natural vegetation form a defensible boundary to the proposed development site. Strategic landscaping would be included to enhance boundaries to the north and west creating a defined edge to the settlement. A site masterplan would be prepared to encourage links with existing residential development and green spaces within the village. Any development will be designed having regard to the organic character, scale, type and density of development found in the local area.

It was also noted in our Call for Sites submission that the site benefits from its proximity to the A90, but direct access to this Trunk Road is not required to service the site. This accessibility to the A90 also means that the village is well served by existing public transport provision, with a number of services stopping at the A90 crossroads to the west of the village which provides a frequent service to Fraserburgh which is c. 10 – 15 minutes travel time to the north. The site is therefore an accessible option for further development despite its rural location, and active travel linkages can be provided as part of the proposed masterplan for the site. The accessibility of the village is confirmed on page 261 of the Proposed LDP which explains that it is well located in relation to Fraserburgh, St Fergus Gas Terminal and Peterhead.

Despite these locational advantages, the site was assessed by the Council as Development Bid Site BB034 but was not identified as a preferred option in the MIR on the basis that: *“The proposed site does not provide a logical extension to the settlement, and is located close to St Ethernan’s Church (remains of), scheduled monuments and a number of listed buildings. Access is likely to be taken from the A90, which may be objected to by the Roads Department and Transport Scotland. Also, Rathen Primary School is currently over capacity and the development would visually impact on the setting of a number of listed buildings and monuments, compromising the strong sense of place and identity the setting provides. Furthermore, the community do not want additional development due to the current infrastructure conditions - with no waste water treatment works, narrow roads, limited pavements and no school capacity. It would therefore be inappropriate to develop this site”.*

In response to these criticisms, we remain of the opinion that the site is a logical and natural extension to the village and this can be confirmed by way of a site visit.

There is no suggestion of taking access direct from the A90 for this site and the small number of units being proposed is not expected to raise any traffic related capacity issues.

As noted above, and in our Call for Sites submission, three listed buildings – Rathen West Church and its manse and manse office – as well as the remains of the former St Ethernan’s Church (which is a Scheduled Monument) lie to the south of the site. However, these historical buildings all lie outwith the site boundary and would not be adversely impacted by the proposed development due to intervening landscaping, woodland and topography. There are also historic environment records advising of previous archaeological interest in the site, but these can be avoided through the design and layout of the proposed plot development and would be informed by way of an archaeological survey at the appropriate stage.

In response to the limitations imposed by existing infrastructure constraints, we can confirm our previous suggestion that the proposed new development of this site could help to alleviate any existing constraints and any required improvements could be undertaken in tandem with the development of the allocated OP1 site to the west. In relation to education capacity constraints, it should be acknowledged that Rathen benefits from having an existing Primary School and further housing development on our client’s site, whilst modest and small in scale, could help to sustain the existing school in the future. The existence of a school in Rathen, should therefore be seen as a positive consideration and not a negative one. Further development would therefore help to sustain and support local facilities and services, including the existing primary school and public hall.

We would also note that the Proposed LDP (at page 261) advises that: *“There is a strong local desire for a new school with better facilities. The limitations of Rathen’s infrastructure, namely the school, sewerage system, roads and pavements has impacted on the local community aspirations for development”.*

The Proposed LDP therefore acknowledges that the local community has aspirations for further development in Rathen, and there is also a strong local desire for improvements to the school and other facilities.

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In this respect, we would suggest that the proposed allocation of our client's site for new housing development could help to facilitate these improvements, and it could provide further local community benefits in terms of supporting and enhancing local facilities and services, including improvements to the existing school.

As we have noted above, and 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. The Proposed LDP's confirmation that there are local community aspirations for further development aligns with the local feedback provided to our client.

We would also note that any uplift in value from the sale of Church of Scotland sites is 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 improvements to the school and other infrastructure requirements. However, this would only be possible by way of a positive development allocation.

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 Rathen. 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 10 self-build house plots.

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 respect the pattern of development in the surrounding area.

The location of the site immediately adjacent to the existing settlement boundary and existing housing defines it as a natural and logical extension to the village which would help to sustain and support local facilities and services.

A sustainable, accessible 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 small but accessible settlement.

Summary & Requested Modification

In summary, and for the reasons noted above, we would request that further consideration is given to the particular merits of our client's site on Land North and East of Rathen West Church, Rathen which was the subject of Development Bid Site BB034.

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 10 large house plots each with its own paddock area, and potentially for self-build plot development.

We would therefore request that the Proposed LDP is modified to include a new Housing Proposal *OP2 Land North and East of Rathen West Church, Rathen* on pages 261 and 263 of Appendix 7A Settlement Statements Banff & Buchan with capacity for 10 self-build house plots.

We trust these comments and suggested change will be of interest and assistance, and can be accommodated. We would also 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 signature block]

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.

