

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.

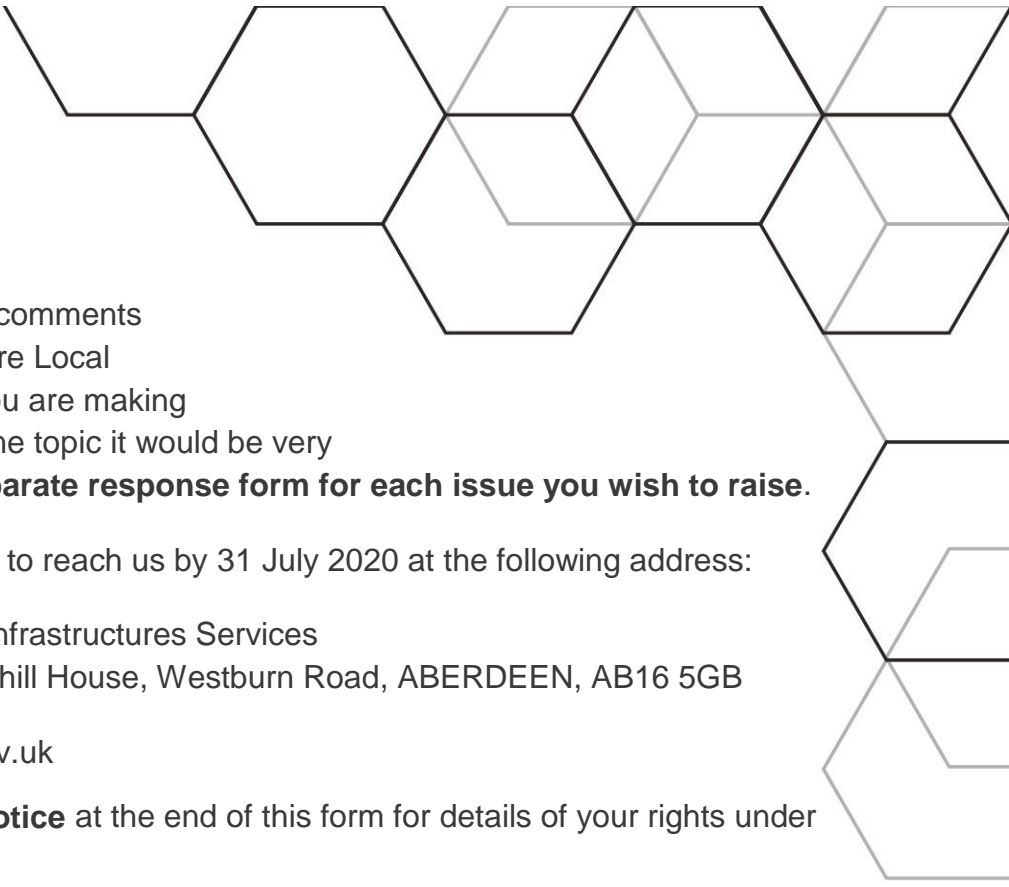
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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):

Proposal OP1, South of Newton Road, St Fergus (Development Bid Site BU022)

Pages 373 & 374 of Appendix 7B Settlement Statements Buchan

On behalf of our client, The Church of Scotland General Trustees, we support the continued allocation of Housing Proposal OP1 South of Newton Road, St Fergus as set out on pages 373 and 374 of Appendix 7D Settlement Statements Buchan.

However, would also request that the capacity of this allocated housing site is increased from the 38 units which has been identified in the Proposed Plan to 55 units as set out in the currently adopted LDP and which was confirmed in the MIR (see Buchan page 63).

We trust this minor 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 western portion of the 2.1 hectare development site which is currently allocated in the adopted LDP as *Proposal OP1, South of Newton Road, St Fergus*. The site is allocated in the adopted LDP for the development of 55 homes.

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 St Fergus, separate submissions have been made in respect of our client's other land interests throughout the Aberdeenshire area.

Support for Proposed Allocation of OP1 Site in St Fergus

The General Trustees welcome and support the proposed retention of their site in St Fergus as an allocated housing 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 373 and 374 of Appendix 7D Settlement Statements Buchan.

We would therefore request that the Council maintains the allocation of the General Trustees' site throughout the LDP Examination process which would see the site allocated for housing (Proposal OP1) in the Adopted LDP.

CONTINUED...

Suggested Change to the Capacity of the Allocated OP1 Site

However, we would also request that the capacity of the allocated OP1 housing site at St Fergus is increased from the 38 units which is set out in the Proposed Plan to 55 units as per the position set out in the adopted LDP and also within the Main Issues Report (Buchan page 63).

The capacity of this site was tested as part of the assessment and consideration of the currently adopted LDP and this process confirmed that the site had a capacity of 55 homes. This position was also supported by the Council as a preferred option in the Main Issues Report (Site BU022), and it was confirmed in the MIR that the site should be developed for 55 homes. Furthermore it was also concluded in the MIR that: *“This aspiration to see the site developed will be respected”*.

We have copied below the extract from the MIR which confirms that that the capacity of the OP1 site at St Fergus was 55 homes in the adopted LDP and the MIR:

Existing Development Sites

Reference	Proposal	Overview
OP1	55 homes	Identified as partially constrained and partially effective in the Housing Land Audit 2018. The 25 homes set to the east of the site are effective and 30 homes set to the west of the site are constrained. Discussion has taken place regarding the delivery of the constrained site with the owner of the church and is likely to come forward in the future. Bid BU022 below has been submitted for this site.

Development Bid Sites

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

Reference	Proposal	Overview
BU022 South of Newton Road, St Fergus	55 homes	The proposed site is well connected to the settlement and its amenities. There is adequate education provision and water and drainage infrastructure is in place for the number of homes proposed. The site is adjacent to heritage sites with no adverse impact. The site could have a significant negative impact on the setting of adjacent listed buildings and woodland. Currently, 30 units out of 55 are constrained due to ownership issue. It is appropriate that the entire site should be included in the Local Development Plan.

Given the position set out in the adopted LDP and the MIR document, and the confirmation that the site can accommodate 55 homes and that *“this aspiration to see the site developed will be respected”*, we are surprised that the Council has decided not to follow this through to the published version of the Proposed Plan. No justification or explanation for this change in approach has been provided and we consider this to be a missed opportunity for the provision of local needs housing in St Fergus.

We would also note 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. This means that the local community will benefit directly from the development of this site, and this local benefit is likely to be greater if the site is developed for 55 units, with the Church of Scotland's ownership involving half of the allocated site.

As set out in the adopted LDP and the MIR, this number of units (i.e. 55) can be accommodated, and this would also ensure that the allocated site is developed efficiently and sustainably, ensuring that the benefits of its accessible location are maximised to the site's full potential.

On behalf of The Church of Scotland General Trustees we would therefore request that the approach set out in the currently adopted LDP and as confirmed in the MIR is adopted, and the OP1 site at St Fergus is allocated for the development of 55 homes in the replacement LDP.

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 in relation to the existing residential development represents a natural and logical extension to the settlement, and would help to sustain and support local facilities and services.

The proposed development would respect the surrounding environment and could be designed to reflect the scale, form and density of existing residential developments in the surrounding area.

We would therefore suggest that the retention of the site's existing capacity of 55 homes would result in the creation of a more efficient, sustainable and high quality development. This 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, the allocation of our client's site at St Fergus for housing in the published version of the Proposed Plan is welcomed and supported.

We are pleased that the Council has continued to acknowledge the development potential of our client's site at St Fergus, and we support the Council's continued allocation of this site as Proposal OP1 in the replacement LDP.

However, and for the reasons noted above, we would also request that the capacity of the allocated OP1 housing site at St Fergus is increased from 38 units to 55 units as per the position set out in the currently adopted LDP and which was confirmed in the MIR (Buchan page 63).

We trust these comments and suggested minor 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

[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.

