

PP1338

5589 – CHAP GROUP

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.

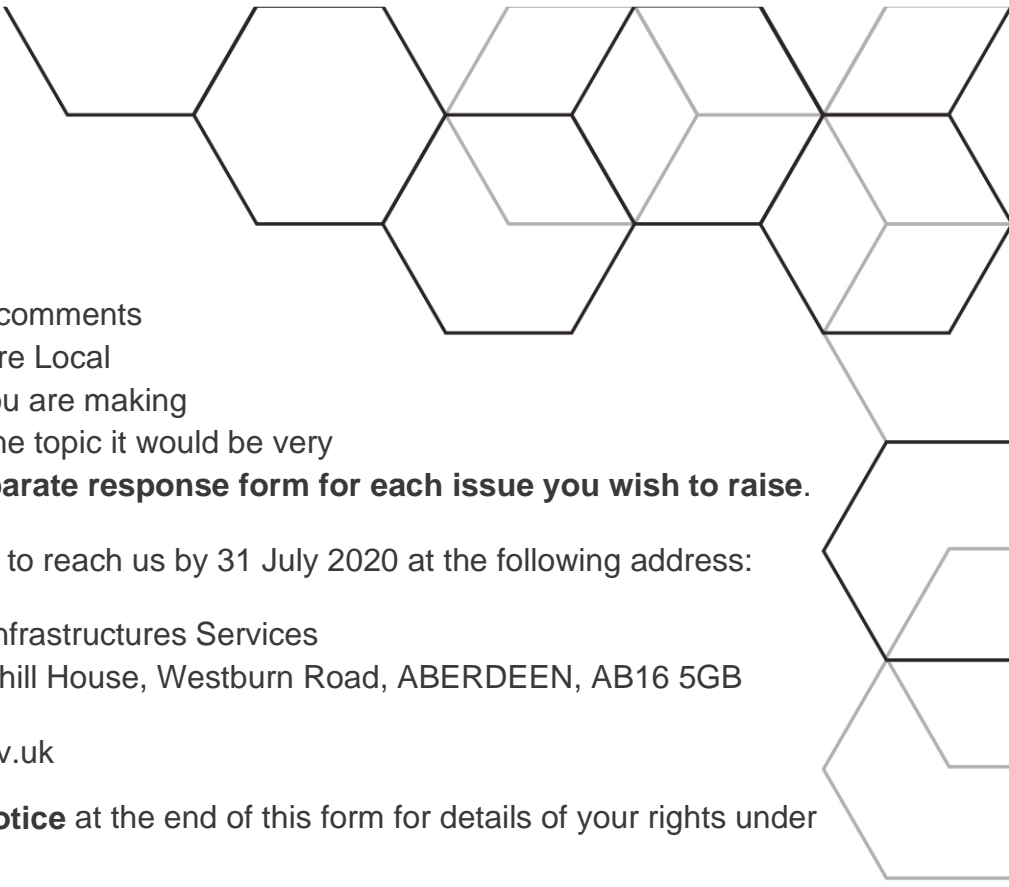
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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:	31 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

Inclusion of bids FR063 and FR064 at Auchterellon Farm, Ellon for residential development.

Reason for change:

The Formartine Area Committee has agreed to the inclusion of site FR063 and FR064 on two occasions. There is local political and community support for development in this location to bring forward much needed development in Ellon where other sites have not brought forward development.

Strategic modelling on the road impact on the A90 is not complete and it is still not possible to arrive at a conclusion about what, if any, mitigation is required. The development would have less of an impact on the A90 than existing and proposed sites to the north.

The Auchterellon sites which are modest, deliverable, sustainable, provide much needed choice, fit with the overall planning strategy and should be allocated for development.

Please see attached paper apart which details the full modification seeking inclusion of these sites.

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:

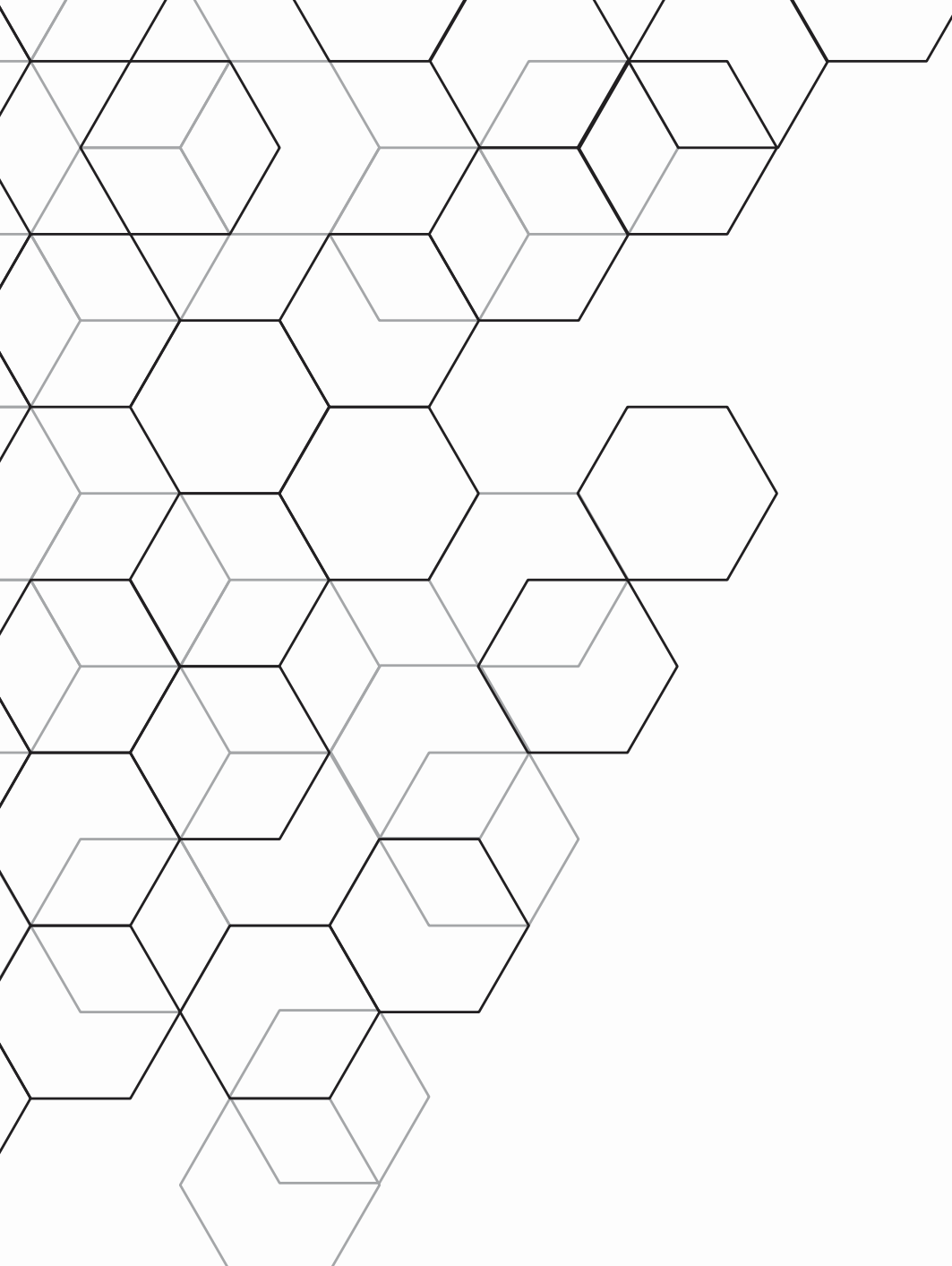
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue 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 FR063 and FR064 at Auchterellon Farm, Ellon

This response to the consultation on the Proposed Aberdeenshire Local Development Plan seeks a modification to include two sites at Auchterellon Farm, Ellon. It is essential that it is read in conjunction with the supporting information attached in each Appendix. The approach taken seeks to demonstrate the very unique set of circumstances which has prevailed in the consideration of these sites by officers and Members and to provide a review of the timeline as it has affected the consideration of these sites. The valuable planning arguments why the sites should be included in the Proposed Plan are addressed and can be found more specifically in the appended information.

Bids for two sites at Auchterellon Farm, Ellon were submitted by Lippe Architects and Planners on behalf of CHAP Homes, subsequently referenced as FR063 and FR064 and these are attached as Appendix 1. These bids were not preferred by officers in the Main Issues Report (MIR).

A submission was made in response, attached as Appendix 2, reaffirming support for two new housing allocations at FR063 and FR064 including a masterplan and photomontages. These demonstrate that the modest scale of development, the sites' backdrop of the golf course and mature trees to the south, existing houses to the west, and the approved cemetery development to the north would ensure successful integration into the surrounding area.

Formartine Area Committee 10 September 2019

The MIR, attached as Appendix 3, was reported to the Formartine Area Committee on 10 September 2019 and the presentation made by the agent is attached as Appendix 4. It is important to recognise that at the first hearing on these sites, **all the Councillors agreed that both sites should be included for the benefit of Ellon and unanimously supported the inclusion of the sites.** The minute is attached as Appendix 5.

Infrastructure Services Committee 3 October 2019

Comments from all the Area Committees were reported to the Infrastructure Services Committee (ISC) on 3 October 2019 and there was no objection by the Planning Service to the decision of the Formartine Area Committee to include the sites. The Committee report is attached as Appendix 6. It was therefore surprising that a late errata, attached as Appendix 7, was presented on the day of the ISC meeting stating that Transportation officers were recommending the sites “should not be included due to likely impacts on congestion on the A90(T) junctions with the B9005 and the A948”.

There was a significant degree of frustration and disappointment about the very late presentation of the errata which was only given to the agent half way through the meeting when it had clearly been available prior to it commencing, and the failure of Council officers to provide any substantive evidence prior or during the meeting to support their comments. It was fortunate that ISC allowed the agent, acting on behalf of CHAP, to make a presentation which attached as Appendix 8. However, given that there was no time to prepare, it was not possible to adequately scrutinise the content of the views raised by officers during the meeting or respond accordingly.

It is concerning that, even if it was unintentional, Members of ISC were misled. Particularly, as it subsequently transpired, that the work to support the claims officers were making had not in fact been carried out. Consequently, conclusions had been drawn upon without having the necessary information available to do so. Based on the material presented, the ISC did not support the inclusion of the sites and the minute of its decision is attached as Appendix 9.

A letter was then submitted to the Director of Infrastructure Services on 4 October 2019 to express disappointment at the handling of the matter by officers. It details that both the extremely late disclosure of the Transportation Service’s concerns, and the basis on which they were founded, were unacceptable and is not the manner in which officers are expected to act. By only making the errata known within a matter of hours until the item was due to be discussed there was no opportunity to provide a reasoned response and the events prejudiced a fair discussion by ISC members. The circumstances surrounding how the errata was presented to the ISC resulted in an undue level of ambiguity and uncertainty leading to the ISC deciding to go against the **unanimous** decision of the Formartine Area Committee in support of allocating both sites for housing.

The response dated 16 October 2019 stated that the Development Planning and Transport Appraisal Guidance was in a draft form but contained information, including advice from Transport Scotland, that the Council had to make Members aware of and that the DPMTAG was going through due process and would be available when the Proposed LDP was reported to Full Council. A decision had been made to report the matter back to the Formartine Area Committee on 29 October 2019. The response and enclosed memorandum from the Transportation Service to the Planning Service is attached as Appendix 10.

Fairhurst Civil and Structural Engineers were appointed to provide an expert technical opinion of the validity of the comments made by officers and their Technical Note is attached as Appendix 11. Fairhurst concluded from their review and investigations that the recommendation of the Transportation Service had been based on insufficient information and that updated strategic modelling is still to be completed to take account of the changes resulting from the AWPR/B-T road infrastructure works. It also questioned the appropriateness of using Google Live Traffic flow information as part of the dataset when determining whether or not to recommend a site is allocated for development. It is clear from the analysis undertaken by Fairhurst that it was not possible to come to a conclusion about what, if any, mitigation works would be required in Ellon, specifically the section of the A90(T) between the two roundabouts, should either or both sites FR063 and FR064 be allocated for housing. It is therefore our view that the Transportation Service's recommendations were premature and unfounded and should not have been presented to ISC.

Formartine Area Committee 29 October 2019

The matter was reported back to the Formartine Area Committee on 29 October 2019 and the report is attached as Appendix 12. In advance of the meeting, Members of the Committee were contacted by CHAP Homes detailing concerns about the ISC proceedings and enclosing the Fairhurst Technical Note to facilitate a more balanced decision.

The majority of the members of the Formartine Area Committee voted in favour for the amendment to:

- a) Express their disappointment at the lateness of the comments provided by the Transportation Service and lack of opportunity for the Formartine Area Committee to comment ahead of consideration by the Infrastructure Services Committee
- b) Maintain support for the inclusion of sites FR063 and FR064 within the LDP**

- c) Request that the appropriate decision making body give fresh consideration of the officer recommendations in relation to sites FR063 and FR064 in light of the comments provided today by the Formartine Area Committee
- d) Request that a report come forward to the Formartine Area Committee to update on the progress being made to identify improvements between the A90, Tipperty, the Toll of Birness and the roads linking these; and
- e) That any further reports relating to the inclusion of sites FR063 and FR064 refer only to the new transportation information that has been provided

Appendix 13 contains the full minute of the meeting.

Infrastructure Services Committee 28 November 2019

ISC considered the matter again at its meeting on 28 November 2019 and the Committee report is attached as Appendix 14. The presentation made by the agent in support of the sites' allocation is attached as Appendix 15 and this stated, amongst other points, that the Formartine Area Committee had, once again, supported the inclusion of these sites. It was reiterated that the recommendation of the Transportation Service remained based on insufficient information and was therefore still premature. It was noted that updated strategic modelling was still to be completed and that it therefore still impossible to arrive at a conclusion about what, if any mitigation was required to the existing road network in Ellon.

It was also highlighted that developments, both existing and proposed to be included in the LDP to the north of Ellon, would have a far more significant impact on the A90 single carriageway, why had this not been raised as an issue for these sites by the Transportation or Planning Services and what mitigation was to be put in place to secure these sites contribute to a scheme of mitigation. In any case, any development would make proportionate contributions to road improvements in Ellon and would be expected to mitigate its own impacts.

ISC acknowledged the views of the Formartine Area Committee but disappointingly upheld its previous decision not to recommend the inclusion of FR063 and FR064. The minute is attached as Appendix 16. What was also disappointing (and is not minuted) is that the decision to not support the inclusion of the sites did not seem to specifically relate to traffic concerns but rather that the sites were not needed to make up housing numbers and that further representations in this regard could be made.

Aberdeenshire Full Council 5 March 2020

Full Council considered a report on 5 March 2020 attached as Appendix 17. The presentation which was made during the meeting in support of the sites is attached as Appendix 18. This sought to cover the above process, decisions, lack of transparency and, most importantly, the very clear decisions (twice) of the Formartine Area Committee to include both Auchterellon sites in the LDP. The local Councillors for Ellon cited concerns about the delivery of the large allocation at Cromleybank, and confirmed that as the LDP would be a **ten year** plan it was important to include the sites to support local services and provide a valuable alternative. They also stated that the transportation issues were understood but that new developments should not be unfairly penalised by existing issues and that to not allocate the sites due to perceived road impact is irrelevant. A question was put to the Head of Planning and Environment by one Councillor as to whether Transport Scotland has actually objected to which the answer was “no”.

The vote on the matter was extremely close with 29 votes for the motion to reinstate sites FR063 and FR064 at Auchterellon and 31 votes for the amendment to not include the sites (with 5 no votes). The minute of the meeting is attached as Appendix 19 where it is clear that while the traffic issues were an important consideration, officers’ stance that there was no need for additional housing land was given greater weight in reaching a decision.

It is demonstrable that at the various stages in the reporting process, Members have not had the most up to date or accurate transportation information in front of them. While we have been afforded opportunities to address Members, very little transportation information has been available to review and consider, and the process has prevented us from participating and responding timeously and appropriately. This, in turn, has also prevented Members, especially those of the ISC, from making a fully informed decision. It is therefore questioned whether it was possible for Members to fairly consider the sites at Auchterellon based on the poor quality of information that has been presented to them? We would suggest that the process has been badly mismanaged, to CHAP’s detriment.

Development Planning and Management Transport Appraisal Guidance Assessment Report

The DPMTAG Assessment Report has been published as a supporting document to the proposed ALDP 2021. The report is dated 07/01/2020 and is referenced as being a final report for circulation to Transport Scotland. In February 2020, Fairhurst contacted both Aberdeenshire Council and Transport Scotland for an update as to the status of the DPMTAG. Transport Scotland responded confirming that they had provided comments to the Council on the appraisal undertaken to inform the ALDP and were expecting to hear back from the Council on the comments in due course as the work was still on going. Transport Scotland

also confirmed that the DPMTAG report was still a Draft Report and their comments focused on the deliverability of transport infrastructure. Aberdeenshire Council's Transportation Service also responded in February 2020 confirming that the work was not concluded and as such there were no reports publically available. It was also confirmed that the Aberdeenshire Council and Transport Scotland continue to be in correspondence regarding the assessment and the progression of both elements of work are ongoing and include the local and trunk road network in and around Ellon. Fairhurst again contacted Aberdeenshire Council for an update in April 2020 with the response being that there was nothing substantive to update on. The relevant emails are attached as Appendices 20 and 21.

It is therefore not considered that the supporting DPMTAG report is a Final Report with the content, outcomes and conclusions agreed. It is not considered appropriate that decisions should be made based on unknown outcomes and by including the DPMTAG as a supporting document suggests that the report is finalised and agreed. This is not the case. Nevertheless, in respect of both sites at Auchterellon, if it was deemed necessary for mitigation on the trunk road network, proportionate contributions would be applicable as it would be for any development site that was identified as having a notable impact.

And an updated masterplan has been prepared to show the required access arrangements. This is attached as Appendix 22.

Housing Land Supply

With regard to housing land supply, CHAP Homes are a member of Homes for Scotland and it is clear from their analysis that there are sites which are not deliverable and are constrained. 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. The recommended increase in the housing allowances in the Strategic Development Plan by the Reporter provides further justification to allocate the Auchterellon sites for housing. It is estimated that at least 360 units were also removed from the Proposed LDP at the Main Issues Report stage.

The Proposed LDP falls short as it does not allocate sufficient deliverable land which runs contrary to all national planning advice. It also runs contrary to the key aim of delivery, which officers identified as a key priority early on, as there is a misconception that there are enough deliverable sites. The delivery issue has been evident for a long period of time, particularly for some larger strategic sites not being brought forward for development. For example, and as referenced by the local Ellon Councillors, Cromleybank remains undeveloped. It was promoted and then included in the 2012 LDP and carried forward in the 2017 LDP. As the

only other remaining allocated housing site in Ellon, it is only correct that after nearly a decade, that other options are provided to provide range and choice. Importantly, the sites at Auchterellon can also be delivered early and assist in the delivery of a steady rate of development over the Plan period.

It should be noted that at the bid stage, officers were supportive of an alternative site at Cassiegills so were looking to allocated a site similar to the combined size of FR063 and FR064 in Ellon. For entirely correct and good planning reasons the site was not carried forward at the MIR stage, however, officers showed a commitment early on to provide an alternative site in Ellon and their dismissal of Auchterellon also highlights the inconsistency of their approach.

Conclusion

The decision made on these sites is crucial. CHAP is a local business and is committed to the delivery of these sites. Inclusion of the sites supports not only CHAP but numerous other small local businesses which is an identified key aim for Ellon. The local Ellon Councillors have continually supported these sites, acknowledging the many positive features of the sites including that they are not prominent on the edge of the settlement and the approved cemetery provides a setting, the masterplan layout is sympathetic, Ellon Community Council was consulted and did not object, there is good cycle and footpath connectivity via the Formartine and Buchan Way to the west and also via extended footpaths to the town on the A948 and the site is within the town bypass with excellent linkage to the A90 and public transport. They have stressed that while other sites in Ellon can remain allocated, they are concerned about the length of time these have already been allocated for, with no movement in delivery on the ground. They clearly understand the need to ensure a range and choice of modest sites and that whatever road mitigation is required can be dealt with by not only these sites, but all sites to the north. It is entirely prejudicial to not assess all existing and proposed allocations in, and north of, Ellon in the same manner with a view to shared mitigation on the road network.

It has been demonstrated that development at Auchterellon will be modest, sustainable, provide much needed choice and the strategic location of these sites within the Aberdeen to Peterhead Strategic Growth Area and Energetica Corridor is a key consideration. There can also be no doubt that as a result of the recent pandemic situation that development such as proposed at Auchterellon, will assist in the provision of much needed essential infrastructure, contribute towards affordable housing and help boost the economy.

We therefore respectfully request sites FR063 and FR064 are included in the Aberdeenshire Proposed Local Development Plan.

The indicative capacity of the site is for 51 houses including 12 affordable houses.

In terms of design the existing access to Mains of Auchterellon Farm off the A948 would be upgraded as part of the land to the north which the Council wishes to locate a new cemetery on land in the same ownership. Discussions with Landscape Services, Local Roads and Estates show an upgraded junction for two way traffic with an access to the north for the cemetery and an access to the south for the proposed housing site. The footpath would be upgraded along the A948 to link the existing footpath network. Pedestrian access onto the Formartine & Buchan way can also be accommodated. The Local Roads Service is in agreement in principle to the proposed access into the development.

In terms of foul drainage there is anticipated capacity for modest additional areas of development in Ellon. SUDS can be accommodated within the site to form features of open space and for biodiversity. Contributions towards all identified areas of infrastructure and services would be acceptable. Pupils from this development are zoned to Auchterellon Primary School which will operate at 71% capacity in 2022 and with a falling school role and therefore capacity is not a problem even for a modest development. 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 the site currently lies just outwith the settlement boundary to the north of Ellon Golf Course. The land to the north of the proposed site is the location the Council wishes to use for a new cemetery and therefore this area of ground would neatly infill to the north edge of the settlement and be screened by the cemetery development. Land would be immediately available for development alongside the early delivery of the cemetery ground. This is therefore a modest, realistic and deliverable location for development in Ellon with excellent transport linkage to the A90 and public transport, footpath linkings along the roadside footpaths and also direct access onto the Formartine & Buchan Way. The site has a setting despite being on the edge of the settlement as it is next to the golf course, existing trees and is adjacent to existing established residential development. As the next logical location for development in Ellon, it would be able to be delivered in the plan period 2021 – 2031.

The deliverability of other long allocated and large housing sites in Ellon could be questioned as part of the strategy moving forward, but while there will be some larger allocations remaining, this does not offer choice in terms of location, housing type or time scales which can be delivered at this site.

REVISIONS



PROPOSED SITE PLAN

Scale 1:1250 at A3

SITE AREA: 4.873 Hectares
GRID REF: NJ 95015 31768

PROJECT DETAILS

DEVELOPMENT AT

Land to the Rear of
Golf View
Ellon

LDP 1 - SITE PLAN

Scale: 1:2000 @ A3

Date: 15.03.13

Drawn: DA

CHECK	INITIALS	DATE
planning:		
warrant:		
tender:		



Ref: 5476/LP01

The indicative capacity of the site is for 32 houses including 8 affordable houses.

In terms of design the existing access to Mains Auchterellon Farm off the A948 would be upgraded as part of the plan which sits alongside the land to the east which the Council wishes to locate a new cemetery on land in the same ownership. Discussions with Landscape Services, Local Roads and Estates show an upgraded access onto the A948 with upgraded footpath along the short distance of the A948 into Ellon to link into the existing footpath network. Access onto the Formartine & Buchan Way can also be taken through the adjacent land to the south. The Local Roads Service is in agreement in principle to the proposed access into the development.

In terms of foul drainage there is anticipated capacity for modest additional areas of development in Ellon, SUDS can be accommodated within the site to form features of open space and for biodiversity. Contributions towards all identified areas of infrastructure and services would be acceptable. Pupils from this development are zoned to Auchterellon Primary School which will operate at 71% of capacity in 2022 and with a falling school role and therefore capacity is not a problem even for a modest development. 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 the site currently lies just outwith the settlement boundary to the north of Ellon Golf Course. The land to the east of the proposed site is the location the Council wishes to use for a new cemetery and therefore this area of ground would neatly infill to the north edge of the settlement and be screened appropriately alongside the cemetery development. The land would be available for development in the medium term alongside the earlier delivery of the cemetery. Therefore this is a modest, realistic and deliverable location for development in Ellon with excellent transport linkage to the A90 and public transport, footpath linking along the roadside footpaths and also direct access onto the Formartine & Buchan Way. While the site is more open to the north of the settlement it will have a cohesion with the cemetery development and will be landscaped accordingly. As the next logical location for development in Ellon it would be able to be delivered in the plan period 2021 – 2031.

The deliverability of other long allocated and large housing sites in Ellon could be questioned as part of the strategy moving forward but while there will be some larger allocations remaining, this does not offer choice in terms of location, housing type or time scales which can be delivered at this site.

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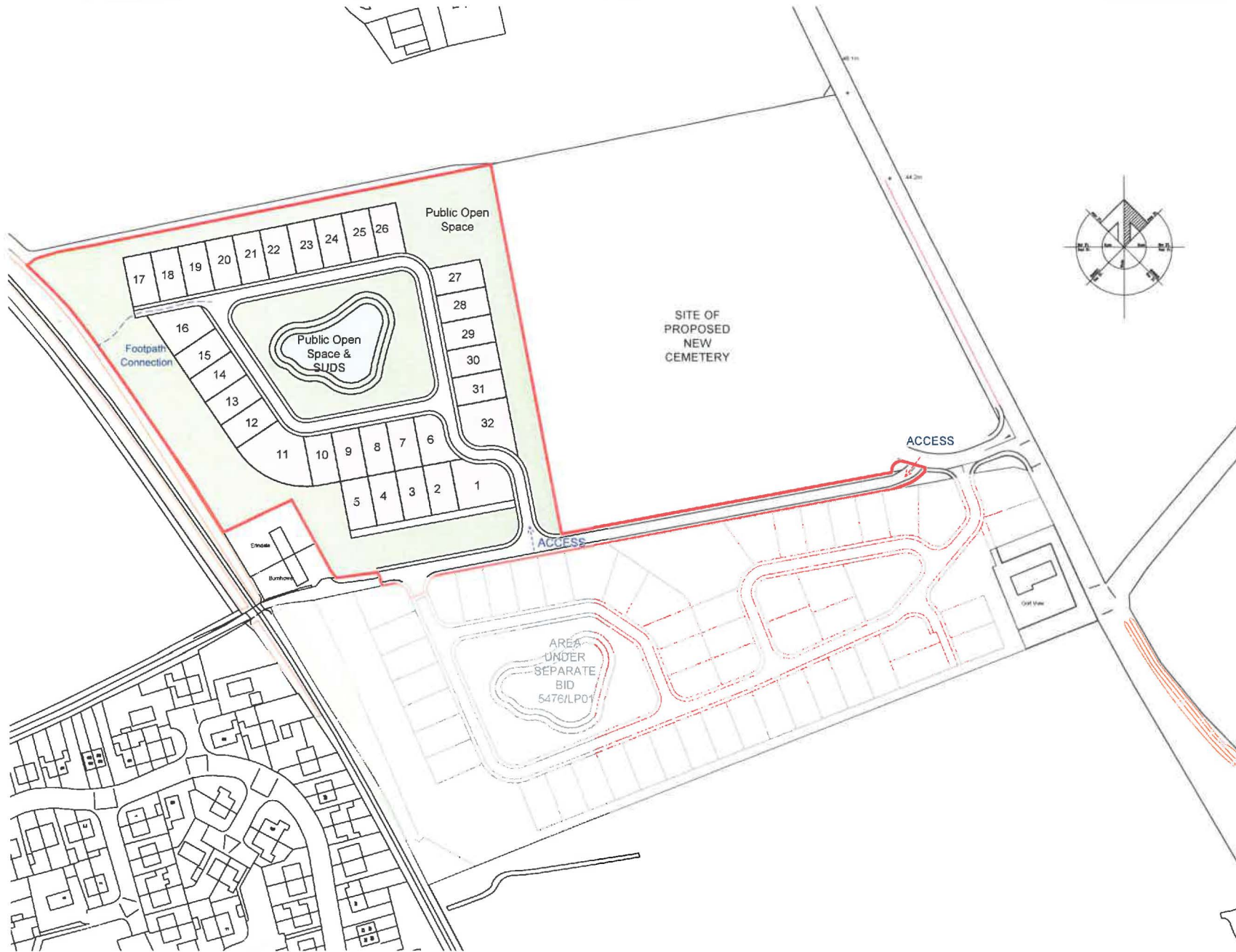
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REVISIONS



PROJECT DETAILS

DEVELOPMENT AT
Land to the Rear of
Golf View
Ellon

LDP 2 - SITE PLAN

Scale: 1:2000 @ A3
Date: 15.03.13
Drawn: DA

CHECK	INITIALS	DATE
planning:		
warrant:		
tender:		



PROPOSED SITE PLAN

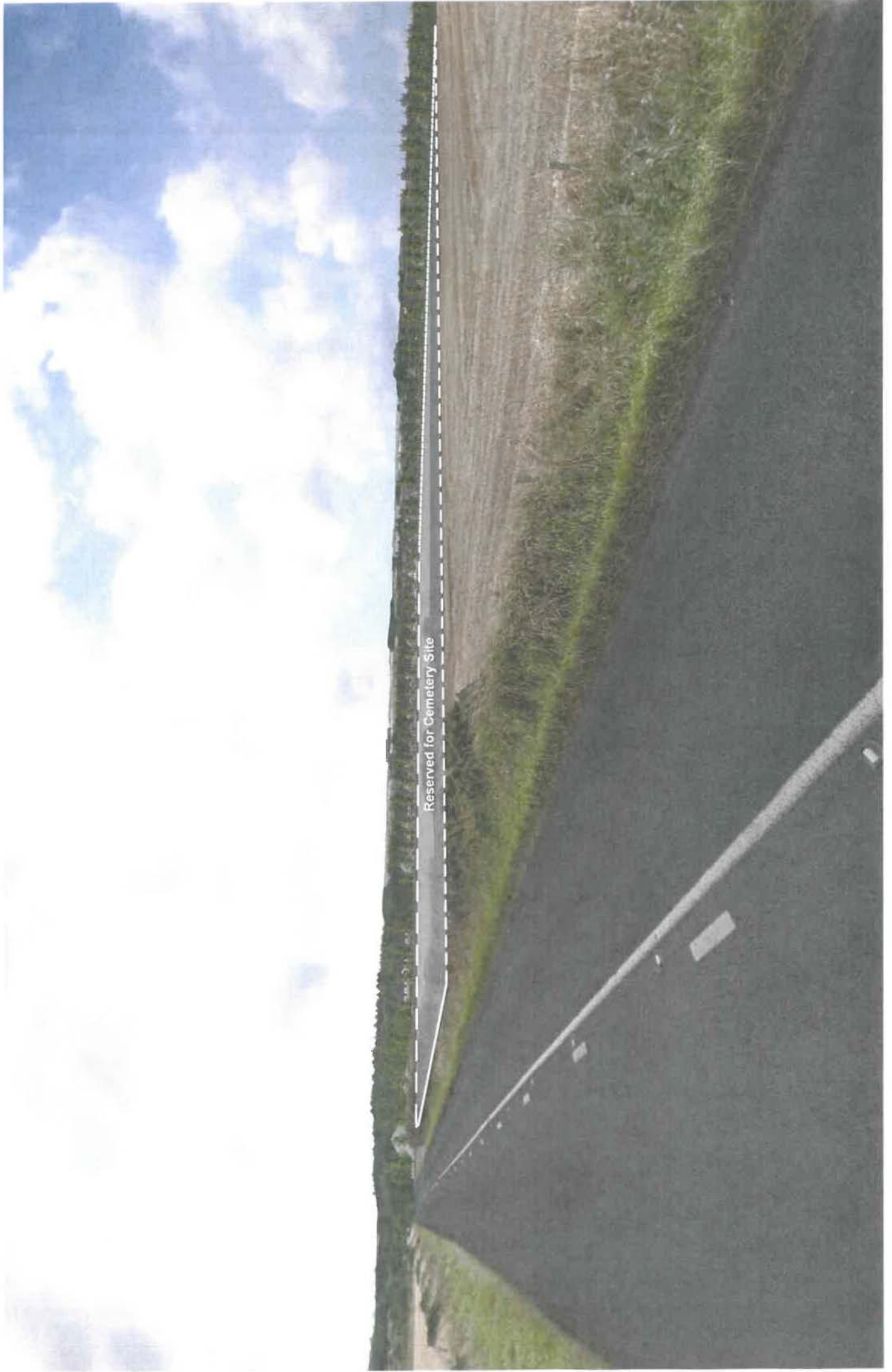
Scale 1:1250 at A3

SITE AREA: 4.29 Hectares
GRID REF: NJ 95015 31768

Ref: 5476/LP02



Reserved for Cemetery Site



MIR Response - Auchterellon, Farm, Ellon – Sites FR063 and FR064

Introduction

This response has been prepared in relation to two Development Bids that were submitted on behalf of the landowner [REDACTED] in respect of sites at Auchterellon Farm, Ellon. Bid 1 for site reference FR063 proposing 51 homes was not identified as an Officer's Preference in the Main Issues Report alongside Bid 2 for site reference FR064 for 32 homes. This representation provides further justification that both sites should be allocated for development in the proposed Aberdeenshire Local Development Plan 2021. The representation requires to be read in the context of the related Development Bids submitted for the land at the pre-MIR stage.

In making further representation to the contents of the Main Issues Report and draft Proposed Plan, this is now made on behalf of CHAP Homes. Given the emphasis which has been placed on ensuring delivery of sites in the next LDP, the involvement of CHAP in taking the sites forward demonstrates the commitment to delivery of modest scale housing at Auchterellon Farm.

We do not consider that the reasons given by officers for not preferring bid sites FR063 and FR064 are justified. We also consider that the assessments are not accurate and that there are anomalies and inconsistencies with the assessments made in comparison to that made for bid site FR092 Cassiegills which has been reserved for development.

CHAP understand the value of early community engagement and, with assistance from Lippe Architects and Planners, made a presentation to the Ellon Community Council at the beginning of their 5th March meeting. The purpose of the meeting was to present the details of our Development Bids with supporting drawings and to have an open discussion to address any particular issues or queries. Details of the presentation are provided later on in this response.

Masterplan and Proposed Housing Numbers

In order to ensure that the proposed housing numbers and densities are appropriate for the two sites, the initial feasibility study has been refined resulting in the numbers being revised to 81 houses on bid site FR063 and 63 houses on bid site FR064. In preparing the masterplan, careful consideration was given on the positioning of landscaping and open space to create a high quality environment and to minimise any visual impact from key positions. The masterplan provides for 40% open space, which complies with the Council's current policy and the proposed open space policy outlined in the Main Issue Report. The updated masterplan has been included in this response and shows the site in its wider context including the Council's proposed cemetery.

In moving forward with a deliverable and well-designed proposal at this next stage, the ability to create a high quality living environment which achieves modern planning and design standards and creates a sense of place has been demonstrated. It is important to note that the aggregate increase in housing numbers across both sites is still less than the 150 homes proposed at the reserved Cassiegills (FR092) site. The revised housing numbers are not considered to be of any concern given the strategy that the LDP team has adopted supporting bids that propose an increase in numbers and densities on a number of sites across Aberdeenshire. In fact, the additional houses would have the positive benefit of increasing the provision of affordable housing from around 20 homes to around 36 homes.

The owner of the ground at Auchterellon Farm has been in prolonged discussions with Aberdeenshire Council in respect of their proposed construction of the new cemetery for Ellon. The planning application for the cemetery is currently pending and the MIR and draft proposed plan reserve the site for the cemetery. It is therefore clear that the bid sites FR063 and FR064 very much link between the existing edge of Ellon and the cemetery ground.

As part of the ongoing discussions with the Council in relation to their proposed cemetery development, officers from Landscape Services, Local Roads and Estates were consulted about the access which would be shared jointly between the cemetery and any housing sites. From these discussions, the Council's current proposal would result in the existing access to Mains of Auchterellon Farm from the A948 being stopped up and realigned slightly to the north to allow for a new upgraded road for two way traffic that would be suitable for the cemetery and the housing development. The location of the proposed new access road, together with the current plans for the cemetery, have been incorporated into the masterplan

to show how they would relate to one another.

In addition to the new access road, a new footpath will be created which will connect the site with the existing footpath network to the north of Golf Road. It is envisaged that pedestrian and cycle links could be further enhanced through access to the adjacent Formartine and Buchan Way.

Landscape Impact

The assessment narrative provided by officers' states that the sites will be prominent from the northern approach to the town, that the sites are exposed and would have a detrimental impact on the setting of Ellon. While technical matters are also referred to, the primary objection to allocating land in this location seems to be that it will be visible from the A948.

We have included photomontages which show that there would not be any negative visual effects on the landscape character as a result of the proposed development. Ness Circle to the west is already visible from the A948 Auchnagatt Road and bid site FR063 is very much an infill site between the golf course, the cemetery and Ness Circle. Once completed, the development of the cemetery will introduce a road access, parking, lairs, footpaths and landscaping to the north of bid site FR063 which also sits at a lower level than the cemetery and will nestle into the landscape. While bid site FR064 is further north, it is located immediately next to the cemetery, is also set back some distance from the A948 and is at a lower level than the cemetery. It will also therefore fit comfortably into the landscape. It is evident that the proposed allocation of the cemetery as R1 will result in the boundary of the settlement moving further to the north. The cemetery development will also inevitably be the first thing visible on approaching Ellon from the north and effectively obscuring bid sites FR063 and FR064.

The detailed masterplan for the housing sites incorporates significant areas of open space and landscaping which will provide a setting for the new development and this will sit alongside the landscaping for the cemetery. As with many towns in Aberdeenshire Ellon has grown over the years with much of any new development being located on its edges. Being able to see development does not in itself mean any development is unacceptable. The proposed development follows the existing landscape features of the site and while visible, would fit in with the existing landscape setting. In addition, the photomontages submitted with this representation show that with appropriate landscaping, the development would not

have a detrimental impact on the setting of Ellon or when approaching the town from the north.

Officer's Preference

The Officer's preference in identifying bid site FR092 at Cassiegills as a reserved site is a cause for concern and we question the reasoning behind this decision. In reading the assessment made by officers, there is nothing positive said about the site yet it is reserved for 150 homes. Cassiegills is located on the opposite side of the A948 bypass from Ellon which officers have said acts as a physical boundary for the settlement. To locate development on the opposite side of the bypass would be far more prominent and not fit in with the settlement or any particular landscape features. It would appear prominent on the skyline and officers have also stated in their assessment that the site would create an "unnatural extension to the settlement", nevertheless it is considered suitable as a reserved site for future development.

The reservation from 2031 onwards of the Cassiegills site shows officers want a new or alternative site in Ellon and while the LDP team may be correct in seeking sites which can "plug" delivery of housing where other allocations cannot (e.g. Cromleybank), the choice of Cassiegills is flawed. There is also no indication of how that site can be delivered despite delivery being a key consideration in determining housing allocations in the next LDP. The Auchterellon sites on the other hand are demonstrably deliverable and would be able to "plug" any deficiencies. As was noted in the bids for Auchterellon, we are already 7 years down the line since Cromleybank was allocated and notwithstanding the recent downturn there are clearly difficulties in moving such large sites forward. It also does not offer a choice in terms of location, housing type or timescales which can be delivered at Auchterellon.

In terms of housing delivery, Aberdeenshire Council's Monitoring Statement (2017-2018) notes that housing completions in Aberdeenshire in 2017 were at their lowest level for almost 30 years and that it is unusual for completions to drop below 1000 units in Aberdeenshire and notes that "the small number of large allocations in the area has contributed to the lack of housing supply". It can therefore be argued that due to the lack of delivery over a number of years on large allocated sites that the artificial uplift in housing numbers expected through increased site densities and shortfall identified in the 2018 Housing Land Audit, there is a need for additional modest housing sites to be allocated in

the Aberdeen Housing Market Area of Aberdeenshire. The sites at Auchterellon can deliver two alternative, modest housing sites in Ellon.

Ellon Community Council Presentation

The presentation made to Ellon Community Council on 5 March 2019 sought to provide more information on the proposed sites at Auchterellon and the feedback the Community Council gave was greatly appreciated. While there was one member who considered the sites would not be part of Ellon, it appeared the general consensus was that there was no fundamental objection to development in this location.

The main comments related to what the impact would be on the community. It was advised that an agreement would be reached with Aberdeenshire Council Developer Obligations team on required developer contributions. Some helpful suggestions included the provision of a “community space” for community gatherings or classes. A comment was raised on the poor condition of the Formartine and Buchan Way to the immediate west of the site. A desire for better pedestrian linkages to the west of the Formartine and Buchan Way was also highlighted and while an increase in traffic specifically related to school drop off at Auchterellon Primary School was mentioned, it was noted that the school will still have 29% capacity in 2022 and traffic management would be required to address this wider matter. In terms of housing mix, the Community Council was supportive of the proposed mix of 3-4 bedroomed homes and considered this would fit in with what the demand in Ellon is. Questions were asked about specific design matters such as rear garages, on-street and visitor parking. These are matters which would be addressed as part of a detailed planning application.

In discussing wider matters concerning the Main Issues Report, the Community Council considered that the reservation of the Cassiegills site did not fit well with the settlement.

Drainage

The foul drainage Growth Project for Ellon is planned for 2021 and therefore timescales for additional capacity would tie in with housing coming forward from 2021 onwards. Surface water drainage can be designed using modern SuDS techniques to address and mitigate any surface water flood risk.

Conclusion

The sites at Auchterellon are sensible and sustainable and can deliver short to medium term housing in Ellon, on the right side of the bypass, with excellent linkage to the A90 and public transport and benefiting from good pedestrian and cycle connectivity. In terms of overall planning strategy, the sites at Auchterellon fit with the preference for the Formartine Area being promoted in the Main Issues Report and the Draft Proposed Plan. The Strategic Development Plan 2014 also highlights a spatial strategy for Aberdeenshire focussing on three main development corridors of which the Aberdeen to Peterhead corridor is one. The Council's policy is that these Strategic Growth Areas are to be the focus for new housing and employment development allocations. Ellon is located within the Aberdeen to Peterhead Strategic Growth Area and is therefore a preferred area for growth. Ellon is also located within the Energetica corridor where there is a focus on promoting the area as an ideal location to work, live and visit and provides attractive opportunities to invest in business, facilities, leisure and housing. The sites at Auchterellon can assist in delivering the wider strategy of the Council.

PROPOSED HOUSING DEVELOPMENT

SITE AREA:
 PHASE 1: 13 acres (includes Road)
 PHASE 2: 10 acres

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 for residential mixed-use development
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REVISIONS



RESIDENTIAL MIX - PHASE 1

House ID	House Type	Accommodation	Number	Mix (%)
A	Bedroom	2 bed terrace	5	9.9
B	Bedroom	3 bed terrace	11	18.0
C	Chalet 2	3 bed terr	10	12.3
E	Chalet	3 bed terr	-	8.6
F	Chalet	3 bed detached	10	12.3
G	Chalet	4 bed detached	5	9.9
H	Chalet	4 bed detached	5	9.9
J	Chalet	4 bed detached	0	0.0
K	Chalet	4/5 bed detached	9	11.1
			#1	100%

RESIDENTIAL MIX - PHASE 2

House ID	House Type	Accommodation	Number	Mix (%)
A	Bedroom	2 bed terrace	11	11.1
B	Bedroom	3 bed terrace	10	15.9
C	Chalet 2	3 bed terr	7	11.1
E	Chalet	3 bed terr	4	6.3
F	Chalet	3 bed detached	8	12.2
G	Chalet	4 bed detached	4	6.3
H	Chalet	4 bed detached	4	6.3
J	Chalet	4 bed detached	11	11.1
K	Chalet	4/5 bed detached	9	12.2
			#1	100%

MASTERPLAN
 Scale 1:1000 at A1

PROJECT DETAILS

Housing Development
 Land to West & North
 of Golf View
 Elton
 CHAP Group Ltd

MASTERPLAN

Scale: 1:1000 @ A1
 Date: FEB '19
 Drawn: DD

CHECK: INITIALS DATE
 DRAWN: INITIALS DATE
 REVISION: INITIALS DATE



Ref: 5589/001

Issue 71 Ellon

1. List of Respondents

MR Ref	Respondents
242	Lippe Architects + Planners on behalf of CHAP Group Ltd
330	Ms Vivienne Wallace
405	Ms Glenda Simpson
506	Scottish Natural Heritage
508	Bancon Homes Ltd
515	Ryden LLP on behalf of Stewart Milne Homes
516	Ryden LLP on behalf of Stewart Milne Homes
517	Ryden LLP on behalf of Stewart Milne Homes
552	Ms Myra Fearnside
562	Scotia Homes Ltd
586	Mr Trevor Mason
660	Dr Barrie Seddon
805	SEPA
905	Ellon Community Council
1009	Historic Environment Scotland

2. Issues

General

Concern was raised regarding potential traffic impacts of a bridge over the Ythan and general road capacity for future development in Ellon (330).

The respondent generally supports the plan for homes provided there are affordable homes and recreational areas delivered (586).

It is considered that if any development is going to have a visual impact in some way, the assumption is that developers would be encouraged to reduce the impacts of their developments. There must be consideration in all cases for the town's infrastructure, including school provision, medical centres and water/waste treatment. All these must be expanded as the town grows and should not be considered a reason to hold back on development (905).

Within the Settlement Statement in the Draft Proposed Local Development Plan (LDP) the respondent recommends that the sixth planning objective should be reworded to say 'Preserve and enhance the amenity of the settlement, including its greenspace.' However, the statement in the Draft Proposed LDP that states greenspace will be protected and enhanced with new green networks identified, is welcomed (506).

Flood Risk

SEPA has advised that there may be surface water flooding issues from overland flow coming from the steep land above Ellon. This risk should be discussed within the Council's Flood Risk and Coastal Protection Team (805).

Existing Site - OP1 / Bid FR090

Concern has been raised that any further development of Ellon away from Cromleybank will have issues of connectivity, being split by either the A948, A90, Golf Course (north) or the Buchan-Formartine way (905).

There are also concerns regarding the scale of allocations in Ellon (515, 552). The 980 home site at Cromleybank has not started (515, 552). This allocation is not challenged, but the expectation of delivering 980 houses by 2031 is questioned (508). Another respondent considers that this site would alter the character and sense of place associated with Ellon. The proposals risk urbanisation and overdevelopment (515, 552). If only 386 units are proposed to be built by 2025 the site is not delivering the number of homes to meet the housing requirement in the Strategic Development Plan (515).

A preference that Cromleybank is developed ahead of other larger housing developments has been expressed. However, if the delays are ongoing for the foreseeable future, then having other sites developed first would be appropriate (905).

A respondent has objected to the proposed road being included as part of bid FR090. The road will infringe on residential privacy and increased noise. The development of the road will destroy woodland on the edge of Hillhead Road. Development will have a detrimental impact on wildlife. The Council should consider re-routing the proposed road. There are concerns that the road will create an infill opportunity to the north (405, 506, 552).

Another respondent requested that the proposed road be located further away from the Bredero properties, and the junction relocated further along the A920. In addition, noise reducing measures should be considered including the choice of materials for the road surface, speed limits, and planting of hedges and trees (552). Furthermore, it has been highlighted that Site FR090 includes, and is adjacent to, a small area of woodland listed in the Scottish semi-natural woodland inventory, but noted that a development framework has been agreed for this site (506, 552). Scottish Natural Heritage (SNH) suggest that a site brief should also be developed to ensure a coherent sense of place is developed for a development of this scale (506).

The link road (southern bypass) would be the preferred addition which should relieve some of the traffic from the town centre and reduce congestion at bridge traffic lights. An ideal scenario would be to also have vehicular access across the Ythan River adjacent to Boatie Tams Bridge (905).

A respondent considered the proposed vehicular bridge and east/west links for the site not viable, and that the site is not a readily available and unconstrained site given its failure to provide any housing since its allocation in 2012 (515).

The statement about active travel is welcomed, but it is suggested by SNH that this should be 'required' rather than 'promoted'. The expectation for connectivity to the rest of the Ellon green network is also welcomed and SNH recommend that site briefs for the development should set out the green network within it and its connections outward (506).

Development on this site would put huge strain on already stretched resources in the town, including the doctor surgery and Ellon Academy. Amenities and services need to be improved before development could come forward (552, 905).

It was highlighted that existing site OP1 is subject to frequent flooding and it is identified as a floodplain (660, 905). The floodplain area was suggested as a protected area or parkland to match the parkland (Glebe Field) set on the opposite north bank of the River. However, it is considered this plan is not being recognised and this risks the building of houses on the floodplain (660).

The respondent supports retention of OP1/ bid FR090. It has been highlighted that discussions have been taking place with relevant infrastructure providers including Scottish Water, Transport Scotland, and the Council's Education Service to bring this site forward (562).

Support is given to site OP1/bid FR090 from another respondent. The new academy/community centre already in this location, therefore developing this site would reduce the sense of remoteness the academy current has from the town (905).

Historic Environment Scotland has raised concerns about the potential effect on Listed building LB31110 (Cat A) Old Bridge of Ellon as a result of development of site OP1. There is a need to address preservation of the bridge and its immediate setting including associated flood risk management (1009).

Existing Site - OP2

There is a desire to see the OP2 Former Ellon Academy sites developed in such a way that they enhance Ellon and provide the best available economic options for the town. Consolidation and expansion of the Council Offices within Ellon is welcomed. The new health centre is also welcomed as the existing facility does not have the capacity for the expanding town, and this central location would be beneficial to many (905).

However, the respondent would like to ensure that the intended developments are required and are not done just to make use of the sites. The respondent would prefer they remain undeveloped until a sound and feasible use is found for them (or in part), even it means waiting for a more favourable economic environment. To enhance the 'civic' space feel, various units could be included that function as public rentable spaces

for parties/functions, pop-up shops for community organisations or for youth club type venues that may be more appropriate and accessible (being town centre) than those available at the Community Campus. In addition, the respondent considers that for site 2, care would need to be taken to ensure that the area is seen as accessible for non-residents to pass from Golf Road or the woodlands to access the town centre, Health Centre or Ellon Castle Gardens (905).

The 'Ellon Now Ellon New' project should be consulted on the appropriate uses for the town before any decision is taken. In addition, there should be adequate parking to support the sites and their specific purposes, to ensure surrounding residents are not disadvantaged (905).

Existing Site - OP3 / Bid FR011

SEPA has identified that a Flood Risk Assessment will be required for this site due to the watercourse along the western boundary that has been historically straightened. A buffer strip will be required adjacent to the watercourse which should be positively integrated into the development. The buffer strip needs to allow sufficient space for restoration of the burn. Enhancement of the watercourse through re-naturalisation and removal of redundant feature should be investigated (805).

Existing Sites - OP4 and BUS

It is believed that business development options should be retained in the Plan in the event of an upturn in the economy (905). Increasing the size of the roundabout at A90 junction or creating slip roads may be required, and the respondent notes there are still a number of sites undeveloped within the BUS site which should be progressed before OP4 is developed (905).

SEPA has identified that the BUS site has a flood risk and therefore a Flood Risk Assessment is required. It is also requested that a buffer strip is required adjacent to the watercourse which should be integrated positively into the development (805).

Bid FR031

A respondent queries the need for further housing in Ellon. Cromleybank is a previously allocated site that has still not been built (330).

SEPA agrees the recommendation to not take bid site FR031 forward. The riverside and associated woodland with other habitats provide important green corridors for the area (506).

Others object to the development of site FR031 due to the potential adverse impact on Ellon Town Centre (330, 586). The development of this site would be less accessible than Ellon's town centre and would increase traffic from the west side of town and create more parking problems (586).

SEPA has highlighted concern about the development of this site due to its historical significance being in close proximity to Waterton Castle, together with flooding risks

associated with being a riverbank site. The current character should be maintained as an important feature of the local landscape. SEPA also recommend that this site is protected as green land (905).

However, other respondents have objected to the failure of the Main Issues Report to identify site FR031 for mixed use development (515, 516). This site is considered to be well located for retail and leisure uses, and has a sustainable location for the introduction of housing (516). The respondent suggests that 150 residential units should be transferred from the FR090, which demonstrates the suitability and capability of that site to accommodate a mixed use development.

In support of the development of site FR031 the respondent states that the site has features that provide distinctive character, creating an attractive landscape setting for the housing proposed. A landscape assessment concludes that retail development would result in a higher magnitude of change for key landscape and visual receptors, and the lower height and finer grain of a mixed use development would create a more appropriately scaled development that responds to existing built character and a lower magnitude of landscape impact. It is not accepted that retail is the most appropriate use for site FR031. A mixed use development is a more logical and appropriate solution for the site than purely retail. A mix of uses would ensure a sustainable development would be delivered within close proximity to services and employment areas, with less reliance on the private car. The prospective developer commits to future investigations in relation to waste water and water supply, and does not consider this an impediment to development (516).

Whilst one respondent stated that there is no additional road infrastructure required for site FR031 (515), another respondent states that a Transport Impact Assessment would be required and contributions to mitigate the development would be delivered (516).

Bid FR032

SEPA has highlighted that a Flood Risk Assessment is required for this site due to the presence of the Ythan and other small water courses. Buffer strips will be required adjacent to the watercourses which should be integrated positively into the development. The buffer strips will need to allow sufficient space for the River Ythan to follow its natural course. The smaller watercourses have been historically straightened. Enhancement of these through re-naturalisation and removal of any redundant features should be investigated (805).

There is support for the continued inclusion of FR032 for Retail (Class1) and Leisure Facilities (Class 11). Ellon has capacity to accommodate a retail park, reinforced by the conclusions of the Town Centre Health Check 2011. However, housing should be introduced on the site to provide a mixed use development (517, 905). It is argued that introducing housing on the site will support the proposed retail and leisure uses, as well as create a sustained mixed use development with less visual impact (as detailed in the respondent's Landscape Assessment submitted with comments) (517). The site has suitable transport links to support the site for a range of uses. The respondent

acknowledges that the constraints regarding surface water flooding, waste water treatment and water supply can be overcome and should not be considered as impediments to development. Traffic measures and access feasibility assessment due to the site's location within the A920 and A90 corridors would be assessed at the planning application stage. There is also agreement that existing trees and mature wooded areas should be retained, and that buffer strips should be provided adjacent to the Ythan River and Broomie's Burn (517), as noted by SEPA.

Other respondents have objected to site FR032 due to the impact on Ellon town centre (330, 586). The site is less accessible than Ellon's town centre and would increase traffic from the west side of town and create more parking problems (586).

Bid FR063 and Bid FR064

One respondent has supported bids FR063 and FR064 as they feel that these sites can deliver the planning strategy for the Aberdeen to Peterhead SGA and Energetica Corridor, and can plug any housing deficiencies for addressing a low completion rate for houses noted in the Aberdeenshire Council's Monitoring Statement (2017-2018). The exclusion of this site is unjustified and there are anomalies and inconsistencies with assessments made in comparison with site FR092. The respondent considers site FR063 would fit within the landscape setting and the proposed landscaping would not have a detrimental impact on the setting of Ellon. Landscaping will lessen their visual impact and provide a setting for the proposed cemetery (242).

Another respondent is of the opinion that site FR063 is an opportunity to improve the golf course to attract more visitors to the town (586).

Another respondent has mixed views on these sites due to their remoteness from Ellon. However, with suitable foot/cycle infrastructure, particularly along the A948 and onto the Buchan-Formartine Way, the development could be seen as being part of Ellon. It should also be taken into consideration that Auchterellon and Meiklemill both have single road access from the housing estates into the town centre. However, the Cromleybank site remains the preferred site for development before other larger housing developments are progressed (905).

The respondent does not consider that co-location to the proposed cemetery is not desirable, as stated in the Main Issues Report. Although cemeteries tend to be located on the outskirts of towns, they are often overtaken by development and soon become within town boundaries e.g. Castle Road Cemetery (905).

Bid FR075

The respondent had no issue with this site being developed provided that these houses would implement suitable drainage/sewage facilities (905).

Bid FR076

The respondent had no issue with this site being developed provided that these houses would implement suitable drainage/sewage facilities (905).

Bid FR084

The respondent had no issues with this development remaining in the Plan provided that the development is carefully landscaped to fit in with the existing low-density housing surrounding it (905).

Bid FR092

Respondents did not support the allocation of Site FR092. The decision to reserve site FR092 is flawed as the Main Issues Report says nothing positive about the site as it is located beyond the A948 which acts as a physical boundary for the settlement, and would be more prominent and not fit in with Ellon or any landscape features (242, 506, 905). This site should not be reserved to plug any deficiencies within existing housing allocations, as there is no indication how this site can be delivered (242).

SNH has stated that if site FR092 is developed, this area would change the current boundaries of the settlement and potentially open up other areas to the north of Ellon for development. The gentle rising of the land would make this site a challenge to develop without incurring significant landscape and visual impacts. The location responds awkwardly to the existing settlement centre and further accentuates the need for unsustainable forms of car based travel and access to the core services of Ellon. If the site was taken forward, there should be a site specific brief demonstrating integration with Ellon in terms of greenspace and active travel routes, with protection and enhancement of the woodland (506).

In addition, a respondent had concerns regarding the impact on the busy bypass. Speed restrictions would need to be considered or the road would need to be re-classified (905).

A respondent has requested that FR031 should be allocated instead of site FR092 as it is well related to the existing settlement, contained by existing development, and would not extend the settlement boundary (516).

SEPA has stated that a Flood Risk Assessment may be required due to the presence of Broomie Burn on the eastern boundary which has been historically straightened (805).

3. Actions**General**

With regard to general traffic impacts on the bridge over the Ythan and general road capacity within Ellon, this issue has been taken into consideration when planning for Ellon. Cromleybank is the largest proposed residential allocation for Ellon and transport links have been one of the matters which have delayed its implementation. The proposed development plan promotes active travel as opposed to use of private cars, with connections to existing path and green corridor networks being encouraged. No further action is required.

The support for new homes is acknowledged, provided there are affordable homes and recreational areas as required by development plan policies, and landscape impacts are addressed. Whilst we welcome the statement proposed for the Vision for Ellon within the Settlement Statement on protection of greenspace, policies also require that greenspace is protected and enhanced with new green networks identified.

Flood Risk

With regard to flooding, the flood risk identified within the Settlement Statement for Ellon in the Draft Proposed LDP has identified the flood risks which have been taken into account in assessing potential development sites including minor amendments which will be taken forward into the Proposed LDP. Through Flood Risk Assessment (as promoted by SEPA) layout design should not include development within areas at risk from flooding.

Existing Site - OP1 / Bid FR090

It is noted that no respondents have challenged the allocation of site OP1/FR090, however there are concerns regarding the ongoing delay in delivering the site. It remains the view that Ellon is a major service centre and is a key settlement in the Aberdeen to Peterhead Strategic Growth Corridor for the provision of new houses. Therefore, Ellon is a suitable settlement to sustain significant, appropriately managed growth for housing and employment land. With regard to location, the proposed site is considered to be suitably sited within the valley to minimise visual impacts on the wider area. In addition, the development improves the balance of development within Ellon, ensuring the key features such as the town centre and Ythan River remain centrally situated and accessible to all.

With regard to the timing of the development, this is not something that can be controlled. The Planning Service continues to work with developers in order to deliver the Local Development Plan.

It is proposed to reserve land for a potential link road to the west of Ellon from the B9005. The potential link road will be required to ensure the local road network provides the necessary capacity to accommodate east to west traffic by-passing the town and facilitate the development of site OP1. It is very unlikely that the route for this road will be shown as anything other than indicative at this stage, and outwith the settlement boundary. Development within the area of land between the defined boundary and the indicative road would be contrary to the Plan. Impacts would be managed as part of any planning application.

With regard to active travel, it is agreed this is required and not just promoted. As such amending the wording of the Settlement Statement to reflect this is proposed.

With regard to comments made on the strain that new development will place on resources within the Ellon, such as the Doctor's surgery and Ellon Academy, it should be noted that Local Development Plan policy requires developers to make contributions towards the provision of necessary infrastructure. However, the Settlement Statement

within the Draft Proposed LDP has identified there is a requirement for a new primary school within site OP1 and that all residential development make contributions towards a new health centre at Ellon. The development of site OP1 could make significant contributions towards services within Ellon.

While site OP1, may overlap with an area at risk from flooding, these areas can be incorporated into any development as areas of open space that contribute to the connectivity of the green network and creating an opportunity to enhance biodiversity. This would result in a visually appealing development that allows suitable, safe access and enjoyment of Ellon's key feature, the Ythan River. In any case, the Settlement Statement for site OP1 identifies that a Flood Risk Assessment, Water Impact Assessment and a Drainage Impact Assessment will be required which will inform the layout design for this site. No further action is required.

Likewise, we are content that impact on listed structures can be avoided by good layout, siting and design. No further action is required.

Existing Site - OP2

The comments provided by respondents are detailed and as such would be better placed as a response to any proposed Masterplan or planning application. It is acknowledged that there is a local desire to redevelop the site for appropriate mixed uses is generally supported and as such there is no further action required.

Existing Site - OP3 / Bid FR011

It is agreed that Site OP3 requires to have a detailed Flood Risk Assessment associated with it and an appropriate buffer strip adjacent to the existing watercourse. However, the text should be amended to also include the requirement to restore the burn and encourage enhancement of watercourse through re-naturalisation.

Existing Sites - OP4 and BUS

The support for site OP4 is acknowledged. The requirement to investigate the option for access to the site has been addressed within the Settlement Statement. While it is acknowledged that there are vacant plots within the BUS site, the LDP cannot ensure the completion of one site before the release of another when both sites are deemed appropriate for development.

With regard to Flood Risk, the proposed Settlement Statement for Ellon identifies the BUS site as being in a 1 in 200 year flood risk area. The Settlement Statement requires that a "detailed Flood Risk Assessment will be required to accompany any future development proposals for these sites and an appropriate buffer strip will be required adjacent to the existing watercourse". No further action is required.

Bid FR031

Bid FR031, as proposed, is not considered to be an appropriate addition at this time. The development of this site is considered to have a negative impact on the landscape character of this area. This site, at present, is considered to contribute positively to the

natural green network along the River Ythan and protecting the setting of Boat of Fechil Croft, its outbuildings and boathouse, which are 'B' Listed Buildings. The site to the north has been identified as suitable for retail and leisure uses. Development of this site for residential use may place restriction on the deliverability and operation of the existing CC1 site in the same location. No further action is required.

Bid FR032

The inclusion of this site for retail and leisure uses is generally supported as a reflection of the CC1 allocation in the current Plan. There is no concern regarding the impact on Ellon's Town Centre as the existing retail units within Ellon's Town Centre are generally small and therefore places restrictions on the town's ability to attract larger comparable stores to the settlement. Retail use of this site would encourage larger retailers to the settlement. In any event, proposed Policy B2 Town Centres promotes a "Town Centre First" principle and any developer must demonstrate that the proposal will not have a significant adverse impact on the vitality and viability of the town centre, when making a planning application.

A mix of residential development, retail and leisure uses is not recommended for this site. There is concern that the residential use places restriction on the deliverability and operation of the site and has the potential to limit the scale of retail and leisure uses sought. No action is required.

With regard to flooding, SEPA has identified that that a Flood Risk Assessment is required for this site. As such the text within the Settlement Statement for this allocation is required to be amended accordingly.

Bid FR063 and FR064

It is maintained that these sites are undesirable. It is considered that these sites are not appropriate as an extension of Ellon at this time. These sites would breach the brow of the hill, resulting in a prominent, exposed site that breaches Ellon's natural landscape capacity.

The respondent is of the opinion that the proposed cemetery to the north would improve the landscape setting of this area, allowing for appropriate infill development to occur. The position is retained that it is appropriate to locate a cemetery away from houses due to the sensitive nature of the land use. Commonly active cemeteries are located out with settlements to avoid the potential for construction works to disturb mourners (or mourners to disturb adjacent dwellers). The development of houses would be more intrusive on the wider landscape than any structure associated with a cemetery. As such the siting of a cemetery outwith the settlement boundary for Ellon does not justify infill development that is likely to have a detrimental impact on the setting of Ellon. No action is required.

Bid FR075 and FR076

These sites are not considered appropriate for development. These sites are not a logical extension and are physically detached from the settlement by agricultural fields.

Development of these sites would have a negative impact on the rural landscape character. It is recommended that these sites are not allocated within the Development Plan.

Bid FR092

It is agreed that the development of this site would have significant adverse impacts on the landscape of the area. Development of this area would breach the brow of the hill resulting in a prominent development from all approaches to Ellon. The A948 functions as a bypass for the settlement and presents a physical barrier to achieve safe pedestrian access to the School and other services and facilities within Ellon. As such this site should not be included in the Plan.

The Draft Proposed Local Development Plan

A number of changes were proposed in the Draft Proposed (LDP) on the basis of early consultation with stakeholders. These are captured in the recommendations below.

4. Recommendations

1. Modify the Vision to include the community's concern about a lack of choice for places for social contact in the town centre, and desire for the development of public transport modes for commuting to Aberdeen.
2. Amend the 'Flood Risk' section to take into account BUS2.
3. Retain existing site R1 for a cemetery on the A948 at Yonderton.
4. Include new Reserved Land designation for a potential link road to the west of Ellon from the B9005.
5. Amend the allocation summary for site OP1 (bid FR090) to read: "Sustainable communities are to be encouraged, and key to this will be active travel. Permeability within the development for active travel is required, and connectivity to the rest of the Ellon green network is expected in this development with opportunities existing to link into the path network along the river."
6. Add to the allocation summary for existing site OP3 (bid FR011) the following text: "The buffer strip needs to allow sufficient space for restoration of the burn. Enhancement of the watercourse through re-naturalisation and removal of redundant feature should be investigated."
7. Amend the allocation summary for CC1 (bid FR032) to include: "A Flood Risk Assessment will be required", and add "Buffer strips will be required adjacent to the watercourses which should be integrated positively into the development. The buffer strips will need to allow sufficient space for the River Ythan to follow its natural course. Enhancement through re-naturalisation and removal of any redundant features should be investigated."

8. Do not allocate Bid FR092.
9. Amend Ellon settlement map to show an indicative route for the southern bypass for the town from the B9005 to the A920 at Wineburn

AUCHTERELLON

Thank you Chair, Committee members for allowing me the opportunity to speak.

First of all, we are encouraged that it is proposed to remove bid site FR092 at Cassiegills as its location on the northern side of the bypass would be incongruous. We made comments to this effect as there were clear inconsistencies in the assessment of this site and the sites at Auchterellon. However, we remain concerned that the justification we have submitted for bid sites FR063 and FR064 at Auchterellon have been misjudged by officers and we do not consider their assessment to be correct. The removal of the 150 units at Cassiegills also more than allows for the substitution of this site with Auchterellon and the total proposed number of 144 units – or a number which would accord with the density of 25 houses per hectare being proposed in the LDP.

While it may be true for cemeteries to often be located outwith settlements, in time, they are often overtaken by development and soon become within town boundaries. This exact point is expressed well by Ellon Community Council who we actively discussed our proposals with.

From a visual perspective we do not agree that the development of these sites would be prominent. Bid site FR063 lies at a lower level immediately adjacent to the edge of Ellon and with proposed strategic landscaping this area will appear no different to the edge of the settlement at present with the existing trees along the edge of Ellon golf course. Bid site FRO64 is further north but being located to the west of the proposed cemetery it will not be obvious or immediately visible on the northern approach to the town. Our submitted photomontages show that the development of these sites would be in no way prominent. We have consulted on our proposals and produced a sympathetic layout which will not be detrimental to the setting of Ellon.

While there may not be a huge amount of built development that goes along with cemeteries, the approval for the cemetery at Auchterellon includes an element of built development along the A948 including a shed and soil store, car parking and casket areas. The site will also be landscaped. It will therefore be the first visible development on the edge of Ellon.

We are encouraged that there are no negative comments to the MIR on this proposal. One comment says that with suitable foot and cycle ways particularly as already approved as part of the cemetery development and with the proximity of the Formartine and Buchan Way to the west, the development could be seen as part of Ellon. Another respondent supports the development. Another respondent has said if the development has a visual impact then the impact should be mitigated but should not be a reason to hold back on development.

The proposal to reserve a link road to the west of Ellon has the potential to open up further ground to the west. While this would be a much longer term option, the small amount of residential development at Auchterellon would not be at odds with the LDP's future vision.

We have engaged with the Council to ensure the road access to the proposed cemetery can be accommodated and that neither this nor the housing development would prejudice one another.

You will have heard the work deliverability many times in this process. You will note that there have been concerns expressed to the MIR about the scale of development at Cromleybank and the lack of delivery of the site. While Cromleybank may start to move forward, there is little housing choice in Ellon. There are no issues with delivery of the site at Auchterellon as the landowner is working with CHAP Homes and ourselves to deliver short to medium term housing in Ellon, on a constraint free site, on the right side of the bypass, with excellent linkage to the A90 and public transport and benefitting from good pedestrian and cycle connectivity. Affordable housing can also be delivered and contributions made to education and other facilities if required although both the primary and secondary will be operating below capacity in 2022.

The location of this site within the a strategic growth area, the Formartine Area where development is being promoted and being located within the Energetica corridor mean this site fits extremely well within the overall planning strategy being promoted. It is respectfully requested that the sites at Auchterellon are included in the 2021 LDP.

ABERDEENSHIRE COUNCIL

FORMARTINE AREA COMMITTEE

THE KIRK CENTRE, STATION ROAD, ELLON, 10 SEPTEMBER 2019

Present: Councillors I Davidson (Chair), A Duncan, A Forsyth, J Gifford, A Hassan, P Johnston, A Kloppert, G Owen, A Stirling, I Taylor, and R Thomson.

Apologies: Councillor K Adam.

Officers: A Roe (Acting Area Manager, Formartine), R O'Hare (Principal Solicitor, Legal & Governance), M Stewart (Planning Services Manager, Infrastructure Services) P Blaxter (Team Leader, Infrastructure Services) L Crossan (Policy Planner, Infrastructure Services) L Dingwall (Planner, Infrastructure Services) and J McRobbie (Committee Officer, Legal and Governance).

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct.

Councillor Johnston declared interests in (a) Policy Issues on waste, by virtue of being a Director of Community Resource Network Scotland and (b) Pitmedden settlement, (Issue 81,) as a previous member of the Udney Community Trust, and indicated that, having applied the objective test, he had concluded that the interests were remote and insignificant and therefore he would remain and take part in the discussions.

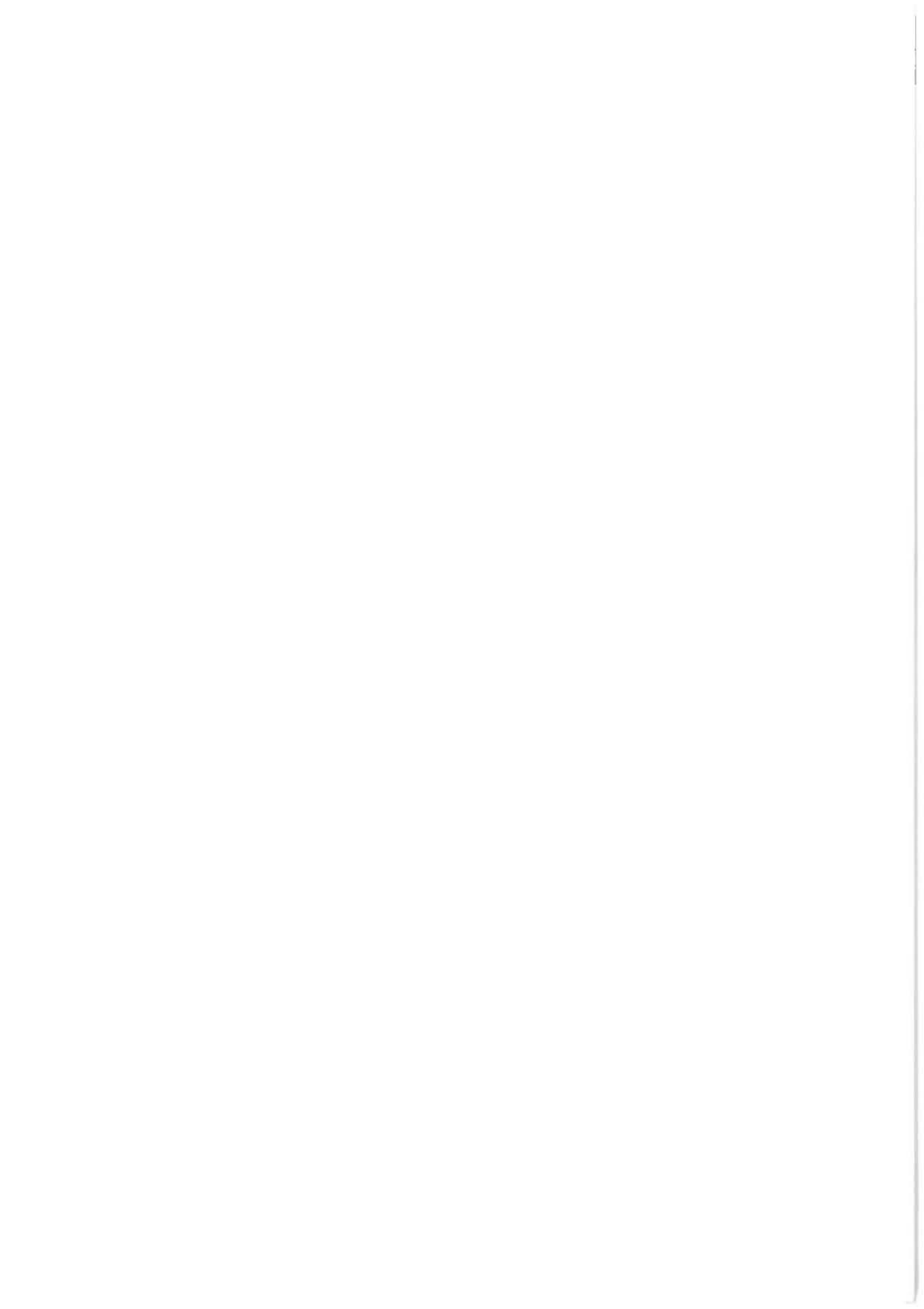
2. RESOLUTION ON EQUALITIES

In making decisions on the following items of business, the Committee **agreed**, in terms of Section 149 of the Equality Act, 2010:-

1. to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it; and
2. where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching its decision.

3. ABERDEENSHIRE DEVELOPMENT PLAN 2021 – ANALYSIS OF RESPONSES TO THE MAIN ISSUES REPORT 2019

There had been circulated a report dated 6 August, 2019 by the Director of Infrastructure Services, (a) providing an analysis of the responses to the 2019 Main



Issue 69: Cuminestown

The Committee **agreed** to approve the officer recommendations as follows: -

- (1) the removal of existing OP1 site for 50 houses as it remains constrained;
- (2) the combination of sites FR038 and FR039 into a single site to increase flexibility and coordination of delivery to account for the characteristics of the site for a development of 60 homes; and
- (3) that a flood risk assessment be sought and the ecological focus for site FR038 and FR039 established.

Issue 70: Daviot

The Committee **agreed** to approve the officer recommendation that the Vision for the settlement is promoted to reflect community aspiration.

Issue 71: Ellon

Having heard from Mrs. L Tierney, of Lippe Architects in regard to sites FR063/FR064, and of her challenge to the judgements of the Auchterellon site, in the context that the location of a cemetery at the edge of a settlement could be mitigated by strategic landscaping, and that the Cromleybank (FR090) site, on the right side of the bypass for connectivity and site servicing, could be developed in a way to complement the growth of the town, with the landowner working with the Council in respect of potential education provision. Mrs Tierney concluded that these sites fitted well with the overall planning strategy and asked for these to be included in the Local Development Plan consideration.

The Committee heard from officers in response to the comments made by Mrs Tierney their judgement that the sites were remote and uphill from the town centre; that their development would impact on the cemetery during the construction period; and that it should not be necessary to approve a land-use which required screening, and there was discussion of the merits of the sites in the overall context of the settlement of Ellon.

The Committee **agreed:-**

- (1) that the Vision be modified to include the community's concern about a lack of choice for places for social contact in the town centre, and desire for the development of public transport modes for commuting to Aberdeen;
- (2) the amendment of the 'Flood Risk' section to take site BUS2 into account;
- (3) the retention of the existing site R1 for a cemetery on the A948 at Yonderton;
- (4) the inclusion of the new Reserved Land designation for a potential link road to the west of Ellon from the B9005;
- (5) the amendment of the allocation summary for site OP1, (bid site FR090), to read: "Sustainable communities are to be encouraged, and key to this will be active travel. Permeability within the development for active travel is required, and connectivity to the rest of the Ellon green network is expected in this development with opportunities existing to link into the path network along the river.";
- (6) the addition to the allocation summary for existing site OP3, (bid site FR011) of the following text: "The buffer strip needs to allow sufficient space for restoration of the burn. Enhancement of the watercourse through re-naturalisation and removal of redundant feature should be investigated.";

- (7) the amendment of the allocation summary for CC1 (bid site FR032) to include: "A Flood Risk Assessment will be required", and "Buffer strips will be required adjacent to the watercourses which should be integrated positively into the development. The buffer strips will need to allow sufficient space for the River Ythan to follow its natural course. Enhancement through re-naturalisation and removal of any redundant features should be investigated.";
- (8) that bid site FR092 should not be allocated;
- (9) that the Ellon settlement map be amended to show an indicative route for the southern bypass for the town from the B9005 to the A920 at Wineburn;
- (10) that the word "preferably" be removed from the reference, on page 399, to the provision of an additional east-west road link; and
- (11) that sites FR063 and FR064 be included in the settlement statement for Ellon.

Issue 72: Fintry

The Committee **agreed** to approve the officer recommendation for the removal of Fintry from the Local Development Plan.

Issue 73: Fisherford

The Committee **agreed** to approve the officer recommendation for the removal of Fisherford from the Local Development Plan.

Issue 74: Foveran

The Committee **agreed** to approve the officer recommendations as follows:-

- (1) that the Vision be amended to include the community's desire to see no more houses built in the village until a replacement school has been built;
- (2) the addition of the following text to the allocation summary for existing site OP1: "A buffer strip will be required adjacent to the watercourse which should be integrated positively into the development. Enhancement of these through renaturalisation and removal of any redundant features should be investigated." at the end of the statement for site OP1 South of Westfield Farm;
- (3) the addition of the following text to the allocation summary for existing site OP2: "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";
- (4) the reallocation of existing site OP3, (bid site FR065) for 36 homes; and
- (5) the allocation of bid site FR066 for 20 homes.

Issue 75: Fyvie

The Committee **agreed** to approve the officer recommendations as follows:-

- (1) the removal of the reference to the Post Office in the Settlement description;
- (2) the allocation of bid site FR125 for 30 homes as a new allocation OP1;
- (3) the identification of the small triangular field on the south west corner of the site, north of the B9005 and adjacent to bid site FR125 within the settlement allocation. This land should be "Reserved" once development has been completed; and

REPORT TO INFRASTRUCTURE SERVICES COMMITTEE – 3 OCTOBER 2019

ABERDEENSHIRE PROPOSED LOCAL DEVELOPMENT PLAN 2021 - CONSIDERATION OF MAIN ISSUES REPORT SUBMISSIONS

1 Reason for Report / Summary

- 1.1 To resolve outstanding inconsistencies arising from the consideration by Area Committees of the Main Issues Report Issues and Actions Papers.

2 Recommendations

The Committee is recommended to:

- 2.1 Consider the views of Area Committees on the content and substance of the policies, settlements and proposals following evaluation of the 'Issues and Actions' of the Main Issues Report, for inclusion in the Proposed Local Development Plan; and
- 2.2 Recommend to Aberdeenshire Council the outcomes of the Area Committee Meetings held between 20 August and 17 September 2019, having discussed and resolved the inconsistencies identified by Officers.

3 Purpose and Decision Making Route

- 3.1 The preparation of a Local Development Plan is a statutory process with authority delegated to Aberdeenshire Council to submit a "Proposed Local Development Plan" to Scottish Ministers for examination. This represents the settled view of the Council as to the form and content of the Local Development Plan 2021.
- 3.2 Discussion has taken place with Area Committees on the development and analysis of the Main Issues Report (MIR). The MIR is a statutory precursor to a Proposed Local Development Plan. This has included informing the issues, informally evaluating the bids and discussing the content of the MIR during 2018 cumulating in the overall consideration and approval to publish by Infrastructure Services Committee on 29 November 2018. Publication of the MIR was on 14 January 2019. Accompanying the Report was the [Interim Environmental Report for the Strategic Environmental Assessment](#), a [Habitats Regulations Appraisal Record](#), and a [Strategic Flood Risk Appraisal](#). These documents were subject to a full and comprehensive public consultation.
- 3.3 Area Committees met between August and September 2019 to consider "Issues and Action" evaluations of the 1085 responses received. Officers have assessed where inconsistencies with national policy, conflicts between the views of Area Committees, or the legality of actions. The purpose of this Report is to resolve these issues to inform the final content of the Proposed Local

		subject to appropriate access arrangement. Peterhead Community Campus and Peterhead Care Village must be given consideration with a view to ensuring these have been sufficiently accommodated within the duration of the Plan.	Agreed
055 Rora	✓		
056 St Combs	~	Note that bid site BU037 is partly owned by Aberdeenshire Council.	Noted
057 St Fergus	✓		
058 St Fergus Gas Terminal	✓		
059 Strichen	~	Bid site BU009 for 49 homes to be included in the Plan, subject to satisfactory access arrangements.	Agreed
060 Stuartfield	~	The number of homes on bid site BU008 shall not increase due to pressure being put on the Education Service.	Agreed
061 Buchan Landward	~	Amend map to include reference to the runway extension.	Agreed

c. Formartine

Settlement			Officer response
62 Balmedie	~	Amend maps to reflect the current road layouts.	Agreed
63 Barthol Chapel	✓		
64 Belhelvie	✓		
65 Berefold	✓		
66 Blackdog	✓		
67 Collieston	✓		
68 Cultercullen	~	Amend maps to clarify that the designated open space was protected within the settlement boundaries.	Agreed
69 Cuminestown	✓		
70 Daviot	✓		
71 Ellon	~	Include sites FR063 and FR064 in the settlement statement for Ellon.	Agreed
72 Fintry	✓		
73 Fisherford	✓		
74 Foveran	✓		
75 Fyvie	✓		
76 Garmond	✓		
77 Kirton of Auchterless	✓		
78 Methlick	~	Allocate bid site FR040 for 12 houses.	Agreed



FURTER ERRATA

Following a recent meeting with our colleagues in Transportation they have identified to us that the two sites FR063 and FR064 (equivalent to land that could accommodate 226 homes) should not be included in the Local Development Plan due to likely impacts on congestion arising on the A90(T) junctions with the B9005 and the A948. Transportation are content that Cromleybank can be developed due to its geography with the A90(T) / B9005 Roundabout, but that asking 226 homes to pass through both roundabouts (or cross the Bridge Street / Market Street / South Road Roundabout) would be entirely unadvisable without significant contributions to trunk road enhancements in this area. The applicant has neither the land nor the value in his site to make a meaningful contribution to these works and regrettably these sites have to be removed.

Issue 71 Ellon

Bid Sites FR063 and FR064

2. Issues

One respondent has supported bids FR063 and FR064 as they feel that these sites can deliver the planning strategy for the Aberdeen to Peterhead SGA and Energetica Corridor, and can plug any housing deficiencies for addressing a low completion rate for houses noted in the Aberdeenshire Council's Monitoring Statement (2017-2018). The exclusion of this site is unjustified and there are anomalies and inconsistencies with assessments made in comparison with site FR092. The respondent considers site FR063 would fit within the landscape setting and the proposed landscaping would not have a detrimental impact on the setting of Ellon. Landscaping will lessen their visual impact and provide a setting for the proposed cemetery (242).

Another respondent is of the opinion that site FR063 is an opportunity to improve the golf course to attract more visitors to the town (586).

Another respondent has mixed views on these sites due to their remoteness from Ellon. However, with suitable foot/cycle infrastructure, particularly along the A948 and onto the Buchan-Formartine Way, the development could be seen as being part of Ellon. It should also be taken into consideration that Auchterellon and Meiklemill both have single road access from the housing estates into the town centre. However, the Cromleybank site remains the preferred site for development before other larger housing developments are progressed (905).

The respondent does not consider that co-location to the proposed cemetery is not desirable, as stated in the Main Issues Report. Although cemeteries tend to be located on the outskirts of towns, they are often overtaken by development and soon become within town boundaries e.g. Castle Road Cemetery (905).

3. Actions

It is maintained that these sites are undesirable. It is considered that these sites are not appropriate as an extension of Ellon at this time. These sites would breach the brow of the hill, resulting in a prominent, exposed site that breaches Ellon's natural landscape capacity.

The respondent is of the opinion that the proposed cemetery to the north would improve the landscape setting of this area, allowing for appropriate infill development to occur. The position is retained that it is appropriate to locate a cemetery away from houses due to the sensitive nature of the land use. Commonly active cemeteries are located out with settlements to avoid the potential for construction works to disturb mourners (or mourners to disturb adjacent dwellers). The development of houses would be more intrusive on the wider landscape than any structure associated with a cemetery. As such the siting of a cemetery outwith the settlement boundary for Ellon does not justify infill development that is likely to have a detrimental impact on the setting of Ellon. No action is required.

5. Committee Decisions

1. Formartine Area Committee agreed the above recommendations at their special meeting on 10 September 2019, with the additional recommendation that sites FR063 and FR064 be included in the settlement statement for Ellon.

FAC Minute – notes on the request to speak and the discussion regarding FR063 and FR064

Having heard from Mrs. L Tierney, of Lippe Architects in regard to sites FR063/ FR064, and of her challenge to the judgements of the Auchterellon site, in the context that the location of a cemetery at the edge of a settlement could be mitigated by strategic landscaping, and that the Cromleybank (FR090) site, on the right side of the bypass for connectivity and site servicing, could be developed in a way to complement the growth of the town, with the landowner working with the Council in respect of potential education provision. Mrs Tierney concluded that these sites fitted well with the overall planning strategy and asked for these to be included in the Local Development Plan consideration.

The Committee heard from officers in response to the comments made by Mrs Tierney their judgement that the sites were remote and uphill from the town centre; that their development would impact on the cemetery during the construction period; and that it should not be necessary to approve a land-use which required screening, and there was discussion of the merits of the sites in the overall context of the settlement of Ellon.

5589

ISC Request to speak text

Thank you Chair, Members, for the opportunity to speak.

We made a presentation to the Formartine Area Committee on 10/09/2019 to seek these sites be included for around 150 houses. The reason we gave related to the sites being well related to the settlement, not being prominent in the landscape and importantly allowing a modestly sized alternative site for housing to Cromleybank.

We undertook consultation with the Community Council who do not object to the inclusion of the site and have engaged with the Council with regard to the development of the land to the north of these sites for a proposed new cemetery to ensure neither prejudiced the other. There are no other objections to the sites.

You will have heard the word deliverability many times in this process and with a developer on board we were able to demonstrate there are no constraints to the delivery of these sites.

Therefore there are clearly issues with the very late comments from Transportation today that significant contributions to trunk road enhancements in this area are required. We have not seen any evidence such as a Transport Assessment as to why this is the case and have not been offered the opportunity to respond.

In the LDP process, the bids which are submitted are presumably assessed by roads officers before the publication of the Main Issues Report. While these sites were not recommended for inclusion by the Planning Service in the MIR for other reasons which were set aside by FAC, at no stage have we been made aware of any roads concerns about these sites. Indeed if road capacity was such an issue then why in the MIR was a site in Cassiegills on the north side of Ellon by-pass recommended for inclusion.

The site at Cassiegills was removed by FAC. The sites at Auchterellon were unanimously agreed to be included by the four local Ward Members and indeed the whole Committee. While everyone remains confident that Cromleybank will be delivered in the next plan it has taken 7 years to get to

this point and Members sought to provide an alternative, modest scale and desirable development in allocating the sites at Auchterellon.

The comment in the errata that the applicant has neither the land nor the value in his site to make a meaningful contribution to these works seems an entirely inappropriate comment to make. Landowners and developers are well aware that contributions are likely to be required for infrastructure and that is no different for this site.

These sites are located in the Strategic Growth Area, Energetica corridor and fit extremely well with the overall planning strategy being promoted. The site is located on the town side of the bypass, immediately next to the settlement, with excellent linkage to the A90 and public transport and benefitting from good pedestrian and cycle connectivity with the Formartine and Buchan Way located to the immediate west of the sites. So it is not all about car travel which in any case can be addressed, we simply need to the opportunity to do that.

With the support of the four Local Members and the unanimous support of the Formartine Area Committee and with no objection in the main papers before you today from the Planning Service in response, I would urge you to continue to include sites FR063 + FR064 at Auchterellon Farm.

ABERDEENSHIRE COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE

WOODHILL HOUSE, ABERDEEN, 3 OCTOBER, 2019

Present: Councillors P Argyle (Chair), J Cox (Vice Chair), W Agnew, G Carr, J Gifford (substituting for I Taylor), J Ingram, P Johnston, J Latham, I Mollison, C Pike, G Reid, S Smith, B Topping (substituting for D Aitchison) and R Withey.

Apologies: Councillors D Aitchison and I Taylor.

Officers: Director of Infrastructure Services, Head of Service (Transportation), Head of Service (Economic Development and Protective Services), Team Manager (Planning and Environment, Chris Ormiston), Team Leader (Planning and Environment, Piers Blaxter), Senior Policy Planner (Ailsa Anderson), Internal Waste Reduction Officer (Economic Development), Corporate Finance Manager (S Donald), Principal Solicitor, Legal and Governance (R O'Hare), Principal Committee Services Officer and Committee Officer (F Brown).

OPENING REMARKS BY THE CHAIR

The Chair opened the meeting by saying a few words about the weather and recent flooding across the north of Aberdeenshire, which had seen seven bridges closed, with some being destroyed and others extensively damaged. There was also damage to properties, with gardens and driveways being washed away and the Scottish Fire and Rescue being called out to assist with the pumping of water out from homes. Banff, Macduff, Whitehills, St Combs and Crovie were particularly badly hit, along with the King Edward area. The Chair commended the resilience of the local community, with neighbours looking out for one another and businesses starting the clean-up with repairs underway.

The closure of seven bridges around King Edward had been particularly challenging and demonstrated the vulnerability of ageing infrastructure which was simply no longer fit for conditions, whether that was the volume and weight of traffic or extreme weather conditions.

Aberdeenshire Council were working alongside farmers and local businesses to ensure short term work arounds were being put in place to reduce the disruption to businesses, in recognition of their role as local employers which were the lifeblood of the community.

Longer term, requirements were being assessed to ensure that new bridges would cope with modern day demands, and to be fit to last for the next 100 years.

The Chair, on behalf of the Committee, thanked all of the teams who had been working tirelessly since the weekend to keep people safe, restore access to homes, and to begin the process of rebuilding bridges and repairing roads and their efforts were hugely appreciated.

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct and the following interests were intimated: –

- (i) Item 10 - Councillors Argyle, Cox, Mollison and Pike as substantive and substitute members of NESTRANS for which a specific exclusion applied and they remained in the meeting;

	at Glen O'Dee and then submit a report back to Full Council which should include any potential impact on ancient woodland.
Addendum	<p>Bid Site KN063 – Land at Mains of Luther Farm, Luthermir</p> <p>The Committee agreed to support the Officer's recommendation that site KN063 should not be included in the in the Proposed Local Development Plan.</p>
Errata- Issue 71 Ellon	<p>Issue 71 Ellon – Bid sites FR063 and FR064</p> <p>The Committee heard from Mrs L Tierney of Lippe Architects who spoke in support of the bid sites and expressed concern with regard to the late notification from Officers of the recommendation to remove both sites from the Proposed Local Development Plan which she advised the applicant had not had an opportunity to respond to. She advised that inclusion of the sites had been supported by the Formartine Area Committee and Local Members and there had been no objections from the Planning Service. In conclusion, she urged the Committee to support the inclusion of the sites in the Proposed Local Development Plan.</p> <p>Following discussion, the Committee agreed to support the Officer's recommendation not to include bid sites FR063 and FR064 at Ellon in the Proposed Local Development Plan due to the likely impacts on congestion arising on the A90(T) junctions with the B9005 and the A948.</p>

Thereafter, the Committee **agreed**:

- (1) that they had fully considered the views of Area Committees on the content and substance of the policies, settlements and proposals following evaluation of the 'Issues and Actions' of the Main Issues Report, for inclusion in the Proposed Local Development Plan; and
- (2) to recommend to Aberdeenshire Council the outcomes of the Area Committee Meetings held between 20 August and 17 September 2019, having discussed and resolved the inconsistencies identified by Officers, Items 1 to 18 and the Addendum and Errata, Issue 71.

8. ROADS POLICY REVIEW UPDATE

There had been circulated a report, dated 18 September 2019, by the Director of Infrastructure Service, which invited the Committee to note the forthcoming review of three key roads related policies; Speed Limit Assessment Policy, Pedestrian Crossing Assessment Policy and Street Trading and Occupation of Road Policy.

The report explained that each of the policies would be taken to Area Committees in the last quarter of 2019 for consideration and following on from other policy development work, they would be put to key stakeholders with an intention for a report back to the Infrastructure Services Committee in early 2020.

Thereafter, the Committee **agreed**:

- (1) To acknowledge the important role that the framework of policies plays in delivering the overall strategic approach to transport at a local, regional and national level; and

Our ref [REDACTED]
Your ref

16 October 2019

FAO – [REDACTED]
Land Manager

CHAP group
[REDACTED]

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

[REDACTED]
www.aberdeenshire.gov.uk

Dear [REDACTED]

**Aberdeenshire LDP 20121 – Auchterellon Farm (Bid Sites FR063 &FR064)
Infrastructure Service Committee Meeting 3 October 2019**

I refer to your letter of 4 October 2019 and your subsequent e mail of 14 October 2019 with regards the above.

I note your concerns and your views on the process that has resulted in the sites in question now being recommended to be removed from the proposed Local Development Plan, following the decision of Formartine Committee to add them in. It is acknowledged that information relating to the Transportation concerns and the respective bid sites came late in the process. The information came as part of the preparation of the Development Planning and Management Transport Appraisal Guidance (DPMTAG) Traffic Assessment and the joint work currently on going between the Council and Transport Scotland. As you are aware the Golf View sites were initially 'not preferred' in the MIR and as such the network issues were only raised since the Area Committee recommended that the sites be included. As such it was appropriate that the inclusion of the sites had to be factored in to the DPMTAG preparation. It should also be noted that in discussions with Transport Scotland regarding the ongoing DPMTAG work, the issues at Ellon described above were specifically raised by them as a concern. The professional opinion of Transportation officers, with which the Planning Service was in full agreement, was that it would have been remiss of the Council not to bring the transportation concerns to members of the Infrastructure Services Committee (ISC).

In carrying out their role as a policy committee the ISC members were given professional advice by officers. It would have been within their gift to request further information or take an alternative view if they had considered it difficult or inappropriate to assess the proposed bids and come to a view. The bid process is not one of constant negotiation and circumstances can change as and when the sites are presented to members. In this case the decision of members of the area committee to put the sites into the plan highlighted transport issues that required to be considered.



i cannot agree that the information from the Transportation team was based on unsubstantiated information. The DPMTAG is in draft form as it progresses towards the final version in liaison with Transport Scotland. The draft form contains what is considered at this stage substantive information and along with advice from Transport Scotland the Council had to make members aware of the situation at a time when bid sites were going through due process prior to Full Council reporting.

The DPMTAG too, is going through due process and, as has always been intended, will be available along with the Proposed Local Development Plan when it is reported to Full Council on 21 November 2019. 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 wishing to defend their sites. The advice given to [REDACTED] by [REDACTED] was correct as a statement of fact and based as it was purely on the current set of circumstances as he was not in a position to make information available.

Given the timing of the Transportation response, as has been indicated to you and [REDACTED], the decision has been taken to report back to the Formartine area committee on 29 October 2019, giving the elected members the chance to consider the material change in the circumstances of the bid sites 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 the document 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. You will, as I am sure you are aware, have the opportunity to address members on this issue. I also note your request to address Full Council and I will pass that to the Committee Officer.

The Formartine Members will consider the two Ellon bid sites again on 29 October 2019, with the relevant information, giving them the opportunity to take a view which will be presented to Full Council. This decision was taken to allow fair opportunity for the members as a committee to take a view and for you to address members if they so wish to accept your request to do so. This has been decided as an appropriate way of addressing a certain set of circumstances that has occurred through what is substantiated information received from the DPMTAG currently in a draft form along with comments from Transport Scotland. Both the Planning Service, Transportation and the Council's Legal Service consider the actions taken to be appropriate.

I would respectfully suggest that in providing the above response a meeting is not now necessary as both opportunity for further consideration and advance sight of the Transportation response has been made available.

Yours sincerely

[REDACTED]

[REDACTED]

Director of Infrastructure Services

Enc. - Local Development Plan 2021, Sites at Ellon, Transportation Recommendations



Enclosure

Technical Note prepared by Fairhurst Structural and Civil Engineers

135241 TN01: Land to West & North of Golf View, Ellon: LDP Bid Sites FR063 & FR064

Introduction & Background

This Technical Note has been prepared in response to the removal of the two LDP bid sites FR063 & FR064 from the LDP Main Issues Report (MIR) following discussion and additional comments presented by Council Officers at the Infrastructure Services Committee (ISC) meeting held on 3rd October 2019.

Whilst the two bid sites in Ellon were not initially recommended for allocation in the MIR, both bids were supported by Councillors during the Formartine Area Committee meeting of 10th September 2019 where both sites were subsequently put forward for allocation.

The purpose of the ISC meeting was for Council Officers to present a review of the MIR and the subsequent recommendations of the various Area Committees. However at the ISC meeting, Council Officers provided additional comment advising that both sites should not be allocated due to their possible impacts on the A90(T) junctions with the B9005 and the A948. During the meeting it was divulged that it was Transport Scotland who made the recommendation suggesting that there may be a requirement to dual the bridge over the River Ythan. There was however no reference to the need to dual the A90(T) in the statement provided to Members, but this detail was given verbally by Council Officers.

The statement provided by Council Officers read as follows:

'Following a recent meeting with our colleagues in Transportation they have identified to us that the two sites FR063 and FR064 (equivalent to land that could accommodate 226 homes) should not be included in the Local Development Plan due to likely impacts on congestion arising on the A90(T) junctions with the B9005 and the A948. Transportation are content that Cromleybank can be developed due to its geography with the A90(T) / B9005 Roundabout, but that asking 226 homes to pass through both roundabouts (or cross the Bridge Street / Market Street / South Road Roundabout) would be entirely inadvisable without significant contributions to trunk road enhancements in this area. The applicant has neither the land nor the value in his site to make a meaningful contribution to these works and regrettably these sites have to be removed.'

As this new information was only presented at the ISC meeting there was no opportunity to make any comment against the recommendation. It should also be noted that there is some discrepancy between the number of homes in the LDP bids (144no. homes) and what is suggested by the statement (226no. homes). We can only surmise that Council Officers have based their unit numbers on minimum density targets rather than taking any cognisance of what has actually been proposed.

Transportation Service Advice

On 11th October, the Council's Transportation Service provided a Memo to the Planning Service which sets out the Transportation recommendations for sites at Ellon. A copy of the Memo is enclosed.

The Memo provides an extract from an early draft of the Development Planning and Management Transport Appraisal Guidance (DPMTAG) report regarding sites at Ellon. It is suggested that as a result of the completion of the AWPR/B-T there has been an unanticipated effect of displacing congestion along the A90 between Balmedie and Tippetry to the two roundabouts that provide access into the south and north of Ellon, with further impact on local movements within the town itself.

Reference is then made to Google Live Traffic flow information which is alleged to show the extent of traffic flow issues in the area during the PM peak. It is then stated that further quantification will be added when available based on actual journey time and queue surveys, ASAM data collection and via further studies that the Council are undertaking in supporting strategic transport appraisal work on the A90 corridor which is assessing options to improve trunk road infrastructure in the Ellon area. The strategic transport appraisal work is then confirmed to include the consideration of options to upgrade the two roundabouts at Ellon with additional capacity and that improvements would be designed to tie in with the provision of any future dualling of the A90(T) Ellon bypass.

Drawing assumptions from a snapshot of Google Live Traffic flow information is not an appropriate way to determine whether potential LDP sites should be allocated or not. There is clear reference to the fact that further quantification is required, which would consider actual survey data collected and further detailed transport appraisal studies. The Transportation Service's assumptions are therefore considered to be unfounded and premature and there is clearly a need for further assessment to establish the impacts of development and the level of mitigation that would be required.

The Transportation Memo further suggests that the DPMTAG report concludes that based on its current remit, the Cromleybank site is the most appropriate site to allocate housing land in Ellon. It is noteworthy however that this comment does not state that other sites should not be allocated, and instead it is considered that the outcomes of the DPMTAG report suggests that improvements to the capacity of the two roundabouts may be sufficient with their design ensuring that they could tie in with the provision of any future dualling of the A90(T) bypass, if it is determined that dualling would be required. Whether or not this is required cannot be ascertained from the current draft DPMTAG report.

The Transportation service's assessment of the outcomes of the early draft of the DPMTAG report is that northbound congestion is as a result of the dual carriageway to single carriageway change occurring at the south roundabout and this would not be mitigated by improvements at either the north or south roundabouts, but would require the section of single carriageway between the two roundabouts to be dualled.

An assessment of link capacity based on the criteria set within the Design Manual for Roads and Bridges (DMRB) would establish whether the single carriageway section of the A90(T) between the two Ellon Roundabouts would require to be dualled. This has not been undertaken and therefore it is not considered appropriate for Council Officers to conclude that the section of the A90(T) between the two Ellon Roundabouts requires to be dualled.

Transport Scotland Advice

It is also considered that this is not the stated position of Transport Scotland, or indeed the advice that Transport Scotland has provided to the Council. Correspondence received from Transport Scotland on 22nd October 2019 (enclosed) confirms that the draft DPMTAG report was primarily sent to them to comment on the structure, rather than content as the Council's work is on-going. This again suggests that the Council's stated position is premature and that it was somewhat misleading to comment to Members at the ISC meeting that it was Transport Scotland who made the recommendations to remove the sites.

The actual comments provided by Transport Scotland to the Council were that:

'further information should be provided on any relevant previous and current modelling within the Report. In relation to current/ongoing modelling relating to Ellon and any other areas, this should include what type of model is being used, the assumptions being made, data collected and included, and the output results so this can fully influence decision making on any potential local or wider cumulative impacts.'

.....a great deal of information is yet to be included within the Report to enable Transport Scotland to comment fully. This information as discussed previously, should include a narrative on previously identified schemes and their current position, specifically for Peterhead, Ellon, Inverurie, Kintore and Toll of Birness. The information should focus on detailing any potential impact to the network and outlining if any improvements are required and how they are to be delivered. This is to ensure the Proposed Plan spatial strategy can be delivered as per the requirements of SPP. This requirement has been discussed previously with the Council, including over the phone on the 15th.'

Transport Scotland further commented that whilst they have raised concerns relating to Ellon and welcomes the further modelling work the Council is undertaking, the comments they have provided were not in relation to any specific sites being allocated, or not allocated. In recent discussions regarding the Aberdeenshire LDP they have not commented on Ythan bridge infrastructure. Transport Scotland also emphasise that the Proposed Plan should be influenced by the appraisal outputs and ensure that sites and any associated infrastructure improvements are deliverable.

Overview of Advice Provided

It is therefore considered that the reasons given to Members by Council Officers are not the stated position of Transport Scotland and instead are based on assumptions drawn from incomplete assessments that don't yet take into full consideration the changes on the road network as a result of the AWPR/B-T or the outcomes of the on-going updates to strategic modelling which is being undertaken to identify the specific impacts and required mitigation to accommodate the wider cumulative impacts of traffic.

The suggestion by the Transportation Service is that development north of the southern roundabout at Ellon will require dualling of the A90(T) between the two Ellon Roundabouts. It is however the case that the traffic generated by the two LDP bid sites referred to in Ellon

will only generate a very small proportion of future LDP traffic on the A90(T). Far greater volumes of traffic will be generated by LDP allocations in areas such as Peterhead and Fraserburgh which will generate traffic to / from Aberdeen via the A90(T).

Is it therefore the suggestion that there can be no LDP allocations in areas such as Fraserburgh and Peterhead, or indeed that they must provide contributions to any future improvements identified through the wider strategic modelling that is being undertaken? Based on the correspondence received by Transport Scotland, this would appear to be what they would be expecting and therefore all LDP developments that generate traffic on sections of the A90(T) that are identified as requiring mitigation should be contributing proportionally based on each site's individual impact.

This in itself is considered a very good reason to include additional sites in Ellon which would therefore be able to contribute proportionally to any mitigation that is identified as being required following the conclusion of the Council's ongoing strategic modelling studies which are assessing the wider cumulative impacts.

Traffic Generated by the two LDP bid sites FR063 & FR064

The Transportation Memo states that Census data shows that 41% of Ellon residents work in Aberdeen and therefore 41% of the traffic generated during the AM and PM peak hours by the two LDP bid sites to the north of Ellon would route via the A90(T) and the two Ellon Roundabouts. The two bid sites propose a total of 144 houses over two phases; Phase 1 = 81 houses and Phase 2 = 63 houses. The traffic generated by the combined 144 houses during the AM and PM peak hours is summarised below:

144 Residential Units	Weekday AM Peak (08:00 – 09:00)		Weekday PM Peak (17:00 – 18:00)	
	In	Out	In	Out
Mode of Travel Driving a car or van (includes taxi)	15	63	56	29

During the AM peak hour 63 vehicles would be expected to leave the site of which 26 (41%) would travel to Aberdeen via the A90(T) and the two Ellon Roundabouts. During the PM peak hour 56 vehicles would be expected to arrive at the site of which 23 (41%) would travel from Aberdeen via the A90(T) and the two Ellon Roundabouts. This is equivalent to less than 1 additional vehicle every 2-minutes, which is not considered to be significant and would represent around a 2% increase in traffic on the A90(T) on the single carriageway section between the two roundabouts based on previous strategic ASAM modelling traffic flow data.

Conclusion

The statement provided by Council Officers at the ISC meeting stated that *'the applicant has neither the land nor the value in his site to make a meaningful contribution to these works and regrettably these sites have to be removed.'* This suggests that the 'works' required have already been identified, which is clearly not the case as the strategic modelling assessment to determine what would be required is still to be completed. Furthermore it suggests that there is not the value in the site to make a meaningful contribution and

therefore the sites should be removed. However a meaningful contribution would be a proportional contribution based on the traffic generated by the site, which is considered to be entirely feasible as it would be for any site that is identified as having an impact.

The allocation of sites in the LDP does not guarantee that they will be delivered. There is always the need for every site to receive planning permission. The process of obtaining planning permission would require the preparation of a detailed Transport Assessment which would fully assess the traffic impacts of the development on both the local and strategic road network. The Transport Assessment would also identify the traffic generation and the required level of contribution towards any mitigation identified through the Council's wider strategic modelling. This strategic modelling will likely be completed within the next 12 months, which by then any mitigation required on the A90(T) or at the two Ellon Roundabouts will be known. The sites are proposed for release as part of the 2021 LDP and therefore could not be brought forward until the 2021 LDP is in place.

It is therefore considered that the two LDP bid sites FR063 & FR064 do not have to be removed and can be supported for allocation on the basis that proportional contributions towards any future schemes of mitigation are provided, with this being established via a Transport Assessment in support of any future planning application.


Principal Engineer – Transportation
24/10/2019

Enclosures

Transportation Memo of 11th October 2019

Transport Scotland Email of 22nd October 2019

MEMORANDUM

To: [REDACTED] Planning Manager, Planning and Environment Date: 11th October 2019

From: [REDACTED] Principal Engineer, Roads Development Our Ref: [REDACTED]

Ext No: [REDACTED] Your Ref:

Dear [REDACTED]

**Local Development Plan 2021, Sites at Ellon
Transportation Recommendations**

The following extract is from an early draft of the DPMTAG report regarding the sites at Ellon:

Completion of the AWPR/B-T has had an unanticipated effect of displacing congestion along the A90 between Balmedie and Tippetry to the two roundabouts that provide access into the south and north of Ellon. This is also having an impact on local movements within the town itself. Google Live Traffic flow information (see Figure 5.6) shows the extent of traffic flow issues in the area in the PM peak. Further quantification to be added when available i.e. JT and queue surveys, ASAM data collection to show exacerbation of issues by B-T improvement In addition, as noted earlier in this report, Aberdeenshire Council is supporting strategic transport appraisal work on the A90 corridor which is assessing options to improve trunk road infrastructure in the Ellon area. This FPASTS study has considered options to upgrade the two roundabouts at Ellon with additional capacity, improvements that would be designed to tie in with the provision of any future dualling of the A90(T) Ellon bypass.

*Considering the above – and following detailed discussions with Aberdeenshire Council – it is concluded within this remit of this DPMTAG that the Cromleybank site is the **most appropriate site** to allocate housing land in Ellon. This is based on the rationale that traffic will access the development from the STN via the B9005/A90(T) roundabout Ellon (i.e. the ‘south’ roundabout) and will thus be less subject to reported and observed traffic flow issues on the A90(T) Ellon bypass between the aforementioned roundabout and the A948/A90(T) ‘north’ roundabout. In addition, it is considered that traffic impacts could be mitigated further with increased uptake of remote and flexible working patterns for those travelling on this point in the network.*

It is the conclusion of this analysis and discussion that any development to the north of the River Ythan (i.e. potentially requiring vehicles to utilise the A90(T) between these interchange points) may exacerbate congestion issues in Ellon. On this basis, Aberdeenshire Council recommended to the Infrastructure Services Committee on 3 October 2019 that the proposed development allocation at

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please contact [REDACTED] on [REDACTED]

Golf View, Ellon should be withdrawn from consideration in the 2021 LDP until such time that there are strategic interventions on the A90.

The following sets out our rationale behind the above recommendation:

The Cromleybank development is located such that traffic to and from the A90 will go through the B9005 south roundabout, turning left in the PM peak away from the northbound congestion that currently exists on the section between the A948 north roundabout and B9005 roundabout, continuing southbound on the A90 from the B9005. Cromleybank traffic on the B9005 (South Road) into Ellon also turns into the site prior to reaching the South Road / Riverside Road signal junction which is another point of capacity restriction. Furthermore, the Cromleybank site is adjacent to the school which further reduces impacts on the signal junction not only through traffic routing but also as it is walkable and cycleable.

Our assessment is that the northbound congestion is a result, as stated above, of the dual carriageway to single carriageway change occurring at the south roundabout and will not be mitigated by improvements at either the north or south roundabout, but will require the section of single carriageway between the two roundabouts to be dualled. This level of intervention is not within the scope of a developer, as it would involve the construction of a new dual carriageway bridge across the Ythan and whilst there has been a Study into Fraserburgh & Peterhead to Aberdeen dualling (FPASTS) there is no committed scheme to deliver this infrastructure at this time. However, there is potential to increase left turning capacity at the south roundabout to and from Ellon to accommodate Cromleybank that can be delivered by the developer.

Similarly, the congestion in the PM peak currently occurring on South Road from the signal junction at Riverside Road cannot be fully mitigated through changes to the signal timings, and any scope to do so can only reduce existing queueing. The junction is land constrained on all sides with no little to no scope to provide additional capacity and even if there were, the network is further constrained beyond the junction by the bridge and the centre of Ellon. The longer term requirement that has been identified for relieving this constraint is the delivery of a new southern distributor road between the A920 (Riverside Road) and South Road (bypassing the signals and removing much of the east-west movement on the A920), which is also part of the infrastructure options package for Cromleybank.

The Golf View sites to the north of Ellon impacts on both of these major network constraints and would not be able to deliver the (only) mitigation options that are available with the Cromleybank site. With regards to other sites within the LDP on the north corridor, sites within Ellon have a greater proportional impact on the trunk road network than sites to the north; Census data shows that 41% of Ellon residents work in Aberdeen compared to just 8% for Fraserburgh, 12% for Peterhead and 19% for Mintlaw.

That is the basis of our professional advice given to the Local Development Plan team in respect of sites in Ellon. Modelling work was carried out for the Cumulative Transport Appraisal, however the traffic data used as the basis for this model is currently being updated in light of the AWPR/B-T coming on line, and which has highlighted this specific issue. There is sufficient physical evidence of queueing on the A90 northbound and on South Road that also gives evidence to our conclusion. We are also in the process of assessing the signal junction on Riverside Road so are aware of the constraints at this junction.

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We understand the frustrations resulting from our recommendations; With regards to the removal of the Golf View sites, these were initially 'not preferred' in the MIR and as such these network issues have only been raised since the Area Committee recommended that the sites be included. It should also be noted that in our discussions with Transport Scotland regarding the ongoing DPMTAG work, the issues at Ellon described above were specifically raised by them as a concern, therefore we cannot ignore the issue.

[REDACTED]

Principal Engineer

**If you have difficulties reading the text on this document,
please contact [REDACTED] on [REDACTED]**

[REDACTED]

From: [REDACTED]
Sent: 22 October 2019 15:19
To: [REDACTED]
Cc: [REDACTED]
Subject: ABS/LDP - Aberdeenshire Local Development Plan - Sites at Ellon, Aberdeenshire - email to [REDACTED] - 22nd October 2019

[REDACTED]

Thanks for this. Throughout the plan preparation Transport Scotland has highlighted a number of locations where we have requested further information to understand the impact of development on the trunk road and what, if any, mitigation measures may be needed to support that, including how these would be delivered. Ellon is one such location.

The below comments relating to Ellon are taken from the recent response we issued last week to the Council on their draft DPMTAG report. The report was very much in draft and was primarily sent to us to comment on the structure, rather than content as the Council's work is on-going. We understand that they are currently updating their Ellon model using post-AWPR data.

'further information should be provided on any relevant previous and current modelling within the Report. In relation to current/ongoing modelling relating to Ellon and any other areas, this should include what type of model is being used, the assumptions being made, data collected and included, and the output results so this can fully influence decision making on any potential local or wider cumulative impacts.

.....a great deal of information is yet to be included within the Report to enable Transport Scotland to comment fully. This information as discussed previously, should include a narrative on previously identified schemes and their current position, specifically for Peterhead, Ellon, Inverurie, Kintore and Toll of Birness. The information should focus on detailing any potential impact to the network and outlining if any improvements are required and how they are to be delivered. This is to ensure the Proposed Plan spatial strategy can be delivered as per the requirements of SPP. This requirement has been discussed previously with the Council, including over the phone on the 15th.'

I would note however that while we have raised concerns relating to Ellon and welcomed the further modelling work the Council is undertaking, the comments we provided were not in relation to any specific sites being allocated, or not allocated. In recent discussions regarding their LDP we have not commented on Ythan bridge infrastructure.

We have emphasised that the Proposed Plan should be influenced by the appraisal outputs and ensure sites and any associated infrastructure improvements are deliverable.

We trust this is helpful.

Regards,
[REDACTED]

From: [REDACTED]
Sent: 22 October 2019 13:29
To: [REDACTED]
Cc: [REDACTED]

Subject: RE: LDP Sites at Ellon, Aberdeenshire

Thanks

This one is all a bit strange! The two sites in Ellon (FR063 and FR064) were not initially recommended for allocation in the Main Issues Report but this was overturned during the Formartine Area Committee during which both sites were put forward for allocation. There was an Infrastructure Services Committee meeting held on 3rd October with the main objective being a review of the MIR and subsequent recommendations of the various Area Committees. However at the ISC meeting [REDACTED] provided the below statement advising that both sites should not be allocated due to their possible impacts on the A90(T) junctions with the B9005 and the A948. During the meeting it was divulged that it is Transport Scotland who made the recommendation suggesting that there may be a requirement to dual the bridge over the River Ythan. There is however no reference to the need to dual the A90(T) in the statement but this detail was given verbally by Council Officers.

FURTHER ERRATA

Following a recent meeting with our colleagues in Transportation they have identified to us that the two sites FR063 and FR064 (equivalent to land that could accommodate 226 homes) should not be included in the Local Development Plan due to likely impacts on congestion arising on the A90(T) junctions with the B9005 and the A948. Transportation are content that Cromleybank can be developed to its geography with the A90(T) / B9005 Roundabout, but that asking 226 homes to pass through both roundabouts (or cross the Bridge Street / Market Street / South Road Roundabout) would be entirely inadvisable without significant contributions to trunk road enhancements in this area. The applicant has neither the land nor the value in his site to make a meaningful contribution to these works and regrettable that these sites have to be removed.

We have also received the attached Memo from Aberdeenshire Council which is referring to comments from an early draft of the DPMTAG report regarding the sites at Ellon. The memo appears to suggest that the comments have come from Transport Scotland and that there should be no development allocation in Ellon north of the River Ythan.

We have been asked to review the comments and give advice to our Client, but to do so it would be helpful to fully understand the concerns / issues. From reading the Memo, the suggestion is that additional traffic on the A90 from north of the River Ythan is an issue, but what does that mean for allocations in places such as Peterhead and Fraserburgh which will still generate traffic on the A90 travelling to / from Ellon and Aberdeen?

My other concern is that the comments all seem to be based on old traffic modelling data and assumptions with only recent observations taken from Google Live Traffic as a basis for the concerns. There is undoubtable a need for assessments to be updated, but I am surprised at the comments from Aberdeenshire Council in that they did not consider that improvements at the two Ellon Roundabouts would have any benefit and that the single carriageway link between the two roundabouts would need to be dualled. That is

a strong statement to make, which appears to be only based on some outdated modelling assumptions. It may be correct, but surely an updated assessment based on current traffic flows and projections is required?

Regards

[Redacted]

[Redacted]
Principal Engineer - Transportation

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From: [Redacted]
Sent: 22 October 2019 12:49
To: [Redacted]
Cc: [Redacted]
Subject: RE: LDP Sites at Ellon, Aberdeenshire

[Redacted]

Apologies, this slipped through the net last week as it was quite a busy one. I have only been in post since the end of August but will speak to colleagues to understand what may have been said before I started. I have not seen the committee report you refer to, do you have a link to it?

Thanks.

Regards,



[Redacted]
Head of Development and Regional Transport Planning
Transport Strategy and Analysis Directorate

Transport Scotland, [Redacted]

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From: [Redacted]
Sent: 22 October 2019 12:37
To: [Redacted]
Subject: RE: LDP Sites at Ellon, Aberdeenshire

[Redacted]

Are you able to advise on my email below? Or if it is not you, can you let me know who I should contact?

Regards

[Redacted]

[Redacted]
Principal Engineer - Transportation

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From: [Redacted]
Sent: 16 October 2019 09:56
To: [Redacted]
Subject: LDP Sites at Ellon, Aberdeenshire

Hi [Redacted]

Fairhurst have been asked to investigate the issues that have been identified through the LDP Main Issues Report consideration for sites at Ellon, Aberdeehsire. It is understood that some sites to the north of Ellon, which had initially been proposed for inclusion, have now been removed from the proposed LDP. The reasons given are essentially due to concerns with the capacity at the two A90 roundabouts at Ellon and the single carriageway that routes between them and over the River Ythan.

There is reference within Aberdeenshire Council's recent LDP Committee Report of comments made by Transport Scotland that have led to the decision to remove the sites. Is it possible for you to provide the comments that you have issued to Aberdeenshire Council for us to review so that we can fully understand the issues / concerns and then advise our Clients accordingly.

Regards

[Redacted]

[Redacted]
Principal Engineer - Transportation

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[Redacted]

REPORT TO FORMARTINE AREA COMMITTEE – 29 OCTOBER 2019

ABERDEENSHIRE PROPOSED LOCAL DEVELOPMENT PLAN 2021 - CONSIDERATION OF MAIN ISSUES REPORT SUBMISSIONS ON BIDS FR063 AND FR064 SITES, ADJACENT TO GOLF VIEW, ELLON

1 Reason for Report / Summary

- 1.1 To advise the Area Committee of the recommendations adopted by Infrastructure Services Committee on two sites in Ellon, on the basis of late information provided by the Transportation Service as part of the Development Planning and Management Transport Appraisal Guidance (DPMTAG) Traffic Assessment.

2 Recommendations

The Committee is recommended to:

- 2.1 **Note the response from Transportation regarding bids FR063 and FR064 which was received following the meeting of Formartine Area Committee on 10 September 2019.**
- 2.2 **Note the decision of Infrastructure Services Committee to agree Officers recommendation to exclude bids FR063 and FR064 adjacent to Golf View from the proposed Local Development Plan 2021, following a late paper that was submitted to that Committee on 3 October 2019.**
- 2.3 **Provide comment to Aberdeenshire Council on whether the Formartine Area Committee are satisfied with the reasoning given for the non-inclusion of these sites.**

3 Purpose and Decision Making Route

- 3.1 The preparation of a Local Development Plan is a statutory process with authority delegated to Aberdeenshire Council to submit a "Proposed Local Development Plan" to Scottish Ministers for Examination. This represents the settled view of the Council as to the form and content of the Local Development Plan 2021.
- 3.2 Discussion has taken place with the Formartine Area Committee on the development and analysis of matters raised in the Main Issues Report (MIR), including the development of the two sites FR063 and FR064. The MIR is a statutory precursor to a Proposed Local Development Plan. Accompanying the Report was the Interim Environmental Report for the Strategic Environmental Assessment, a Habitats Regulations Appraisal Record, and a Strategic Flood Risk Appraisal. These documents were subject to a full and comprehensive public consultation.
- 3.3 Area Committees met between August and September 2019 to consider "Issues and Actions" evaluations of the 1085 responses received. Formartine

Area Committee met on 10 September 2019 to consider sites and policies relevant to the area. Officers subsequently have assessed where there have been inconsistencies with national policy, conflicts between the views of Area Committees, or the legality of actions, and as a result 18 issues were reported to and considered by Infrastructure Service Committee on 3 October 2019. The resolution of these issues is to inform the final content of the Proposed Local Development Plan to be presented to Aberdeenshire Council on 21 November 2019.

- 3.4 Officers did not include as an issue to Infrastructure Services Committee the view of the Formartine Area Committee, held on 10 September 2019, with regards to the inclusion of Bids FR063 and FR064 adjacent to Golf View, Ellon. It was not until a very late response regarding road traffic information was received from the Transportation Service that Officers made a recommendation to exclude the sites. This view was presented to Infrastructure Services Committee and the Committee agreed with Officers that the sites should not be included in the Plan due to impacts on congestion arising on the A90(T) junctions with the B9005 and the A948.

4 Discussion

- 4.1 An extract from the Main Issues Report covering this issue is included as **Appendix 1**.
- 4.2 Transportation have advised that the works that would be required to allow the development of the 9.2ha of land (an equivalent of approximately 230 homes) could not be developed without substantial works to the A90(T) at two locations, including re-modelling of the bridge over the Ythan River. In this context they have argued that the sites are undeliverable without increasing congestion at the two A90(T) roundabouts. The comments of the Transportation Service are attached at **Appendix 2**.
- 4.3 Transport Scotland have not yet developed a roads improvement scheme that will address the tailbacks that currently occur on the A90(T) and the B9005. Evidence suggests that on-going traffic impact assessments are required, prior to the creation of a design to resolve the congestion issues. Where there are already congestion issues, and no design solution proposed, then it is improper to ask a developer for contributions to help in resolving a known problem. This could be construed as 'land banking' a matter not considered acceptable by the Scottish Government.
- 4.4 Even with the housing numbers being suggested through the Main Issues bid, there is no immediate solution to providing access for more than 49 homes in total, across both these sites. The applicant has not provided a viable access solution into the site that would involve the creation of two new vehicular access points without risk of development being stalled by third parties.
- 4.5 Officers remain resolute in their view that the site is not an appropriate extension for Ellon. It is considered that the bid sites would breach the brow of the hill and would result in a prominent and exposed site that compromises

Ellon's natural landscape capacity. Officers continue to disagree that housing is an appropriate neighbour for a cemetery, given the scale of the housing development in comparison to that of the adjacent cemetery. Landscape is a complex, subjective, and often contradictory topic and that "views" will vary depending on who is looking at them and the context in which they are being seen. Were this to be the only reason for not including these two bids into the Local Development Plan then Officers could have potentially reconsidered their recommendation to the Area Committee on 10 September 2019 on the basis that their reasoning was over-sensitive to the context of the sites.

- 4.6 In conclusion, it is considered that these sites are premature to any solution that may be promoted to resolve congestion on the A90(T). In addition, there are still outstanding issues associated with local infrastructure, impact on the proximity to the existing cemetery, and landscape impact. The sites therefore should not be added into the Local Development Plan 2021.

5 Council Priorities, Implications and Risk

- 5.1 This Report helps deliver **Council Priority 1 - Support a strong, sustainable, diverse and successful economy**, through providing opportunities for the safeguarding and development and of land for business, protecting town centres, and promoting special employment use.
- 5.2 This Report helps deliver **Council Priority 6 - Have the right mix of housing across all Aberdeenshire**, by promoting diversity in the house types and tenures in all new developments in Aberdeenshire.
- 5.3 This Report supports **Council Priority 8 - Work to reduce poverty and inequalities within our communities**, through providing obligations on new development to meet affordable housing needs.
- 5.4 This Report supports **Council Priority 11 - Protect our special environment, including tackling climate change by reducing greenhouse gas emissions**, by promoting a sustainable settlement pattern, providing opportunities for renewable energy, providing protection for new development from flood risk.
- 5.5 This Report provides information to support delivery of the Proposed Aberdeen City and Shire Strategic Development Plan 2019.
- 5.6 The table below shows whether risks and implications apply if the recommendations are agreed:

Table 1 Risks and Implications

Subject	Yes	No	N/A
<i>Financial</i>			X
<i>Staffing</i>		X	
<i>Equalities</i>	✓		
<i>Fairer Scotland Duty</i>	✓		

<i>Town Centre First</i>			X
<i>Sustainability</i>	✓		
<i>Children and Young People's Rights and Wellbeing</i>	✓		

Equalities

- 5.7 Equalities represents an important legal obligation in preparing the Proposed Local Development Plan. Our general equalities statement is contained within the Development Plan Scheme 2019, considered by Infrastructure Services Committee on 24 January 2019 and previously in the January 2018 Development Plan Scheme, when the project was started. An Equality Impact Assessment is not required because this Committee is not being asked to make a decision, only to give their view and/or make recommendations to Aberdeenshire Council. This process does not result in a differential impact on any of the protected characteristics of stakeholders.

The Fairer Scotland Duty

- 5.8 The Fairer Scotland Duty places a legal responsibility on Aberdeenshire Council to actively consider ('pay due regard to') how they can reduce inequalities of outcome caused by socioeconomic disadvantage. The Proposed Local Development Plan is useable by all groups but provides no particular mechanism to address general socioeconomic disadvantages, as it relates to the use of the land and not the characteristics of the applicant. Some policies which may apply to these sites such as H2 Affordable Housing provide specific support for users who may have socioeconomic needs. Other policies, such as Policy P2 Open Spaces and Access in new development also make a contribution to all socioeconomic classes, irrespective of disadvantage. Generally, land has no differential socioeconomic characteristic depending on whom may be applying for planning permission for development. Development of land to address individual socioeconomic needs of applicants is not consistent with ensuring that the principle of "the right development in the right place" as required by Scottish Planning Policy is addressed.

Town Centres

- 5.9 There is no positive or negative impacts on the delivery of development in Ellon's Town Centre from these bids.

Sustainability

- 5.10 The Climate Change (Scotland) Act 2009 introduces a legal obligation for public bodies to address climate change through the Public Bodies Climate Change Duties. These duties advise that a public body must, in exercising its functions, act in the way best calculated to contribute to the delivery of emissions reduction targets (known as 'mitigation'), in the way best calculated to help

deliver any statutory climate change adaptation programme, and in a way that it considers is most sustainable. The Scottish Government sees climate change action as a key strategic issue and is mainstreaming it into their strategic and corporate processes.

- 5.11 New or substantial change of policy requires the completion of a Strategic Environmental Assessment (SEA), Equality Impact Assessment (EQIA) and other assessments. These requirements can help to ensure positive climate change actions are integrated at the local level. A Strategic Environmental Assessment is being compiled, as is a Habitats Regulation Appraisal Record, which considers impacts of the Proposed Plan on internationally recognised habitats and species. These documents will be informed by decisions of the Area Committees and Infrastructure Services Committee.
- 5.12 Guidance has been prepared to assist public bodies in complying with the duties placed upon them by Part 4 of the Climate Change (Scotland) Act 2009. A Report is produced by Aberdeenshire Council annually providing evidence on how the organisation is complying with the Act. This work is monitored by the Council's Sustainability Committee. The Scottish Government Climate Change Delivery Plan contains a number of elements that are relevant to the Local Development Plan. These include obligations to deliver a largely decarbonised electricity generation sector by 2030, using renewables complemented by fossil fuels with Carbon Capture and Storage, and largely decarbonising heating for buildings by 2050, through reduced demand, improving energy efficiency, and renewable energy generation, and low-carbon heating.
- 5.13 A comprehensive approach to carbon in rural land use is also anticipated incorporating protection for Scotland's carbon rich soils; minimised emissions from agriculture; use of natural resources to generate renewable energy; and increased sequestration of carbon, for example, through woodland planting.
- 5.14 A wide range of activities are identified within land use planning activities to support adaptation to climate change. These include measures shown in Table 2:

Table 2: Adaptation to Climate Change in the Proposed Local Development Plan specific to bid sites FR063 and FR064

Land use planning to reduce the need to travel	Using natural features in urban environments
Energy use in buildings	Promote environmentally sound building design
Increase use of surplus heat	Promote the use of sustainably sourced materials in construction
Encouragement of the use of Combined Heat and Power	Decrease water usage through water efficiency measures
Support renewable energy generation	Promote cycling and walking as modes of transport to and from work.

Support waste management practices in the area to increase reuse and recycling	
Protect soils	

- 5.15 The Scottish Government have advised that a degree of proportionality should be borne in mind and the focus should be on outcomes, using sound evidence. Implementing the climate change duties seeks to mainstream climate change action across organisations and make it a natural part of decision-making processes, with the aim of keeping associated potential costs as low as possible.
- 5.16 Outcomes from decisions on bid sites FR063 and FR064 will deliver a Proposed Local Development Plan that reduces energy demand and consumption and promotes energy efficiency improvements in new developments across Aberdeenshire. A framework that supports renewable energy generation is promoted to assist in the delivery of security and efficiency of our energy supply. It will not reduce overall energy use, as by its nature the development plan seeks to control growth of development rather than promote improvements to the status quo.
- 5.17 In addition, the Proposed Local Development Plan is intended to support sustainable and low carbon transport networks, improve and increase electric vehicle charging points and reduce reliance on vehicles. A Settlement Strategy is promoted that will reduce the need to travel and promotes travel for health and well-being. At a regional level there are measures to reduce the addition of mileage made in personal vehicles. It will not increase the use of electric and low carbon vehicles, or the services that Aberdeenshire Council's own vehicle fleet provide.
- 5.18 Neither positive nor negative impacts are anticipated on waste production or disposal. The Proposed Local Development Plan will support the Aberdeenshire Council Waste Strategy, and promote kerbside recycling, but will not affect the volume of material likely to go to landfill or is recyclable or compostable. No additional resources are required to manage the waste that is generated. Development is likely to increase demand for both water and waste treatment and the Plan contains measures to assist in conserving water through water efficiency measures.
- 5.19 The Proposed Local Development Plan has actively considered future climate change predictions, particularly in relation to flood risk matters, protection of our most productive soils, and impact on biodiversity. Flooding can have a devastating effect on those affected and a robust policy on avoiding development in areas that flood is promoted, including the significant risks associated with the coast. A suite of policies promote protection of both species and habitats, including those identified through the biodiversity action plan programme as being "at risk".
- 5.20 Finally, the Proposed Local Development Plan seeks to consider general sustainability issues through reducing air pollution and including the release of

gaseous pollutants by vehicles, maximising the future use of mineral resources and soils in the interests of social, environmental, and economic objectives.

- 5.21 Both positive and negative impacts can be identified as outcomes from a Plan that promotes development to meet the needs of a growing population. More houses will result in greater resource use, but significant attempts have been made within the statutory limitations provided by Scottish Planning Policy and The National Planning Framework 3 to achieve sustainable development patterns, conserve natural and built heritage interests and make a significant contribution to the “places” within Aberdeenshire.
- 5.22 Throughout the preparation of the Proposed Local Development Plan every attempt has been made to address the negative sustainability implications of the policies and actions being promoted within the confines of maintaining Aberdeenshire as a competitive place to occupy homes or develop resilient businesses. Undoubtedly much more could have been promoted or greater extremes adopted, but at a pace that would likely to be unacceptable to residents and stakeholders

Wellbeing and Children’s Rights

- 5.23 The Local Development Plan can have a significant effect on child wellbeing. Principal aspects of the Plan that may affect children and young people include the proposals for future housing (including affordable housing), open space and education provision. All children would be affected by these matters. Engagement with young people in development planning is difficult but offers were made to secondary schools and primary schools for engagement in separate projects designed to engage pupils with concepts in land use planning, and for senior students discussing and recording implications for their areas of the Main Issues Report proposals. Almost all of the Plan-based proposals will have an impact on child wellbeing. These are mostly positive for safety, health, nurturing and activity.

Table 3: Impact on wellbeing from the Proposed Local Development Plan.

Wellbeing Indicator	Positive	Negative	No Impact
Safe	✓		
Healthy	✓		
Achieving	✓		
Nurtured	✓		
Active	✓		
Respected			✓
Responsible			✓
Included	✓		

- 5.24 The following impacts on Children’s rights are supported by the Local Development Plan. These are also linked to the Fairer Scotland Duty:

Table 3 Impact on Children's Rights

Children's Rights (UNCRC)	3, 12, 24, 27, 31
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- Provision of active play spaces contributes to Article 3 –the best interests of the child.
- Engagement and consultation with children and young people informed the recommendations in this Report. This contributes to Article 12 –respect for the views of the child.
- Provision of active play spaces contributes to Article 24 – health and safety services.
- Provision of land for homes and jobs contributes to Article 27 – adequate standard of living
- Provision of active play spaces contributes to Article 31 – Leisure, play, and culture.

Risks

5.30 The following Risks have been identified as relevant to this matter on a Corporate Level:

- ACORP005 Working with other organisations (e.g. supply chains, outsourcing, partnership working and commercialisation). A wide range of partner organisations are dependent on the Local Development Plan to achieve our common objectives.
- ACORP006 Reputation management (including social media). Development management is a key element of the interface between many thousands of households and Aberdeenshire Council on an annual basis. It is important that the Proposed Local Development Plan is seen to be a robust and credible document to maintain the Council's high reputation.
- ACORP007 Social risk (e.g. population changes, poverty & social inequality, demographic changes, crime, antisocial behavior). The Proposed Local Development Plan is intrinsically associated with meeting the needs of a future population and responding to demographic changes.

5.31 The following Risks have been identified as relevant to this matter on a Strategic Level:

- BSSR004 Community Empowerment: The Proposed Local Development Plan has been the subject of extensive discussions with Community

Councils and other Community Groups. However, not all decisions may support their viewpoint.

- ECSSR004 Support Inclusive, Vibrant & Healthy Communities: The Proposed Local Development Plan requires to assist health providers in identifying and providing a context for the development of new health facilities.
- ISSR001 Active Travel: All developments within the Proposed Local Development Plan assist in delivering opportunities for active travel. Risk exists that these requirements are not met.
- ISSR004 Climate Change: The Plan seeks to conserve the natural and historic environment by protecting and enhancing landscape, biodiversity and historic assets. Reduction in natural resources and water, CO² emissions and waste are very difficult to achieve through a Proposed Local Development Plan designed to deliver growth.
- ISSR005 Affordable Housing. The Proposed Local Development Plan assists in providing a range of mid-market rent housing through providing the mechanism that allows developers to open up sites for affordable housing through use of infrastructure funding. The anticipated demand for affordable housing exceeds supply.

6 Scheme of Governance

- 6.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this Report and their comments are incorporated within the Report. They are satisfied that the Report complies with the Scheme of Governance and relevant legislation.
- 6.2 The Committee are not being asked to take a decision on this item as Section A.5.1 of the List of Committee Powers in Part 2A of the Scheme of Governance specifies that matters relating to the review, endorsement and approval of the Strategic and Local Development Plans, Local Housing Strategy, Local Transport Strategy and all other documents as the Council may decide are the responsibility of Aberdeenshire Council.

Stephen Archer, Director of Infrastructure Services
Report prepared by Piers Blaxter, Policy Team Leader
Date 10 October 2019

List of Appendices:

Appendix 1 Notes from the Issues and Actions papers relating to FR063
and FR064

Appendix 2 Comments from Transportation Service

Appendix 1 – Extract from Main Issues Report Issues and Actions Paper relating to bids FR063 and FR064.

1. List of Respondents

MIR	Ref Respondents
242	Lippe Architects + Planners on behalf of CHAP Group Ltd
330	Ms Vivienne Wallace
405	Ms Glenda Simpson
506	Scottish Natural Heritage
508	Bancon Homes Ltd
515	Ryden LLP on behalf of Stewart Milne Homes
516	Ryden LLP on behalf of Stewart Milne Homes
517	Ryden LLP on behalf of Stewart Milne Homes
552	Ms Myra Fearnside
562	Scotia Homes Ltd
586	Mr Trevor Mason
660	Dr Barrie Seddon
805	SEPA
905	Ellon Community Council
1009	Historic Environment Scotland

2. Issues

General

Concern was raised regarding potential traffic impacts of a bridge over the Ythan and general road capacity for future development in Ellon (330). The respondent generally supports the plan for homes, provided there are affordable homes and recreational areas delivered (586).

It is considered that if any development is going to have a visual impact in some way, the assumption is that developers would be encouraged to reduce the impacts of their developments. There must be consideration in all cases for the town's infrastructure, including school provision, medical centres and water/waste treatment. All these must be expanded as the town grows and should not be considered a reason to hold back on development (905).

Within the Settlement Statement in the Draft Proposed Local Development Plan (LDP) the respondent recommends that the sixth planning objective should be reworded to say, 'Preserve and enhance the amenity of the settlement, including its greenspace.' However, the statement in the Draft Proposed LDP that states greenspace will be protected and enhanced with new green networks identified, is welcomed (506).

Bid FR063 and Bid FR064

One respondent has supported bids FR063 and FR064 as they feel that these sites can deliver the planning strategy for the Aberdeen to Peterhead SGA and Energetica Corridor, and can plug any housing deficiencies for addressing a low completion rate for houses noted in the Aberdeenshire Council's Monitoring Statement (2017-2018). The exclusion of this site is unjustified and there are

anomalies and inconsistencies with assessments made in comparison with site FR092. The respondent considers site FR063 would fit within the landscape setting and the proposed landscaping would not have a detrimental impact on the setting of Ellon. Landscaping will lessen their visual impact and provide a setting for the proposed cemetery (242).

Another respondent is of the opinion that site FR063 is an opportunity to improve the golf course to attract more visitors to the town (586).

Another respondent has mixed views on these sites due to their remoteness from Ellon. However, with suitable foot/cycle infrastructure, particularly along the A948 and onto the Buchan-Formartine Way, the development could be seen as being part of Ellon. It should also be taken into consideration that Auchterellon and Meiklemill both have single road access from the housing estates into the town centre. However, the Cromleybank site remains the preferred site for development before other larger housing developments are progressed (905).

The respondent does not consider that co-location to the proposed cemetery is not desirable, as stated in the Main Issues Report. Although cemeteries tend to be located on the outskirts of towns, they are often overtaken by development and soon become within town boundaries e.g. Castle Road Cemetery (905).

3. Actions

General

Regarding general traffic impacts on the bridge over the Ythan and general road capacity within Ellon, this issue has been taken into consideration when planning for Ellon. Cromleybank is the largest proposed residential allocation for Ellon and transport links have been one of the matters which have delayed its implementation. The proposed development plan promotes active travel as opposed to use of private cars, with connections to existing path and green corridor networks being encouraged. No further action is required.

The support for new homes is acknowledged, provided there are affordable homes and recreational areas as required by development plan policies, and landscape impacts are addressed. Whilst we welcome the statement proposed for the Vision for Ellon within the Settlement Statement on protection of greenspace, policies also require that greenspace is protected and enhanced with new green networks identified.

Bid FR063 and FR064

It is maintained that these sites are undesirable. It is considered that these sites are not appropriate as an extension of Ellon at this time. These sites would breach the brow of the hill, resulting in a prominent, exposed site that breaches Ellon's natural landscape capacity.

The respondent is of the opinion that the proposed cemetery to the north would improve the landscape setting of this area, allowing for appropriate infill development to occur. The position is retained that it is appropriate to locate a

cemetery away from houses due to the sensitive nature of the land use. Commonly active cemeteries are located out with settlements to avoid the potential for construction works to disturb mourners (or mourners to disturb adjacent dwellers). The development of houses would be more intrusive on the wider landscape than any structure associated with a cemetery. As such, the siting of a cemetery out with the settlement boundary for Ellon does not justify infill development that is likely to have a detrimental impact on the setting of Ellon. No action is required.

4. Recommendations

1. Modify the Vision to include the community's concern about a lack of choice for places for social contact in the town centre, and desire for the development of public transport modes for commuting to Aberdeen.
2. Amend the 'Flood Risk' section to take into account BUS2.
3. Retain existing site R1 for a cemetery on the A948 at Yonderton.
4. Include new Reserved Land designation for a potential link road to the west of Ellon from the B9005.
5. Amend the allocation summary for site OP1 (bid FR090) to read: "Sustainable communities are to be encouraged, and key to this will be active travel. Permeability within the development for active travel is required, and connectivity to the rest of the Ellon green network is expected in this development with opportunities existing to link into the path network along the river."
6. Add to the allocation summary for existing site OP3 (bid FR011) the following text: "The buffer strip needs to allow sufficient space for restoration of the burn. Enhancement of the watercourse through re-naturalisation and removal of redundant feature should be investigated."
7. Amend the allocation summary for CC1 (bid FR032) to include: "A Flood Risk Assessment will be required" and add "Buffer strips will be required adjacent to the watercourses which should be integrated positively into the development. The buffer strips will need to allow sufficient space for the River Ythan to follow its natural course. Enhancement through re-naturalisation and removal of any redundant features should be investigated."
8. Do not allocate Bid FR092.
9. Amend Ellon settlement map to show an indicative route for the southern bypass for the town from the B9005 to the A920 at Wineburn.

5. Committee Decisions

1. Formartine Area Committee agreed the above recommendations at their special meeting on 10 September 2019, with the additional recommendation that sites FR063 and FR064 be included in the Settlement Statement for Ellon.

Appendix 2 – Comments from Transportation Service



MEMORANDUM

To: [REDACTED] Planning Manager, Planning Date: 11th October 2019
and Environment

From: [REDACTED] Principal Engineer, Roads Our Ref: [REDACTED]
Development

Ext No: [REDACTED] Your Ref:

Dear [REDACTED]

**Local Development Plan 2021, Sites at Ellon
Transportation Recommendations**

The following extract is from an early draft of the DPMTAG report regarding the sites at Ellon:

Completion of the AWPR/B-T has had an unanticipated effect of displacing congestion along the A90 between Balmedie and Tippetry to the two roundabouts that provide access into the south and north of Ellon. This is also having an impact on local movements within the town itself. Google Live Traffic flow information (see Figure 5.6) shows the extent of traffic flow issues in the area in the PM peak. Further quantification to be added when available i.e. JT and queue surveys, ASAM data collection to show exacerbation of issues by B-T improvement In addition, as noted earlier in this report, Aberdeenshire Council is supporting strategic transport appraisal work on the A90 corridor which is assessing options to improve trunk road infrastructure in the Ellon area. This FPASTS study has considered options to upgrade the two roundabouts at Ellon with additional capacity, improvements that would be designed to tie in with the provision of any future dualling of the A90(T) Ellon bypass.

*Considering the above – and following detailed discussions with Aberdeenshire Council – it is concluded within this remit of this DPMTAG that the Cromleybank site is the **most appropriate site** to allocate housing land in Ellon. This is based on the rationale that traffic will access the development from the STN via the B9005/A90(T) roundabout Ellon (i.e. the ‘south’ roundabout) and will thus be less subject to reported and observed traffic flow issues on the A90(T) Ellon bypass between the aforementioned roundabout and the A948/A90(T) ‘north’*

roundabout. In addition, it is considered that traffic impacts could be mitigated further with increased uptake of remote and flexible working patterns for those travelling on this point in the network.

It is the conclusion of this analysis and discussion that any development to the north of the River Ythan (i.e. potentially requiring vehicles to utilise the A90(T) between these interchange points) may exacerbate congestion issues in Ellon. On this basis, Aberdeenshire Council recommended to the Infrastructure Services Committee on 3 October 2019 that the proposed development allocation at Golf View, Ellon should be withdrawn from consideration in the 2021 LDP until such time that there are strategic interventions on the A90.

The following sets out our rationale behind the above recommendation:

The Cromleybank development is located such that traffic to and from the A90 will go through the B9005 south roundabout, turning left in the PM peak away from the northbound congestion that currently exists on the section between the A948 north roundabout and B9005 roundabout, continuing southbound on the A90 from the B9005. Cromleybank traffic on the B9005 (South Road) into Ellon also turns into the site prior to reaching the South Road / Riverside Road signal junction which is another point of capacity restriction. Furthermore, the Cromleybank site is adjacent to the school which further reduces impacts on the signal junction not only through traffic routing but also as it is walkable and cycleable.

Our assessment is that the northbound congestion is a result, as stated above, of the dual carriageway to single carriageway change occurring at the south roundabout and will not be mitigated by improvements at either the north or south roundabout, but will require the section of single carriageway between the two roundabouts to be dualled. This level of intervention is not within the scope of a developer, as it would involve the construction of a new dual carriageway bridge across the Ythan and whilst there has been a Study into Fraserburgh & Peterhead to Aberdeen dualling (FPASTS) there is no committed scheme to deliver this infrastructure at this time. However, there is potential to increase left turning capacity at the south roundabout to and from Ellon to accommodate Cromleybank that can be delivered by the developer.

Similarly, the congestion in the PM peak currently occurring on South Road from the signal junction at Riverside Road cannot be fully mitigated through changes to the signal timings, and any scope to do so can only reduce existing queueing. The junction is land constrained on all sides with no little to no scope to provide additional capacity and even if there were, the network is further constrained beyond the junction by the bridge and the centre of Ellon. The longer term requirement that has been identified for relieving this constraint is the delivery of a new southern distributor road between the A920 (Riverside Road) and South Road (bypassing the signals and removing much of the east-west movement on the A920), which is also part of the infrastructure options package for Cromleybank.

The Golf View sites to the north of Ellon impacts on both of these major network constraints and would not be able to deliver the (only) mitigation options that are available with the Cromleybank site. With regards to other sites within the LDP on the

north corridor, sites within Ellon have a greater proportional impact on the trunk road network than sites to the north; Census data shows that 41% of Ellon residents work in Aberdeen compared to just 8% for Fraserburgh, 12% for Peterhead and 19% for Mintlaw.

That is the basis of our professional advice given to the Local Development Plan team in respect of sites in Ellon. Modelling work was carried out for the Cumulative Transport Appraisal, however the traffic data used as the basis for this model is currently being updated in light of the AWPR/B-T coming on line, and which has highlighted this specific issue. There is sufficient physical evidence of queueing on the A90 northbound and on South Road that also gives evidence to our conclusion. We are also in the process of assessing the signal junction on Riverside Road so are aware of the constraints at this junction.

We understand the frustrations resulting from our recommendations; With regards to the removal of the Golf View sites, these were initially 'not preferred' in the MIR and as such these network issues have only been raised since the Area Committee recommended that the sites be included. It should also be noted that in our discussions with Transport Scotland regarding the ongoing DPMTAG work, the issues at Ellon described above were specifically raised by them as a concern, therefore we cannot ignore the issue.



Principal Engineer

ABERDEENSHIRE COUNCIL

FORMARTINE AREA COMMITTEE

THE KIRK CENTRE, STATION ROAD, ELLON, 29 OCTOBER 2019

Present: Councillors I Davidson (Chair), K Adam, A Duncan, J Gifford, A Hassan, P Johnston, A Kloppert, A Stirling, I Taylor, R Thomson

Apologies: Cllrs G Owen, A Forsyth

Officers: E Brown (Formartine Area Manager), C Young (Area Committee Officer), F Stewart (Senior Solicitor, Legal & Governance), J Wheeler (Senior Planner, Infrastructure Services), G Steel (Principal Engineer, Infrastructure Services), M Stewart (Planning Service Manager, Infrastructure Services), P Blaxter (Team Leader, Planning and Building Standards), K Clark (Roads Development and Transportation Principal Engineer), E Munro (Environment Planner, Infrastructure Services), E Reid (Team Leader, Infrastructure Services), D Forsyth (Principal Officer, Business Services) and R Goldring (Learning Estates Team Leader)

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct and the following interests were declared -

- (1) Item 10 – Councillor Johnston declared an interest, in relation to the application from the Tarves Development Trust, as a Director of the Trust. As he felt this interest was clear and substantial, he indicated that he would not take part in the debate.

2. STATEMENT ON EQUALITIES

In making decisions on the following items of business, the Committee **agreed**, in terms of Section 149 of the Equality Act, 2010:-

1. to have regard to the need to:-
 - (i) eliminate discrimination, harassment and victimisation;
 - (ii) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (iii) foster good relations between those who share a protected characteristic and persons who do not share it.
2. where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching its decision.

3. MINUTE OF MEETING 24 SEPTEMBER, 2019

The Committee had before them, and approved as a correct record, the minute of the meeting of 24 September, 2019.

4. PLANNING APPLICATIONS FOR DETERMINATION

The following planning applications were considered along with any representations received in each case and were dealt with as recorded in Appendix A.

Application No	Description	Decision
A APP/2019/1748	Erection of Dwellinghouse (Amendments to Planning Permission Reference APP/2017/1261)	Item withdrawn by Planning Service
B APP/2019/1294	Erection of 9 Dwellinghouses (Change of House Types to Planning Permission Reference APP/2018/1262)	Defer
C APP/2019/1850	Change of Use of Land to Form Cemetery, Car Park & Casket Area	Grant

5. LRB 463 - LOCAL REVIEW BODY, REVIEW DECISION NOTICE - APP/2018/2830

There had been circulated, and was noted a Review Decision Notice dated 26 September, 2019, advising that the Local Review Body agreed with the determination reviewed by it and refused Planning Permission in accordance with the Appointed Officer's decision, as set out within the notice.

The salient points to be acknowledged by the Committee and the Service had been outlined with the information provided to the Members.

6. NATURAL HERITAGE STRATEGY 2019-2022

There had been circulated a report dated 12 September, 2019 by the Director of Infrastructure Services which sought comments and feedback on the Environment Team's Aberdeenshire Council Natural Heritage Strategy 2019-2022, prior to seeking approval from the Infrastructure Services Committee.

Following consideration of the aims and key priorities of the Natural Heritage Strategy 2019-2022 and associated Action Plan, the Committee:-

- (1) **noted** the information provided, and
- (2) provided the following **comments** to be considered by the Infrastructure Services Committee:-
 - a) It was important that work relating to Invasive Non-Native Species continued to be driven forward,
 - b) It would be helpful to consider new ways of engaging with Councillor Biodiversity Champions, perhaps theming topics,
 - c) There should be further promotion of the exemplar works being carried out by Aberdeenshire Council, to encourage other Local Authorities to follow the example,
 - d) In noting that Aberdeenshire Council participates in key partnership projects, it was suggested that we should do more than just participate,

- e) Under Section 3, the wording of the second point should be checked as additional wording “and mitigating against the impacts of climate change storms and droughts” appears to have been added,
- f) It would be helpful to have area-based versions of the document that Area Committees could monitor,
- g) It would be helpful to add wording in relation to the protection of soils, including ancient woodlands,
- h) It was trusted that the Service continued to seek appropriate funding from outside bodies, where available, and
- i) Future programmes could perhaps be rolling.

7. STRATEGIC HOUSING INVESTMENT PLAN 2020 – 2025

There had been circulated a report dated 5 September, 2019 by the Director of Infrastructure Services which sought comments on the draft Strategic Housing Investment Plan 2020-2025, the plan being required to be submitted to the Scottish Government.

Following consideration and discussion of the information provided, the Committee:-

- (1) **noted** the draft Strategic Housing Investment Plan 2020-2025, and
- (2) provided the following **comments** to be considered by the Communities Committee:-
 - a) This was an ambitious plan with much of the outcomes being dependent on the Local Development Plan,
 - b) It was noted that there were no sites within this plan for Create Homes Aberdeenshire, and
 - c) It was noted that many of the suggested sites were for the longer term but that there was budget available should there be scope to bring anything forward.

8. ABERDEENSHIRE PROPOSED LOCAL DEVELOPMENT PLAN 2021 – CONSIDERATION OF MAIN ISSUES REPORT SUBMISSIONS – BID SITES FR063 & FR064 – ADJACENT TO GOLF VIEW, ELLON

There had been circulated a report dated 10 October, 2019 by the Director of Infrastructure Services which advised the Committee of the recommendations adopted by the Infrastructure Services Committee (ISC) on two sites in Ellon, on the basis of late information provided by the Transportation Service as part of the Development Planning and Management Transport Appraisal Guidance Traffic Assessment.

The Planning Service Manager was in attendance to introduce the report and was joined by the Team Leader for Planning and Building Standards and the Roads Development and Transportation Principal Engineer who were also present to answer any queries by members.

During discussion, members sought clarity on the reporting process; confirmed that members present at the ISC on 3 October could continue to partake in discussions at the Formartine Area Committee today; queried whether the information presented in this report was the same as the information submitted to ISC; questioned whether the correct terminology was “by-pass” or “distributer road”, querying whether it’s purpose was to free up other allocations to the South of Ellon; asked whether it would be

possible to retain the sites with a caveat to restrict the number of houses; asked whether all sites were constrained until the Cromleybank development progresses; clarified that the Formartine Area Committee had not suggested that the Cromleybank site be removed; queried whether there was an audit trail for the information provided to ISC on 3 October as there appeared to be no tangible information available until 11 October; asked how many housing allocations there were to the North of Ellon on the A90 and whether contributions could be sought from these; sought clarification on the works carried out by the Transportation Service to reach the conclusions provided; and clarified that developers could only be expected to contribute to the mitigation of impact of their development, not existing issues.

Following a response to all queries by officers, Councillor Gifford, seconded by Councillor Taylor, moved that the Committee note the contents of the report and agree with the determination by Infrastructure Services Committee.

Councillor Thomson, seconded by Councillor Davidson, moved as an amendment that the Committee express their dissatisfaction at the lateness of the comments provided by the Transportation Service and lack of opportunity for Formartine Area Committee to comment ahead of consideration by Infrastructure Services Committee; maintain support for the inclusion of sites FR063 and FR064 within the Local Development Plan; request that the appropriate decision-making body give fresh consideration of the officer recommendations in relation to sites FR063 and FR064 in light of the comments provided today by Formartine Area Committee; request that a report come forward to the Formartine Area Committee to update on the progress being made to identify improvements between the A90, Tipperty, the Toll of Birness and the roads linking to these; and that any further reports relating to the inclusion of sites FR063 and FR064 refer only to the new transportation information that has been provided.

The Members voted as follows:

For the Motion	4	Councillors Gifford, Johnston, Kloppert and Taylor
For the Amendment	6	Councillors Adam, Davidson, Duncan, Hassan, Stirling and Thomson

Therefore the **amendment was carried** that the Committee:-

- (a) express their dissatisfaction at the lateness of the comments provided by the Transportation Service and lack of opportunity for Formartine Area Committee to comment ahead of consideration by Infrastructure Services Committee;
- (b) maintain support for the inclusion of sites FR063 and FR064 within the Local Development Plan;
- (c) request that the appropriate decision-making body give fresh consideration of the officer recommendations in relation to sites FR063 and FR064 in light of the comments provided today by Formartine Area Committee;
- (d) request that a report come forward to the Formartine Area Committee to update on the progress being made to identify improvements between the A90, Tipperty, the Toll of Birness and the roads linking to these; and

- (e) that any further reports relating to the inclusion of sites FR063 and FR064 refer only to the new transportation information that has been provided.

9. CONSULTATION ON DRAFT COUNTER FRAUD STRATEGY

There had been circulated a report dated 24 September, 2019 by the Director of Business Services which sought to consult members in respect of the draft Counter Fraud Strategy, aimed at preventing and mitigating the risk of fraud.

Following consideration and discussion of the information provided, the Committee:-

- (1) **noted** the draft Counter Fraud Strategy, and
- (2) provided the following **comments** to be considered by Business Services, ahead of the strategy being considered by the Audit Committee:-
 - a) There should be further awareness raising of counterfeit ticketing and property rental fraud, which is happening locally,
 - b) Consideration should be given to how individual Councillors can promote awareness of this strategy,
 - c) There should be awareness raising at Policy Committees,
 - d) It should be noted that occasionally suppliers may only submit a bid for particular areas when starting up, but it won't necessarily be bid rigging, and
 - e) Consideration should be given to how best to publicise this information widely, perhaps via social media and other methods such as involving third parties like the fire service, to reach as many persons as possible, including the elderly.

10. AREA COMMITTEE BUDGET 2019-2020

With reference to the Minute of Meeting of this Committee of 26 March, 2019 (Item 17), at which the broad allocation of the Area Committee Budget for 2019-2020 was agreed, there was circulated a report dated 16 October, 2019 by the Director of Business Services which detailed requests for funding that had been received from local groups.

Tarves Development Trust

An application was received from the Tarves Development Trust which sought a contribution towards the replacement of six unusable lamppost mounted festive lights with reduced wattage units, to comply with the requirements of Aberdeenshire Council's Festive Lighting Manual.

After consideration of the information provided, the Committee **agreed to award £1,170.**

Turriff and District Heritage Society

An application was received from the Turriff and District Heritage Society which sought a contribution towards the removal of an iron gate at Session Cottage on Castle Street, shot blasting, painting, return and refit.

REPORT TO INFRASTRUCTURE SERVICES COMMITTEE – 28 NOVEMBER 2019

**ABERDEENSHIRE PROPOSED LOCAL DEVELOPMENT PLAN 2021 -
CONSIDERATION OF MAIN ISSUES REPORT SUBMISSIONS
FORMARTINE BID SITES FR063 (SITE 1 ADJACENT TO GOLF VIEW, ELLON)
AND FR064 (SITE 2 ADJACENT TO GOLF VIEW, ELLON)**

1 Reason for Report / Summary

- 1.1 To resolve outstanding inconsistencies arising from the consideration by Area Committees of the Main Issues Report Issues and Actions Papers.

2 Recommendations

The Committee is recommended to:

- 2.1 Consider the views of the Formartine Area Committee of 29 October 2019, following their consideration of the response received from Transportation regarding bids FR063 and FR064, which was received following the meeting of Formartine Area Committee on 10 September 2019 and reported as a late paper to ISC on 3 October 2019; and**
- 2.2 Agree to uphold the decision of this Committee at its meeting on 3rd October 2019, not to recommend to Aberdeenshire Council bid sites FR063 and FR064 for inclusion in the proposed Local Development Plan.**

3 Purpose and Decision-Making Route

- 3.1 The preparation of a Local Development Plan is a statutory process with authority delegated to Aberdeenshire Council to submit a "Proposed Local Development Plan" to Scottish Ministers for examination. This represents the settled view of the Council as to the form and content of the Local Development Plan 2021.
- 3.2 Area Committees met between August and September 2019 to consider "Issues and Actions" evaluations of the 1,085 responses received to the Main Issues Report. The Formartine Area Committee met on 10 September 2019 (Item 3) to consider sites and policies relevant to the area. Officers subsequently assessed where there had been inconsistencies with national policy, conflicts between the views of all Area Committees, or the legality of actions, and as a result 18 issues were reported to and considered by Infrastructure Service Committee on 3 October 2019 (Item 7). The resolution of these issues is to inform the final content of the Proposed Local Development Plan to be presented to a future Aberdeenshire Council in early 2020.
- 3.4 Officers did not include as an issue to Infrastructure Services Committee the

view of the Formartine Area Committee, held on 10 September 2019, with regards to the inclusion of Bids FR063 and FR064 adjacent to Golf View, Ellon, (**Appendix 1a & Appendix 1b**). These were initially Officer 'non-preferred' sites as recommended in the Main Issues Report (**Appendix 4 (Appendix 1 within)**). It was not until a very late response regarding road traffic information was received from the Transportation Service that Officers made a recommendation to exclude the sites. This view was presented to Infrastructure Services Committee on 3 October 2019 and the Committee agreed with Officers that the sites should not be included in the Plan due to impacts on congestion arising on the A90(T) junctions with the B9005 and the A948 (**Appendix 2**). Formartine Area Committee was subsequently given the opportunity to consider the response from the Transportation Service at its meeting on 29 October 2019 (Item 8) in view of the fact that the information had not been before the Area Committee at its meeting on 10 September 2019.

4 Discussion

- 4.1 A review of all the proposed sites for inclusion within the proposed Local Development Plan is being undertaken to inform the Development Planning and Management Transport Appraisal Guidance (DPMTAG) Traffic Assessment. This is being undertaken by the Transportation Service and Transport Consultants in liaison with Transport Scotland and is a document required as part of the Local Development Plan process. Discussion regarding congestion currently being generated at Ellon has formed part of the DPMTAG assessment. In summary, following further assessment, a professional view was given that bid sites FR063 and FR064 (Sites 1 and 2 Adjacent to Golf View, Ellon) should not be supported in the Proposed Local Development Plan, due to the unknown risks associated with resolving the congestion issues to be provided on the A90(T) by Transport Scotland. At the time of writing this Report there has been no confirmation from Transport Scotland of what works may be required to resolve the issues at the two roundabouts in Ellon. The full version of comments by the Transportation Service is attached at **Appendix 3**.
- 4.2 This information was further presented to the Formartine Area Committee at their meeting on 29 October 2019. At this meeting the Committee agreed that:
- (i) the Committee express their dissatisfaction at the lateness of the comments provided by the Transportation Service;
 - (ii) the lack of opportunity for Formartine Area Committee to comment ahead of consideration by Infrastructure Services Committee;
 - (iii) maintain their support for the inclusion of sites FR063 and FR064 within the Local Development Plan and,
 - (iv) request that the appropriate decision-making body give fresh consideration of the Officer recommendations in relation to sites FR063 and FR064 in light of the comments provided by Formartine Area Committee.

A copy of the Formartine Area Report of 29 October 2019 is attached at **Appendix 4** and a draft copy of the Minute is attached at **Appendix 5**. It has therefore been considered appropriate to report back to Infrastructure Services Committee in light of the decision of the Area Committee prior to reporting to Full Council.

- 4.3 The timescales attributed to the Transportation work currently ongoing are largely reliant on responses from Transport Scotland. This has resulted in the current position with regards to the Ellon sites and the late stage of the new information coming forward. Since 30 October 2019 a draft DPMTAG document has been made available for internal review. This document contains text that suggests works will be required to improve access to both roundabouts to resolve congestion issues in this area. No scope of the land take that would be required to provide this interim solution has been made.
- 4.4 Where there is an identified issue of congestion and no design solution proposed, it would be unreasonable to include new sites where there is no certainty on their delivery. It would also be improper to ask a developer to contribute towards resolving a known problem.
- 4.5 In conclusion, the Planning and Environment Service consider the inclusion of the sites to be premature, at this time, to any solution that may be promoted to resolve congestion on the A90(T). There being no immediate alternative, the Service continues to recommend that the two sites should not be included in the Proposed Local Development Plan 2021. Part of this recommendation retains the initial concerns regarding landscape impact and compatibility with the adjacent proposed cemetery use.

5 Council Priorities, Implications and Risk

- 5.1 This Report helps deliver **Council Priority 1 - Support a strong, sustainable, diverse and successful economy**, through providing multiple opportunities for the safeguarding and development of land for business, protecting town centres, and promoting special employment use.
- 5.2 This Report helps deliver **Council Priority 2 - Have the best possible transport and digital links across our communities**, by promoting a settlement strategy which is based on our main road network, rail routes and public transport opportunities, and by promoting future development of digital telecoms.
- 5.3 This Report helps deliver **Council Priority 6 - Have the right mix of housing across all Aberdeenshire**, by promoting diversity in the house types and tenures in all new developments in Aberdeenshire.
- 5.4 This Report supports **Council Priority 8 - Work to reduce poverty and inequalities within our communities**, through providing obligations on new development to meet affordable housing needs.
- 5.5 This Report supports **Council Priority 11 - Protect our special environment, including tackling climate change by reducing greenhouse gas emissions**,

by promoting a sustainable settlement pattern, providing opportunities for renewable energy, providing protection for new development from flood risk

- 5.6 This Report provides information to support delivery of the Proposed Aberdeen City and Shire Strategic Development Plan 2019.
- 5.7 The table below shows whether risks and implications apply if the recommendations are agreed:

Table 1 Risks and Implications

Subject	Yes	No	N/A
<i>Financial</i>			X
<i>Staffing</i>		X	
<i>Equalities</i>	✓		
<i>Fairer Scotland Duty</i>	✓		
<i>Town Centre First</i>			X
<i>Sustainability</i>	✓		
<i>Children and Young People's Rights and Wellbeing</i>	✓		

Equalities

- 5.8 Equalities represents an important legal obligation in preparing the Proposed Local Development Plan. Our general Equalities Statement is contained within the Development Plan Scheme 2019, considered by Infrastructure Services Committee on 24 January 2019 and previously in January 2018 Development Plan Scheme, when the project was started. An Equality Impact Assessment is not required because this Committee is not being asked to make a decision, only to make recommendations to Aberdeenshire Council. This process does not result in a differential impact on any of the protected characteristics of stakeholders.

The Fairer Scotland Duty

- 5.9 The Fairer Scotland Duty places a legal responsibility on Aberdeenshire Council to actively consider ('pay due regard to') how they can reduce inequalities of outcome caused by socioeconomic disadvantage. The Proposed Local Development Plan is useable by all groups but provides no particular mechanism to address general socioeconomic disadvantages, as it relates to the use of the land and not the characteristics of the applicant. Generally, land has no differential socioeconomic characteristic depending on whom may be applying for planning permission for development. Development of land to address individual socioeconomic needs of applicants is not consistent with ensuring that the principle of "the right development in the right place" as required by Scottish Planning Policy is addressed.

Town Centres

- 5.10 The Proposed Local Development Plan seeks to promote and conserve existing town centres. Previously a Town Centre First Principle Impact Assessment, had been considered by this Committee on 3 October 2019 and has demonstrated positive outcomes – **Appendix 6** refers.

Sustainability

- 5.11 The Climate Change (Scotland) Act 2009 introduces a legal obligation for public bodies to address climate change through the Public Bodies Climate Change Duties. **Appendix 7** has been provided to detail these changes. These duties advise that a public body must, in exercising its functions, act in the way best calculated to contribute to the delivery of emissions reduction targets (known as 'mitigation'), in the way best calculated to help deliver any statutory climate change adaptation programme, and in a way that it considers is most sustainable. The Scottish Government sees climate change action as a key strategic issue and is mainstreaming it into their strategic and corporate processes.

Wellbeing and Children's Rights

- 5.12 The Local Development Plan can have a significant effect on child wellbeing. Principal aspects of the Plan that may affect children and young people include the proposals for future housing (including affordable housing), open space and education provision. All children would be affected by these matters. Engagement with young people in development planning is difficult but offers were made to secondary schools and primary schools for engagement in separate projects designed to engage pupils with concepts in land use planning, and for senior students discussing and recording implications for their areas of the Main Issues Report proposals. Almost all of the Plan-based proposals will have an impact on child wellbeing. These are mostly positive for safety, health, nurturing and activity. No response was received from Ellon Schools.
- 5.13 The following impacts on Children's Rights are supported by the Local Development Plan. These are also linked to the Fairer Scotland Duty:

Table 3 Impact on Children's Rights

Children's Rights (UNCRC)	3, 12, 24, 27, 31
----------------------------------	-------------------

- Provision of active play spaces contributes to Article 3 – the best interests of the child.
- Engagement and consultation with children and young people informed the recommendations in this Report. This contributes to Article 12 – respect for the views of the child.

- Provision of active play spaces contributes to Article 24 – health and safety services.
- Provision of land for homes and jobs contributes to Article 27 – adequate standard of living.
- Provision of active play spaces contributes to Article 31 – Leisure, play, and culture.

Risks

5.14 The following Risks have been identified as relevant to this matter on a Corporate Level:

- ACORP005: Working with other organisations (e.g. supply chains, outsourcing, partnership working and commercialisation). A wide range of partner organisations are dependent on the Local Development Plan to achieve our common objectives.
- ACORP006: Reputation management (including social media). Development management is a key element of the interface between many thousands of households and Aberdeenshire Council on an annual basis. It is important that the Proposed Local Development Plan is seen to be a robust and credible document to maintain the Council's high reputation.
- ACORP007: Social risk (e.g. population changes, poverty & social inequality, demographic changes, crime, antisocial behavior). The Proposed Local Development Plan is intrinsically associated with meeting the needs of a future population and responding to demographic changes.
- ACORP010: Environmental challenges e.g. extreme weather events, climate change (this includes localised risks around flooding and air pollution and the need for communities to display resilience). Climate change is a key theme in the Proposed Local Development Plan and although more could be undertaken to achieve sustainable development, this would be at the cost of the competitiveness of the area and acceptability to residents.

5.15 The following Risks have been identified as relevant to this matter on a Strategic Level:

- BSSR004 Community Empowerment: The Proposed Local Development Plan has been the subject of extensive discussions with Community Councils and other Community Groups. However, not all decisions may support their viewpoint.
- ECSSR004 Support Inclusive, Vibrant & Healthy Communities: The Proposed Local Development Plan requires to assist health providers in

identifying and providing a context for the development of new health facilities.

- ISSR001 Active Travel: All developments within the Proposed Local Development Plan assists in delivering opportunities for active travel. Risk exists that these requirements are not met.
- ISSR004 Climate Change: The Plan seeks to conserve the natural and historic environment by protecting and enhancing landscape, biodiversity and historic assets. Reduction in natural resources and water, CO² emissions and waste are very difficult to achieve through a Proposed Local Development Plan designed to deliver growth.
- ISSR005 Affordable Housing: The Proposed Local Development Plan assists in providing a range of mid-market rent housing through providing the mechanism that allows developers to open up sites for affordable housing through use of infrastructure funding. The anticipated demand for affordable housing exceeds supply.
- ISSR006 Flood Protection: The Proposed Local Development Plan has policies for flood protection and does not promote development in areas that may flood. Risk exists that predictions on flood extents are underestimated, or new areas of flood arise.

6 Scheme of Governance

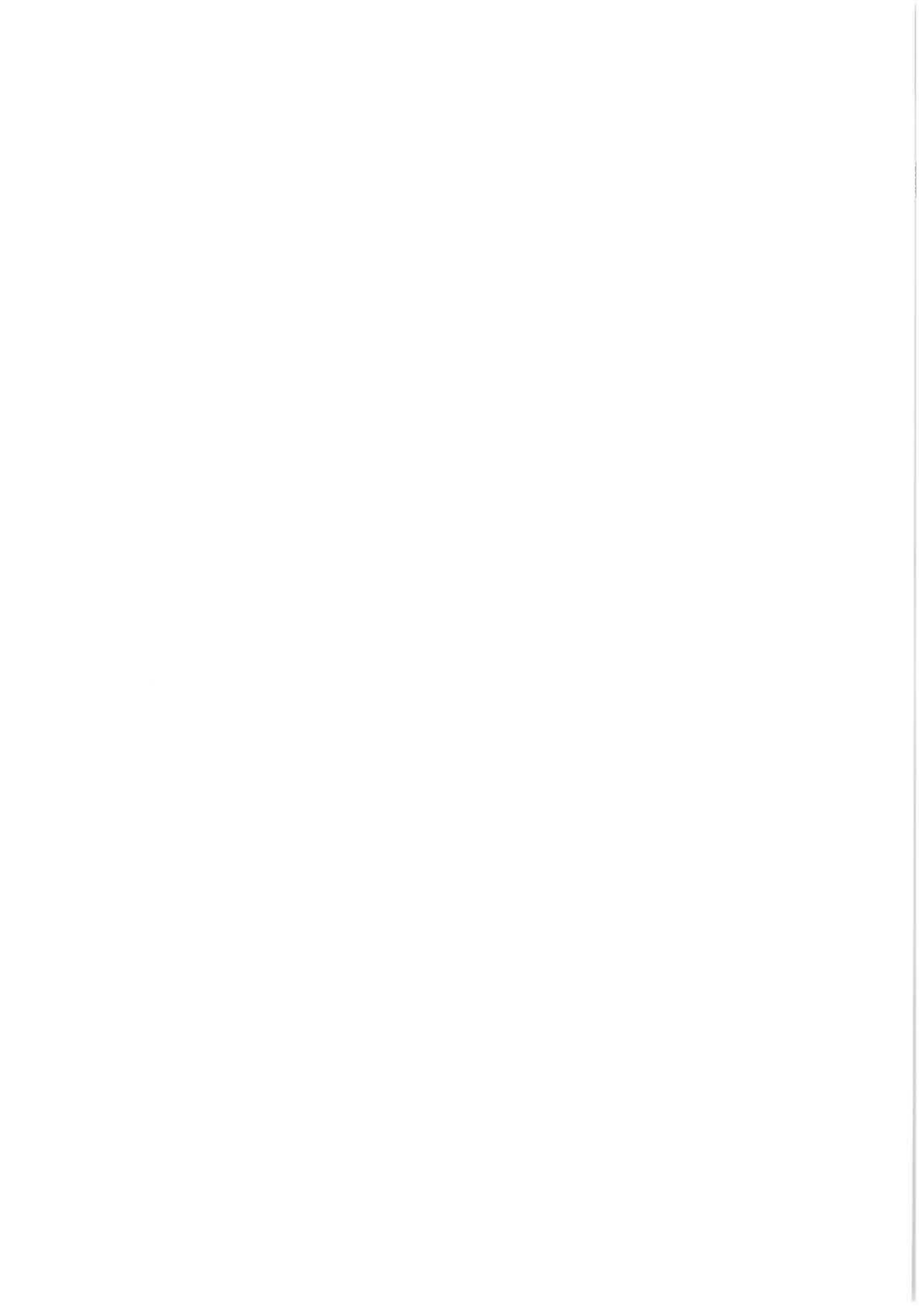
- 6.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this Report and their comments are incorporated within the Report. They are satisfied that the Report complies with the Scheme of Governance and relevant legislation.
- 6.2 Section A.5.1 of the List of Committee Powers in Part 2A of the Scheme of Governance specifies that matters relating to the review, endorsement and approval of the Strategic and Local Development Plans, Local Housing Strategy, Local Transport Strategy and all other documents as the Council may decide are the responsibility of Aberdeenshire Council. This Committee is being asked to make recommendations on sites for inclusion in the proposed Local Development Plan in accordance with Section F.1.1c as it has remit for policy matters in relation to Planning.
- 6.3 If the Committee is minded to alter its decision of 3 October 2019 Standing Order 7.2 would require to be suspended in order to facilitate this as it is a decision taken by the Committee in the past six months.

Stephen Archer

Director of Infrastructure Services

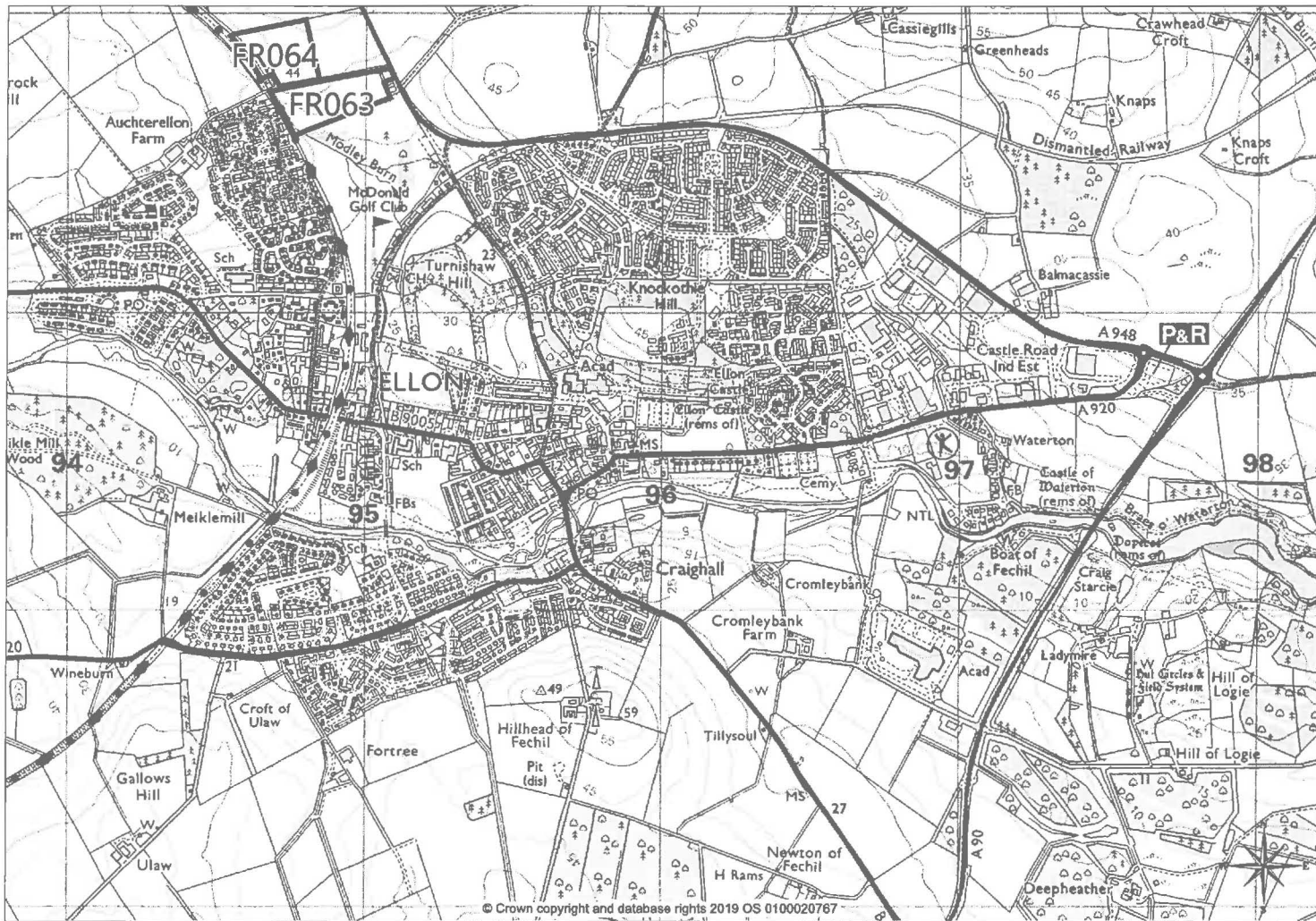
Report prepared by Piers Blaxter, Policy Team Leader

Date 31 October 2019



List of Appendices:

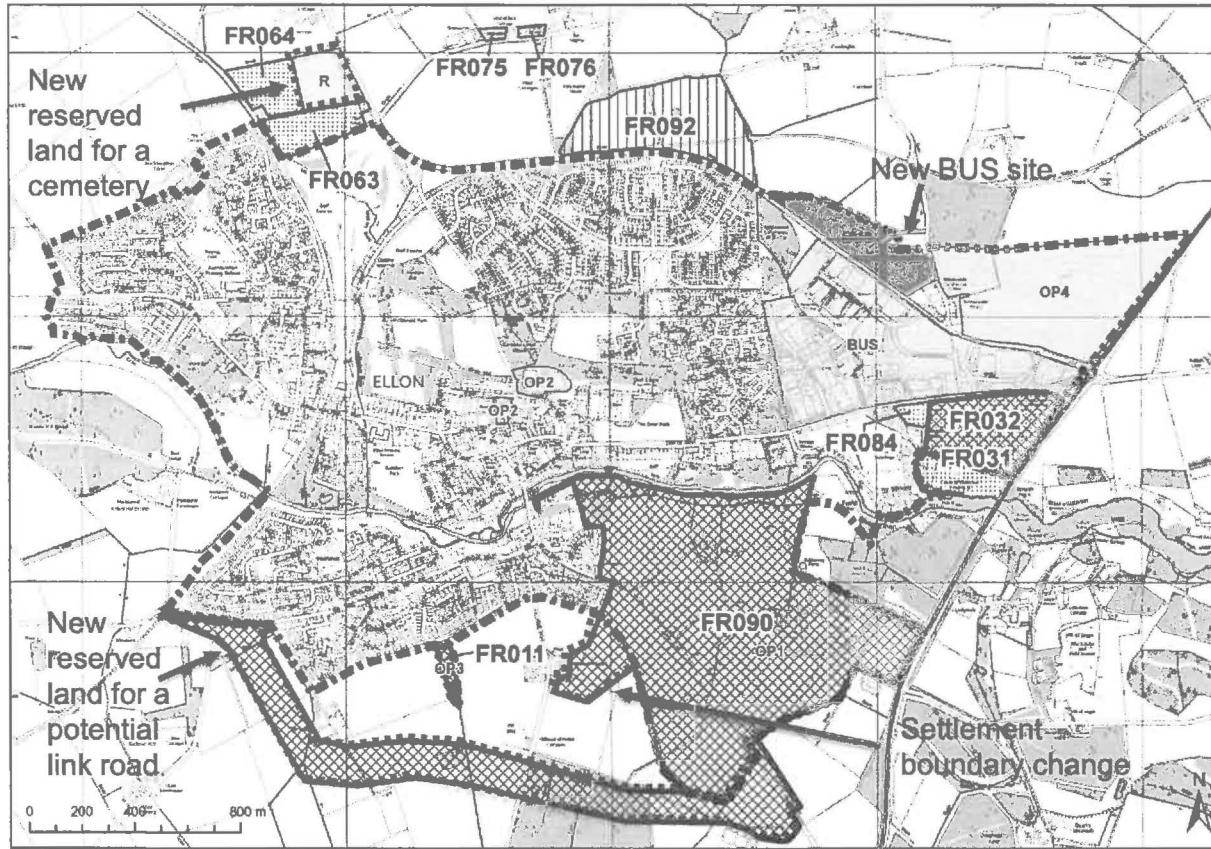
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|--------------------|--|
| Appendix 1a | Location Plan |
| Appendix 1b | Bid Sites FR063 & FR064 |
| Appendix 2 | Further Report to Infrastructure Services Committee on 3 October 2019 |
| Appendix 3 | Transportation Comments |
| Appendix 4 | Formartine Area Committee Report 29 October 2019 |
| Appendix 5 | Extract from Draft Minute of Formartine Area Committee 29 October 2019 |
| Appendix 6 | Town Centre Impact Assessment |
| Appendix 7 | Sustainability |



Appendix 1b

From mountain to sea

Issue 71 Ellon



Appendix 2

FURTHER ERRATA (considered at ISC 3 October 2019)

Following a recent meeting with our colleagues in Transportation they have identified to us that the two sites FR063 and FR064 (equivalent to land that could accommodate 226 homes) should not be included in the Local Development Plan due to likely impacts on congestion arising on the A90(T) junctions with the B9005 and the A948. Transportation are content that Cromleybank can be developed due to its geography with the A90(T) / B9005 Roundabout, but that asking 226 homes to pass through both roundabouts (or cross the Bridge Street / Market Street / South Road Roundabout) would be entirely unadvisable without significant contributions to trunk road enhancements in this area. The applicant has neither the land nor the value in his site to make a meaningful contribution to these works and regrettably these sites have to be removed.

MIR Ref	Respondents
242	Lippe Architects + Planners on behalf of CHAP Group Ltd
330	Ms Vivienne Wallace
405	Ms Glenda Simpson
506	Scottish Natural Heritage
508	Bancon Homes Ltd
515	Ryden LLP on behalf of Stewart Milne Homes
516	Ryden LLP on behalf of Stewart Milne Homes
517	Ryden LLP on behalf of Stewart Milne Homes
552	Ms Myra Fearnside
562	Scotia Homes Ltd
586	Mr Trevor Mason
660	Dr Barrie Seddon
805	SEPA
905	Ellon Community Council
1009	Historic Environment Scotland

Issues

Bid FR063 and Bid FR064

One respondent has supported bids FR063 and FR064 as they feel that these sites can deliver the planning strategy for the Aberdeen to Peterhead SGA and Energetica Corridor, and can plug any housing deficiencies for addressing a low completion rate for houses noted in the Aberdeenshire Council's Monitoring Statement (2017-2018). The exclusion of this site is unjustified and there are anomalies and inconsistencies with assessments made in comparison with site FR092. The respondent considers site FR063 would fit within the landscape setting and the proposed landscaping

would not have a detrimental impact on the setting of Ellon. Landscaping will lessen their visual impact and provide a setting for the proposed cemetery (242).

Another respondent is of the opinion that site FR063 is an opportunity to improve the golf course to attract more visitors to the town (586).

Another respondent has mixed views on these sites due to their remoteness from Ellon. However, with suitable foot/cycle infrastructure, particularly along the A948 and onto the Buchan-Formartine Way, the development could be seen as being part of Ellon. It should also be taken into consideration that Auchterellon and Meiklemill both have single road access from the housing estates into the town centre. However, the Cromleybank site remains the preferred site for development before other larger housing developments are progressed (905).

The respondent does not consider that co-location to the proposed cemetery is not desirable, as stated in the Main Issues Report. Although cemeteries tend to be located on the outskirts of towns, they are often overtaken by development and soon become within town boundaries e.g. Castle Road Cemetery (905).

Actions

Bid FR063 and FR064

It is maintained that these sites are undesirable. It is considered that these sites are not appropriate as an extension of Ellon at this time. These sites would breach the brow of the hill, resulting in a prominent, exposed site that breaches Ellon's natural landscape capacity.

The respondent is of the opinion that the proposed cemetery to the north would improve the landscape setting of this area, allowing for appropriate infill development to occur. The position is retained that it is appropriate to locate a cemetery away from houses due to the sensitive nature of the land use. Commonly active cemeteries are located out with settlements to avoid the potential for construction works to disturb mourners (or mourners to disturb adjacent dwellers). The development of houses would be more intrusive on the wider landscape than any structure associated with a cemetery. As such the siting of a cemetery outwith the settlement boundary for Ellon does not justify infill development that is likely to have a detrimental impact on the setting of Ellon. No action is required.



MEMORANDUM

To: [REDACTED] Planning Manager, Planning and Environment Date: 11th October 2019

From: [REDACTED] Principal Engineer, Roads Development Our Ref: [REDACTED]

Ext No: [REDACTED] Your Ref:

Dear [REDACTED]

**Local Development Plan 2021, Sites at Ellon
Transportation Recommendations**

The following extract is from an early draft of the DPMTAG report regarding the sites at Ellon:

Completion of the AWPR/B-T has had an unanticipated effect of displacing congestion along the A90 between Balmedie and Tippetry to the two roundabouts that provide access into the south and north of Ellon. This is also having an impact on local movements within the town itself. Google Live Traffic flow information (see Figure 5.6) shows the extent of traffic flow issues in the area in the PM peak. Further quantification to be added when available i.e. JT and queue surveys, ASAM data collection to show exacerbation of issues by B-T improvement In addition, as noted earlier in this report, Aberdeenshire Council is supporting strategic transport appraisal work on the A90 corridor which is assessing options to improve trunk road infrastructure in the Ellon area. This FPASTS study has considered options to upgrade the two roundabouts at Ellon with additional capacity, improvements that would be designed to tie in with the provision of any future dualling of the A90(T) Ellon bypass.

*Considering the above – and following detailed discussions with Aberdeenshire Council – it is concluded within this remit of this DPMTAG that the Cromleybank site is the **most appropriate site** to allocate housing land in Ellon. This is based on the rationale that traffic will access the development from the STN via the B9005/A90(T) roundabout Ellon (i.e. the ‘south’ roundabout) and will thus be less subject to reported and observed traffic flow issues on the A90(T) Ellon bypass between the aforementioned roundabout and the A948/A90(T) ‘north’ roundabout. In addition, it is considered that traffic impacts could be mitigated further with increased uptake of remote and flexible working patterns for those travelling on this point in the network.*

It is the conclusion of this analysis and discussion that any development to the north of the River Ythan (i.e. potentially requiring vehicles to utilise the A90(T) between these interchange points) may exacerbate congestion issues in Ellon. On this basis, Aberdeenshire Council recommended to the Infrastructure Services Committee on 3 October 2019 that the proposed development allocation at

**If you have difficulties reading the text on this document,
please contact [REDACTED] on [REDACTED]**

Golf View, Ellon should be withdrawn from consideration in the 2021 LDP until such time that there are strategic interventions on the A90.

The following sets out our rationale behind the above recommendation:

The Cromleybank development is located such that traffic to and from the A90 will go through the B9005 south roundabout, turning left in the PM peak away from the northbound congestion that currently exists on the section between the A948 north roundabout and B9005 roundabout, continuing southbound on the A90 from the B9005. Cromleybank traffic on the B9005 (South Road) into Ellon also turns into the site prior to reaching the South Road / Riverside Road signal junction which is another point of capacity restriction. Furthermore, the Cromleybank site is adjacent to the school which further reduces impacts on the signal junction not only through traffic routing but also as it is walkable and cycleable.

Our assessment is that the northbound congestion is a result, as stated above, of the dual carriageway to single carriageway change occurring at the south roundabout and will not be mitigated by improvements at either the north or south roundabout, but will require the section of single carriageway between the two roundabouts to be dualled. This level of intervention is not within the scope of a developer, as it would involve the construction of a new dual carriageway bridge across the Ythan and whilst there has been a Study into Fraserburgh & Peterhead to Aberdeen dualling (FPASTS) there is no committed scheme to deliver this infrastructure at this time. However, there is potential to increase left turning capacity at the south roundabout to and from Ellon to accommodate Cromleybank that can be delivered by the developer.

Similarly, the congestion in the PM peak currently occurring on South Road from the signal junction at Riverside Road cannot be fully mitigated through changes to the signal timings, and any scope to do so can only reduce existing queueing. The junction is land constrained on all sides with no little to no scope to provide additional capacity and even if there were, the network is further constrained beyond the junction by the bridge and the centre of Ellon. The longer term requirement that has been identified for relieving this constraint is the delivery of a new southern distributor road between the A920 (Riverside Road) and South Road (bypassing the signals and removing much of the east-west movement on the A920), which is also part of the infrastructure options package for Cromleybank.

The Golf View sites to the north of Ellon impacts on both of these major network constraints and would not be able to deliver the (only) mitigation options that are available with the Cromleybank site. With regards to other sites within the LDP on the north corridor, sites within Ellon have a greater proportional impact on the trunk road network than sites to the north; Census data shows that 41% of Ellon residents work in Aberdeen compared to just 8% for Fraserburgh, 12% for Peterhead and 19% for Mintlaw.

That is the basis of our professional advice given to the Local Development Plan team in respect of sites in Ellon. Modelling work was carried out for the Cumulative Transport Appraisal, however the traffic data used as the basis for this model is currently being updated in light of the AWPR/B-T coming on line, and which has highlighted this specific issue. There is sufficient physical evidence of queueing on the A90 northbound and on South Road that also gives evidence to our conclusion. We are also in the process of assessing the signal junction on Riverside Road so are aware of the constraints at this junction.

**If you have difficulties reading the text on this document,
please contact [REDACTED] on [REDACTED]**

We understand the frustrations resulting from our recommendations; With regards to the removal of the Golf View sites, these were initially 'not preferred' in the MIR and as such these network issues have only been raised since the Area Committee recommended that the sites be included. It should also be noted that in our discussions with Transport Scotland regarding the ongoing DPMTAG work, the issues at Ellon described above were specifically raised by them as a concern, therefore we cannot ignore the issue.

[REDACTED]

Principal Engineer

**If you have difficulties reading the text on this document,
please contact [REDACTED] on [REDACTED]**

Thank you Chair and Members. I represent the land owner and CHAP Homes and we are concerned that officers are not taking full cognisance of Formartine decisions thus prejudicing our bids.

Formartine Area Committee unanimously supported the sites at the first hearing, and, at the second, the amendment was carried to continue to support the sites. There was dissatisfaction at the lateness of the transport comments and the lack of opportunity to comment ahead of the first consideration by ISC.

The fifth and final amendment of the last Formartine decision has not been included in your report which states that *“any further reports relating to the inclusion of sites FR063 and FR064 refer only to the new transportation information that has been provided”*. It is clear that other matters should not be referred to in further reports yet the Planning Service has done this. This may be an unfortunate omission but we have no comfort matters are being properly reported.

The late errata which raised possible congestion impacts on the A90 junctions meant that you had to make an assessment based on limited information. There was no reference to the dualling of the A90 in the errata and it was only disclosed

during the discussion after my address that officers were in fact providing the views of Transport Scotland, which, based on the information presented on the day, was unsubstantiated with little merit and did not explore possible solutions.

Fairhurst has provided independent advice on the memo between Transportation and Planning and the errata. The memo provides an extract from an early draft of the (Development Planning and Management Transport Appraisal Guidance) DPMTAG which suggests that as a result of the completion of the AWPR/B-T there has been an unanticipated effect of displacing congestion along the A90 between Balmedie and Tippetry to the two Ellon roundabouts with further impact on local Ellon movements.

The Transportation recommendation is based on insufficient information is, premature and should be treated with caution. Updated strategic modelling is still to be completed to take account of the changes resulting from the AWPR/B-T works. It is therefore not possible to arrive at a conclusion about what, if any, mitigation is required in Ellon or between the two roundabouts.

The appropriateness in making strategic transport decisions on Goggle Live Traffic Flow information is questioned as it allegedly shows the extent of traffic flow issues in the area during the PM peak when it is not certain where this information is derived from or how accurate it is.

Transport Scotland has confirmed that the draft DPMTAG report was primarily sent to them to comment on the structure rather than content as the Council's work is ongoing, again suggesting prematurity and that ISC was misinformed. Transport Scotland made the recommendation to remove the sites. More information is yet to be included to enable them to comment fully and it has been clarified that it has not provided comments concerning any specific sites or on the Ythan Bridge.

Given that the updated strategic modelling is still to be carried out and completed the errata statement that *"the applicant has neither the land nor the value in his site to make a meaningful contribution to these works"* has to be disregarded as it draws to a conclusion on the required mitigation works that are yet to be determined. Appropriate contributions will be made once any impact has been established and mitigation identified.

It must also be highlighted that the location of the development will have less impact on the A90 than allocations to the north such as Mintlaw, Peterhead and Fraserburgh whose traffic travelling to Ellon, and south will all have a significant impact on the two Ellon roundabouts and the A90 single carriageway section between them. Why is this not raised as an issue and what mechanism will be put in place to ensure that these contribute to a scheme of mitigation.

The proposed sites total 144 homes over two phases and will not result in a significant number of vehicle trips. While the Planning Service has indicated up to 226 homes could be built on the sites, we are proposing 81 in the first phase and 63 in the second. The Council has estimated that 40% of the traffic generated by the development would likely travel to or from Aberdeen via the A90. This is around 25 additional vehicles during the AM and PM peak hours, which is one additional vehicle every 2 – 3 minutes. This is not significant and is less than a 2% increase in the existing traffic on the A90. Traffic generations from developments north of Ellon will have a greater cumulative impact.

Aside from this, the Formartine report raises concerns about the provision of suitable access but again this was not raised in the MIR and we would suggest these late comments should be

disregarded in line with the Formartine decision. There is more than one possible access solution subject to detailed discussions with the Roads Service.

We would therefore respectfully request that the two previous Formartine decisions are upheld and the deliverable, and sustainable sites at Auchterellon continue to be supported for allocation in the next LDP. Thank you.



For noting:-

Part 2C (Planning Delegations) states at Section C.3.2b for Local Development, that following consultation with the Chair and Vice-Chair of the determining Committee, the Head of Planning and Environment Service can refuse planning applications for which Section 75 Agreements are not completed or Developer Obligations are not paid within four months from the date of the Committee at which the application is determined. Local Ward Members shall be notified of any such refusal.

Please note that this power may be exercised in respect of the application which is the subject of this report if the application is approved by the Committee.”

Members of the Committee then voted:-

for the motion	(10)	Councillors Argyle, Agnew, Aitchison, Cassie, Ewenson, Ford, Kloppert, Latham, Mollison and Smith.
for the amendment	(4)	Councillors Cox, Carr, Pike and Taylor.

The motion was carried, and the Committee **agreed** to support the Officer’s recommendation, as contained in Section 6.1 to the report, to REFUSE Planning Permission in Principle as detailed in the motion.

**7. ABERDEENSHIRE PROPOSED LOCAL DEVELOPMENT PLAN 2021 -
CONSIDERATION OF MAIN ISSUES REPORT SUBMISSIONS FORMARTINE BID SITES
FR063 (SITE1 ADJACENT TO GOLF VIEW, ELLON) AND FR064 (SITE 2 ADJACENT TO
GOLF VIEW, ELLON).**

The Chair advised the Committee that a request to speak had been submitted, and the Committee **agreed** to hear Mrs L Tierney on behalf of Chap Homes.

With reference to the Minutes of the Formartine Area Committee meeting of 10 September 2019 (Item 3), the Infrastructure Services Committee meeting of 3 October 2019 (Item 7) and the Formartine Area Committee meeting of 29 October 2019, there had been circulated a report, dated 31 October 2019, by the Director of Infrastructure Services, which sought to resolve outstanding inconsistencies arising in consideration of the Main Issues Report Issues and Action Papers.

The report explained that the Formartine Area Committee, at their meeting of 10 September 2019, had not had sight of a very late response from the Transportation Service in response to road traffic information related to Bids FR063 and FR064 (Sites 1 and 2, adjacent to Golf View, Ellon) which had resulted in Officers subsequently recommending to the Infrastructure Services Committee on 3 October 2019 that both sites should be excluded from the proposed Local Development Plan. That additional information had raised concerns over congestion and that information was subsequently provided to the Formartine Area Committee at their meeting of 29 October 2019. It was reported that having considered that information the Formartine Area Committee had agreed to maintain their original support for the inclusion of sites FR063 and FR064 within the proposed Local Development Plan and the Area Committee had requested that the Infrastructure Services Committee, consider their decision afresh, in light of the Area Committee comments.

The Committee then heard from Mrs L Tierney, the agent, on behalf of the landowner Chap Homes who raised concerns that Officers had not taken proper cognisance of the Formartine Area Committee decision which had unanimously supported both sites. Dissatisfaction had

been raised at the lateness of the comments provided by the Transportation Service and the lack of opportunity to consider those comments, prior to the Infrastructure Services Committee supporting the Officer's decision to exclude the sites. Ms Tierney was minded that Officers were not correctly reporting to Committee, with the late errata, which did not include amendment (e) that any further report relating to the inclusion of sites FR063 and FR064 refer to only the new transportation information that had been provided and the concerns raised regarding possible congestion concerns, based on limited information, which was unsubstantiated with little merit and did not explore a possible solution. Ms Tierney's belief was the Transportation information was based on limited information, was premature and in her view should be treated with caution. Ms Tierney requested that the two previous Formartine Area Committee decisions should be upheld and both sites should be supported for allocation in the next Local Development Plan.

During discussion, the Committee queried reference made to the omission of information within the report, relating to the Formartine Area Committee amendment, item (e); and sought clarification regarding the content of further reports. The Committee were advised that the report was founded upon the response from the Transportation Service, however, Officers still had to provide a view on the impact and compatibility for both bid sites and that did include concerns over landscape and the proximity to the cemetery. It was highlighted that Officers were resolute in their view that both sites were not appropriate sites for Ellon, due to landscape capacity.

Having considered the content of the report, the Committee agreed:

- (1) To **acknowledge** the views of the Formartine Area Committee of 29 October 2019, following their consideration of the response received from Transportation regarding bids FR063 and FR064, which was received following the meeting of Formartine Area Committee on 10 September 2019 and reported as a late paper to ISC on 3 October 2019; and
- (2) to **uphold** the decision of the Infrastructure Services Committee at its meeting on 3 October 2019, not to recommend to Aberdeenshire Council bid sites FR063 and FR064 for inclusion in the proposed Local Development Plan.

8. ABERDEENSHIRE COUNCIL, NATURAL HERITAGE STRATEGY 2019-2022.

There had been circulated a report, dated 7 November 2019, by the Director of Infrastructure Services, which presented the Environment Team's Aberdeenshire Council Natural Heritage Strategy 2019-2022, as presented in Appendix 1 to the report, providing the aims and key priorities and the associated Action Plan.

The report explained the Strategy was the first Strategy, outlining the work of the Environment Team, within the Planning and Environment Service, in relation to Natural Heritage in Aberdeenshire for the period 2019-2022. It was reported that the delivery of the Strategy would be facilitated by an Annual Action Plan for each year of operation, providing a structured approach to service delivery over the next three years and would cover work in relation to development management, tree protection, site management, biodiversity and partnership working.

The Committee noted Appendix 2 to the report, which provided comments received from Area Committees on the Strategy and Action Plan and the Service response to those comments.

The Planning Service Manager (Maureen Corley) introduced the report, and referred the Committee to the key actions contained within the Action Plan; the increasing role of biodiversity champions (Action 3.1); the need to promote the work of the team (Actions 3.1



REPORT TO ABERDEENSHIRE COUNCIL – 5 MARCH 2020

PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020

1. Reason for Report / Summary

- 1.1 To agree the content of the Proposed Aberdeenshire Local Development Plan 2020 (LDP) as the settled view of the Council on planning policy and site allocations for the period from 2021 to December 2031.

2. Recommendations

The Council is recommended to:

- 2.1 Consider the views of Area Committees on the content and substance of the policies, settlements and proposals following evaluation of the 'Issues and Actions' of the Main Issues Report, for inclusion in the Proposed Local Development Plan (Appendix 1).
- 2.2 Consider the views of the Infrastructure Services Committee held on 3 October 2019 on the content and substance of the policies, settlements and proposals following evaluation of the 'Issues and Actions' of the Main Issues Report, for inclusion in the Proposed Local Development Plan.
- 2.3 Consider the Strategic Environmental Assessment (SEA) - Environmental Report of the Proposed Local Development Plan published online to support this Report.
- 2.4 Consider the Habitats Regulations Appraisal Record (HRA) of the Proposed Local Development Plan published online to support this Report.
- 2.5 Consider the detailed Report of the Equality Impact Assessment of the content of the Proposed Local Development Plan published to support this Report (Appendix 2).
- 2.6 Consider the outcomes of the Town Centre First Principle Impact Assessment of the Proposed Local Development Plan published with this Report (Appendix 3).
- 2.7 Approve the publication of the Proposed Local Development Plan for public consultation for a period of 8 weeks, as the settled view of the Council on these matters, subject to any minor changes required to be agreed by the Director of Infrastructure Services following consultation with Group Leaders.
- 2.8 Approve the publication for public consultation of the Strategic Environmental Assessment (SEA) - Environmental Report of the Proposed

all the details that must be taken into account in publishing the Proposed Plan. This includes the notification, by post, of all neighbours to allocated sites made in the Proposed Local Development Plan.

- 3.6 The Proposed Aberdeenshire Local Development Plan is presented as **Appendix 1** with this Report. This Report also highlights some of the outstanding issues that have arisen. Associated with this document are the Strategic Environmental Assessment (SEA) - Environmental Report of the Proposed Local Development Plan, the Habitats Regulations Appraisal Record and Strategic Flood Risk Appraisal.

4. Discussion

- 4.1 This represents the first time that the Proposed Local Development Plan 2020 has been presented to Council for their consideration towards approving the publication of the Proposed Plan as their settled view. In addition, the Appendices to the Plan were presented to the Planning and Environment Member Officer Working Group (MOWG) on 9 October 2019 and very valuable comments were given. Opportunities were also presented to Member Ward Groups to raise any additional issues with the content of the Proposed Local Development Plan.

Planning (Scotland) Act 2019

- 4.2 The Planning (Scotland) Act 2019 received royal assent in July 2019. The Act contains a number of significant changes for the development plan making process. Due to timescales involved in commencing each section of the 2019 Act, the Proposed Local Development Plan has been prepared based on existing legislation. However, the Proposed Local Development Plan takes full cognisance of those provisions that have already come into force, or that do not rely on secondary legislation coming forward. For example, the purpose of planning "to manage the development and use of land in the long term public interest", as outlined in the 2019 Act, is instilled into the Proposed Local Development Plan and opportunity has been taken to remove supplementary guidance and this has been incorporated into the Plan.
- 4.3 The full range of changes for development planning are not anticipated to come into effect until mid-to-late 2021. It is expected that by this point in time, the Local Development Plan will be in a position to be adopted, before seeking to embark on the basis of the new system.

Proposed Aberdeen City & Shire Strategic Development Plan

- 4.4 The Strategic Development Plan Authority agreed the content of the Proposed Aberdeen City & Shire Strategic Development Plan (the "SDP Proposed Plan") on 24 August 2018. This decision was subsequently ratified by Aberdeen City Council on 10 September 2018 and Aberdeenshire Council on 27 September 2018.

overprovision of marketable land for housing does not prejudice the delivery of alternative viable sites already included in the Plan. Currently there is an overprovision of 80 houses in the Aberdeen Housing Market Area and 604 houses in the Rural Housing Market Area. Not all the sites which are identified as "marketable" will come forward at this time, and mechanisms such as promotion of self-build have been made to seek to address this issue. Scottish Planning Policy (SPP) (paragraph 120) requires that Planning Authorities are obliged to allocate a range of sites which are effective or expected to become effective to meet the housing land requirement in the Strategic Development Plan and be confident that the land can be brought forward for development within the Plan period.

how can they be confident of delivery?

- 4.10 The overprovision of housing land as proposed is considered to be acceptable as it builds in flexibility, particularly in the Rural Housing Market Area, as well as continuing to promote Aberdeenshire as an area open for business. As such no changes require to be made to the Proposed Local Development Plan in respect of removing proposed allocations or introducing new sites at this stage of the plan making process.

Proposed Local Development Plan– Outstanding issues

Housing Land

Formartine

- 4.11 **Ellon – Site FR090 – Cromleybank.** Part of the bid to extend site FR090 to its south at Cromleybank, Ellon to include the southern bypass of Ellon is not supported in the format as submitted. It is considered more appropriate that this is instead marked as an indicative route on the proposals map as a proposed route has yet to be agreed with the developer. Such an action may be premature without the assessment of mitigation of impacts on the A90(T) from congestion. The Plan will still have a route marked, but not as an allocation.
- 4.12 **Ellon – Sites FR063 & FR064 – North of McDonald Golf Course.** Of the outstanding issues debated by Infrastructure Services Committee one related to the potential implications of identifying two sites north of the McDonald Golf Course, Ellon (FR063 and FR064) for development. These sites were initially considered by Formartine Area Committee on 10 September 2019, whereby Members expressed their support for the sites to be included in the Proposed Local Development Plan. Following transportation concerns being subsequently identified, based on Officer recommendation, the sites were agreed to be omitted from the Proposed Local Development Plan by Infrastructure Services Committee at their meeting on 3 October 2019. Further consideration of the sites was undertaken by Formartine Area Committee on 29 October 2019 allowing cognisance to the feedback from Transportation. Support for the sites was continued by the Formartine Area Committee, with the Infrastructure Services Committee of 28 November 2019 similarly continuing their view to omit the sites from the Proposed Local Development Plan. Any development on these sites is premature at this time in the absence of any

specifically protected by SPP. Reducing the density from the MIR recommendation of 50 homes to 40 homes as recommended by Officers in the Issues and Actions, is reasonable and realistic to ensure the impact of the development does not outweigh the benefits of the redevelopment of the site. The reduction in density should assist with concerns voiced by respondents to the MIR regarding road access.

- 4.19 Any potential higher density proposal and its impacts can be assessed as part of any planning application and considered against the relevant policies. While the housing allocation on the site remains indicative, any increase in numbers should not be allowed to impact on the Ancient Woodland designation on the site, which is irreplaceable in our generation. Designating an Ancient Woodland for development marks a dangerous precedent for other sites that have not been allocated for very similar reasons.
- 4.20 This site is, therefore, recommended to be included within the Proposed Local Development Plan presented with this Report with an allocation of 40 homes.

Employment Land

Buchan

- 4.21 **Peterhead – Sites BUS 3 & OP6.** Currently employment land meets and exceeds the requirements of the Strategic Development Plan with the exception of Strategic Reserve Land. To compensate for this under-provision a part of the BUS (safeguarded for business uses) allocations to the south of Peterhead are to be re-designated as Strategic Reserve Land (identified in the Proposed Local Development Plan Settlement Statement as site SR1). This land is owned by one developer and has remained undeveloped for the last 15 years (part of the existing BUS3 designation adjacent to Wellington and extending to approximately 22ha). A second part of adjacent land (on the east side of the A90(T) at Wellington has been reallocated as an opportunity site (OP) for employment uses.

5. Council Priorities, Implications and Risk

- 5.1 This Report helps deliver **Council Priority 1 - Support a strong, sustainable, diverse and successful economy**, through providing multiple opportunities for the safeguarding and development of land for business, protecting town centres, and promoting special employment use.
- 5.2 This Report helps deliver **Council Priority 2 - Have the best possible transport and digital links across our communities**, by promoting a settlement strategy which is based on our main road network, rail routes and public transport opportunities, and by promoting future development of digital telecoms.
- 5.3 This Report helps deliver **Council Priority 3 - Provide the best life chances for all our children and young people by raising levels of attainment and achievement**, by ensuring that new developments contribute to the expansion of our primary and secondary school facilities.

Financial and Staffing

- 5.11 The financial and staffing implications in producing and implementing the Development Plan Scheme are covered within existing budget.

Equalities

- 5.12 Equalities represents an important legal obligation in preparing the Proposed Local Development Plan 2020. Our general equalities statement regarding the process of preparing the Local Development Plan 2021 is contained within the Development Plan Scheme 2019, considered by Infrastructure Services Committee on 24 January 2019 and previously in January 2018 for the Development Plan Scheme, when the project was started. However, at this stage an Equality Impact Assessment is required as the Council is being asked to make decisions on the future content of the policies. The outcome from this process is presented in the Equality Impact Assessment presented as **Appendix 2** of this Report. Evaluation of the content of the Proposed Local Development Plan 2020 does not result in a differential impact on any of the protected characteristics of stakeholders. Only positive impacts are identified.

The Fairer Scotland Duty

- 5.13 The Fairer Scotland Duty places a legal responsibility on Aberdeenshire Council to actively consider ('pay due regard to') how they can reduce inequalities of outcome caused by socio-economic disadvantage. The Proposed Local Development Plan is useable by all groups but provides no particular mechanism to address general socio-economic disadvantages, as it relates to the use of the land and not the characteristics of the applicant. Some policies such as H2 Affordable Housing, and the Policy H5 Gypsy/Travellers provide specific support for users who may have socio-economic needs. Other policies, such as Policy P2 Open Spaces and Access in new development also make a contribution to all socio-economic classes, irrespective of disadvantage. Generally, land has no differential socio-economic characteristic depending on whom may be applying for planning permission for development. Development of land to address individual socio-economic needs of applicants is not consistent with ensuring that the principle of "the right development in the right place" as required by Scottish Planning Policy is addressed.

Town Centres

- 5.14 The Proposed Local Development Plan seeks to promote and conserve existing town centres. A Town Centre First Principle Impact Assessment (presented as **Appendix 3**) has demonstrated these positive outcomes.

Sustainability

- 5.15 The Climate Change (Scotland) Act 2009 introduces a legal obligation for public bodies to address climate change through the Public Bodies Climate Change Duties. These duties advise that a public body must, in exercising its functions,

<ul style="list-style-type: none"> • Support renewable energy generation 	<ul style="list-style-type: none"> • Promote the use of sustainably sourced materials in construction
<ul style="list-style-type: none"> • Support waste management practices in the area to increase reuse and recycling 	<ul style="list-style-type: none"> • Decrease water usage through water efficiency measures
<ul style="list-style-type: none"> • Protect soils 	<ul style="list-style-type: none"> • Promote cycling and walking as modes of transport to and from work
<ul style="list-style-type: none"> • Increase forestry cover 	

- 5.20 The Scottish Government have advised that a degree of proportionality should be borne in mind and the focus should be on outcomes, using sound evidence. Implementing the climate change duties seeks to mainstream climate change action across organisations and make it a natural part of decision-making processes, with the aim of keeping associated potential costs as low as possible.
- 5.21 Outcomes from decisions made at the Full Council meeting will deliver a Proposed Local Development Plan that reduces energy demand, energy consumption and promotes energy efficiency improvements in new developments across Aberdeenshire. A framework that supports renewable energy generation is promoted to assist in the delivery of security and efficiency of our energy supply. It will not reduce overall energy use, as by its nature the development plan seeks to control growth of development rather than promote improvements to the status quo.
- 5.22 In addition, the Proposed Local Development Plan supports sustainable and low carbon transport networks, improves and increases electric vehicle charging points and reduced reliance on vehicles. A Settlement Strategy is promoted that will reduce the need to travel and promotes travel for health and well-being. At a regional level there are measures to reduce the addition of mileage made in personal vehicles. It will not increase the use of electric and low carbon vehicles, or the services that Aberdeenshire Council's own vehicle fleet provide.
- 5.23 Neither positive nor negative impacts are anticipated on waste production or disposal. The Proposed Local Development Plan will support the Aberdeenshire Council Waste Strategy, and promote kerbside recycling, but will not affect the volume of material likely to go to landfill, is recyclable or compostable. No additional resources are required to manage the waste that is generated. Development is likely to increase demand for both water and waste treatment. The Plan contains measures to assist in conserving water through water efficiency measures.
- 5.24 Aberdeenshire's cultural heritage and identity is protected through a specific policy chapter, as is the protection of the existing benefits of its agriculture and forests.

Table 3: Impact on wellbeing from the Proposed Local Development Plan.

Wellbeing Indicator	Positive	Negative	No Impact
Safe	✓		
Healthy	✓		
Achieving	✓		
Nurtured	✓		
Active	✓		
Respected			✓
Responsible			✓
Included	✓		

5.30 The following impacts on Children's rights are supported by the Local Development Plan. These are also linked to the Fairer Scotland Duty:

Table 4: Impact on Children's Rights
<ul style="list-style-type: none"> • Provision of active play spaces contributes to Article 3 – the best interests of the child.
<ul style="list-style-type: none"> • Engagement and consultation with children and young people informed the recommendations in this Report. This contributes to Article 12 – respect for the views of the child.
<ul style="list-style-type: none"> • Provision of active play spaces contributes to Article 24 – health and safety services.
<ul style="list-style-type: none"> • Provision of land for homes and jobs contributes to Article 27 – adequate standard of living.
<ul style="list-style-type: none"> • Provision of active play spaces contributes to Article 31 – Leisure, play, and culture.

Risks

5.31 The following Risks have been identified as relevant to this matter on a Corporate Level:

- **ACORP005 Working with other organisations (e.g. supply chains, outsourcing, partnership working and commercialisation).** A wide range of partner organisations are dependent on the Local Development Plan to achieve our common objectives.

- **ISSR005 Affordable Housing:** The Proposed Local Development Plan assists in providing a range of mid-market rent housing through providing the mechanism that allows developers to open sites for affordable housing through use of infrastructure funding. The anticipated demand for affordable housing exceeds supply.
- **ISSR006 Flood Protection:** The Proposed Local Development Plan has policies for flood protection and does not promote development in areas that may flood. Risk exists that predictions on flood extents are underestimated, or new areas of flood arise.
- **ISSR008 Economic Development:** The Proposed Local Development Plan assists in the delivery of the strategic objectives set out in the Regional Economic Development Strategy. Risk exists that the principles promoted in the Proposed Local Development Plan are insufficient to meet the aspirations of those wishing to establish businesses.

6. Scheme of Governance

- 6.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this Report and their comments are incorporated within the Report. They are satisfied that the Report complies with the Scheme of Governance and relevant legislation.
- 6.2 The Council is able to consider and take a decision on this item in terms of Section A.5.1 of the List of Committee Powers in Part 2A of the Scheme of Governance as it relates to the review, endorsement and approval of the Local Development Plan.

Stephen Archer, Director of Infrastructure Services

Report prepared by Piers Blaxter, Policy Team Leader
Date 22 January 2020

List of Appendices:

Appendix 1	<u>Proposed Aberdeenshire Council Local Development Plan 2020</u>
Appendix 2	<u>Equality Impact Assessment</u>
Appendix 3	<u>Town Centre First Principle Impact Assessment</u>

Auchterellon – Aberdeenshire Full Council - 5 March 2020

Thank you Provost and Members for the opportunity to speak on sites FR063 and FR064 at Auchterellon.

The first decision of the Formartine Committee was to unanimously support these sites in an acknowledgement that:

- They were not prominent on the edge of the settlement and the approved cemetery provides a setting
- The masterplan layout is sympathetic
- No negative comments were received on the MIR
- We consulted with the Community Council who have not objected
- There is good cycle and footpath connectivity via the F+B Way to the west and also via extended footpaths to the town on the A948
- The site is within the town bypass with excellent linkage to the A90 and public transport
- It provides much needed alternative and affordable housing in Ellon
- It is a key location in this Strategic Growth Area and Energetica Corridor

The late errata presented to ISC on 3 October that the sites should not be included due to likely impacts on congestion arising on the A90, did not allow time for a reasoned response, and verbal reference to the dualling of the A90 was only disclosed after my address where officers said they were providing the views of Transport Scotland. Based on the

information presented this was unsubstantiated with little merit and did not explore possible solutions.

The second decision of the Formartine Committee:

- Expressed dissatisfaction at the lateness of the comments of Transportation and lack of opportunity to comment ahead of ISC
- Maintained support for the sites AND
- Required that any further reports refer only to the new transportation information

The draft DPMTAG (Development Planning and Management Transport Appraisal Guidance) report suggests that as a result of the completion of the AWPR there has been an unanticipated effect of displacing congestion between Balmedie and Tipperty to the two Ellon roundabouts with further impact on local Ellon movements. However, Transport Scotland has confirmed it was primarily sent to them to comment on its structure rather than content. Again, this suggests prematurity and that ISC was misinformed Transport Scotland made the recommendation to remove the sites.

Transportation confirmed last week that work is still not yet concluded and that correspondence continues with Transport Scotland who have still not commented fully on any specific sites or on the Ythan Bridge. The strategic modelling is not complete and it is still not possible to arrive at a conclusion about what, if any, mitigation is required.

Transportation, and as a result Planning, have arrived at a conclusion regarding the extent of the issue and the required

solution without having undertaken the necessary work to get there. We are no further forward in terms of the validity of the process or what is required for the A90, and which in any case can be addressed through the submission of a TA, contributions and mitigation.

We have questioned making strategic transport decisions on Google Live Traffic Flow as is not certain where this information is derived from or how accurate it is.

These sites will have less of an impact on the A90 than existing and proposed ones to the north whose traffic travelling to Ellon, and south, will all have an impact on the two roundabouts and the A90 single carriageway section between them yet this is not raised as an issue for these allocations. We therefore have an inconsistency in approach.

The two phases of 81 and 63 homes will not result in a significant number of vehicle trips. The Council's estimate of 40% of the traffic generated travelling to or from Aberdeen via the A90 is 25 additional vehicles during the AM and PM peak hours or one additional vehicle every 2-3 minutes which is less than a 2% increase in the existing traffic. Traffic from developments north of Ellon will have a greater cumulative impact.

At the last ISC Councillor Kloppert highlighted that the other Ellon Councillors still wanted the sites included. There was actually no real debate about transportation and it appeared the decision to remove the sites was more related to a belief that no other housing sites were required.

However, the recommended increase in the housing allowances in the SDP report provides valuable backing for the Auchterellon sites which are modest, deliverable, sustainable, provide much needed choice and fit with the overall planning strategy. We should remain confident that Cromleybank will be delivered but 8 years of an allocation has not brought forward development.

Finally, we are disappointed that the Planning Service has continued to refer to non-transportation matters including in your report today.

As a ten year plan, the decision made on these sites is crucial. CHAP is a local business and your support would allow further investment in theirs and other local businesses. The development will help to sustain local services which is a key aim for Ellon in the Proposed Plan.

Formartine Committee has overwhelmingly supported these sites and we seek your support. Thank you.

ABERDEENSHIRE COUNCIL

WOODHILL HOUSE, ABERDEEN, 5 MARCH, 2020

Present: Councillors K Adam, W Agnew, D Aitchison, A Allan, P Argyle, N Baillie, D Beagrie, L Berry, A Bews, G Blackett, R Bruce, C Buchan, S Calder, G Carr, R Cassie, J Cox, I Davidson, S Dickinson, A Duncan, E Durno, A Evison, M Ewenson, A Fakley, M Findlater, M Ford, A Forsyth, P Gibb, J Gifford, V Harper, A Hassan, F Hood, W Howatson, J Hutchison, M Ingleby, J Ingram, P Johnston, A Kloppert, J Latham, D Lonchay, R McKail, A McKelvie, D Mair, I Mollison, G Owen, H Partridge, G Petrie, C Pike, G Reid, G Reynolds, D Robertson, A Ross, M Roy, A Simpson, H Smith, N Smith, S Smith, A Stirling, I Sutherland, I Taylor, B Topping, I Walker, A Wallace, L Wilson, R Withey and J Whyte.

Apologies: Councillors A Buchan, M Buchan, A Kille, S Leslie and R Thomson.

Officers: Chief Executive, Director of Business Services, Director of Education and Children's Services, Chief Officer, Health and Social Care Partnership, Head of Planning and Environment, Head of Finance, Head of Legal and Governance and Principal Committee Services Officer.

Prior to the commencement of the business of the meeting, the Chief Executive commented on the recent death of Mrs Dawn Archer, wife of Mr Stephen Archer the Director of Infrastructure Services, and the Council extended its condolences and support to Mr Archer and his family.

CHAIR

Councillor W Howatson, Provost of the Council, presided.

1. DECLARATION OF MEMBERS' INTERESTS

The Provost asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct. The following declarations were intimated –

- (i) Item 5 – Councillors Dickinson and Evison given previous family connections with the Mackie Academy Rugby Club and having applied the objective test considered the interests to be remote and insignificant and would remain in the meeting;
- (ii) Item 5 - Councillor Whyte given a family connection to a bid site but having applied the objective test had concluded it was not clear and substantial and would remain in the meeting; and
- (iii) Item 6 – Councillors Cox and Johnston as licence holders and left the meeting during consideration and determination of the matter.

2. STATEMENT ON EQUALITIES

In making decisions on the following items of business, the Council **agreed**, in terms of Section 149 of the Equality Act, 2010:-

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it.
- (2) where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.

3. MINUTE OF MEETING OF 13 FEBRUARY, 2020

The Minute of Meeting of Aberdeenshire Council of 13 February, 2020, had been circulated and was **approved** as a correct record subject to an amendment at Item 6, in terms of the motion and the decision paragraph by replacing the words “that the Chief Executive” with “to instruct the Chief Executive to”.

4. PLANNING APPLICATION APP/2019/2300 - FULL PLANNING PERMISSION FOR A NATIONAL DEVELOPMENT FOR THE ERECTION OF ELECTRICITY SUBSTATION COMPRISING PLATFORM AREA, CONTROL BUILDING, ASSOCIATED PLANT AND INFRASTRUCTURE, ANCILLARY FACILITIES, ACCESS TRACK AND LANDSCAPE WORKS ON LAND ADJACENT TO THE ST FERGUS GAS TERMINAL, ST FERGUS, PETERHEAD

There had been circulated a report dated 17 January, 2020 by the Director of Infrastructure Services on an application for full planning permission for the erection of electricity substation comprising platform area, control building, associated plant and infrastructure, ancillary facilities, access track and landscape works on land adjacent to the St Fergus gas terminal, St Fergus, Peterhead. The report advised that the application was for a national development and for that reason required to be determined by the Council, following consultation with the Buchan Area Committee.

The Head of Planning and Environment reported on the detail of the proposal and the Council **agreed**:

- (1) to grant Full Planning Permission, subject to:
 - (a) the following conditions:
 1. Contaminated Land

No works in connection with the development hereby approved shall commence unless an investigation of the site has been undertaken in accordance with BS 10175:2011+A2:2017 - 'Investigation of Potentially Contaminated Sites – Code of Practice' and a Report of that

investigation has been submitted to and approved in writing by the Planning Authority.

Where it is determined by the site investigation report that remediation of the site is required no works in connection with the development hereby approved shall commence unless a Remedial Scheme has been submitted to and approved in writing by the Planning Authority. The development hereby approved shall not be brought into use unless the approved Scheme of Remediation has been carried out in its entirety and a Validation Report has been submitted to and approved in writing by the Planning Authority.

Any areas of hardstanding, clean cover or other such barriers within the application site boundary that are included within the approved Scheme of Remediation and are required to break one or more pollutant linkages shall be permanently retained as such and shall not be disturbed without the prior written approval of the Planning Authority.

Reason: In order to ensure any potential contamination of the site is dealt with appropriately in the interests of public and environmental safety.

2. Archaeology

No works in connection with the development hereby approved shall commence unless an archaeological Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Planning Authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written Scheme of Investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into use unless a Post-Excavation Research Design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the Planning Authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

3. Landscaping

No works in connection with the development hereby approved shall commence unless a detailed scheme of hard and soft landscaping works, generally in accordance with Planting Mitigation drawing *JFLA_SF_PM_001B dated October 2019 (page 31 of Environmental Appraisal)* has been submitted to and approved in writing by the Planning Authority.

Details of the Scheme shall include:

- Confirmed planting species mix;
- Confirmed locations of new planting including shrubs, trees;
- A schedule of planting to comprise plant sizes and proposed numbers and density;
- The location, design and materials of all hard landscaping works including perimeter/security fencing and any gates or other boundary treatments; and
- A programme for the implementation, completion and subsequent management of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

4. Drainage

The substation hereby approved shall not be brought into use unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plan LT197_SFEG_0804_0002 Rev 01 dated 23.10.19 and included within the Drainage Impact Assessment. In accordance with this, there shall be no drainage connections into the trunk road drainage system. The foul and surface water drainage systems shall be permanently retained thereafter and maintained as appropriate and as approved.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of the amenity of the area.

5. Construction Traffic Management Plan

No works in connection with the permission hereby granted shall commence unless a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Planning Authority in consultation with Transport Scotland (where the scheme would impact upon the Trunk Road network). The CTMP must include:

- i) The proposed routing of all construction traffic.

- ii) Details of any traffic management measures proposed during construction (including signage).
- iii) Detail of any abnormal loads, including their routing.

Thereafter, the development shall be carried out in accordance with the approved CTMP, unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of road safety and to avoid degradation of the road and bridge network.

6. CEMP

No works in connection with the development hereby approved (including demolition, ground works and vegetation clearance) shall commence unless a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Planning Authority. The CEMP shall include the following:

- i) Risk assessment of potentially damaging construction activities;
- ii) Identification of biodiversity protection zones;
- iii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- iv) The location and timing of sensitive works to avoid harm to biodiversity features;
- v) The times during construction when specialist ecologists need to be present on site to oversee works;
- vi) Responsible persons and lines of communication;
- vii) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person;
- viii) Use of protective fences, exclusion barriers and warning signs;
- ix) Details of lighting, both during construction and operation of the site;
- x) Hours of operation during the construction period.

The CEMP must address the mitigation details contained within Table 4.1 'Mitigation Summary' of the Environmental Appraisal, dated September 2019.

In the event that the CEMP references other SHE Transmission documents, including (but not limited to) General Environmental Management Plans (GEMPs) or Species Protection Plans (SPPs), these plans must be also be submitted to Aberdeenshire Council for agreement as part of the wider CEMP.

All works carried out during the construction period shall be undertaken strictly in accordance with the approved CEMP, unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of protecting the biodiversity of the environment, the amenity of the surrounding area and road safety.

7. Species Protection Plans

The proposal shall be carried out in accordance with the details contained within the Species Protection Plans (SPP) submitted in support of the application. For the avoidance of doubt the submitted SPPs are:

- i) Badger Species Protection Plan, SSE Networks, Ref: TG-NET-ENV-501, Revision: 1.01, Issue Date: March 2018.
- ii) Bird Species Protection Plan, SSE Networks, Ref: TG-NET-ENV-505, Revision: 1.01, Issue Date: May 2018.

Development shall be carried out in accordance with these documents unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of protecting biodiversity and more specifically protected species which are evident in the area.

8. Access Construction

That no works in connection with the development hereby approved shall commence until full details of the layout, type and construction methods for a proposed new junction connecting to the A90 trunk road, constructed generally in accordance with drawing *LT197_SFEG_0804_0003 Revision 01 dated 3 October 2019 and prepared by Scottish and Southern Electricity Networks* have been submitted to and agreed in writing by the Planning Authority in consultation with Transport Scotland.

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.

9. Visibility Splays

No works in connection with the development hereby approved shall commence until full details of visibility splays of 4.5 metres by 215 metres at the junction of the proposed new access with the A90 trunk road have been submitted to and agreed in writing by the Planning Authority in consultation with Transport Scotland. Thereafter the development shall be carried out in full accordance with the approved details.

Reason: In order to ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished and to ensure that vehicles entering or exiting the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow of traffic on the trunk road.

10. Abnormal Loads

Prior to the commencement of any abnormal load deliveries to the site, the proposed route for any abnormal loads on the trunk road network must be approved by the Planning Authority in consultation with Transport Scotland. Any accommodation measures required including the removal of street furniture, junction widening and traffic management must similarly be approved prior to any abnormal load deliveries. Any additional signing or temporary traffic control measures deemed necessary due to the size or length of loads being delivered must be undertaken by a recognised Quality Assured Traffic Management consultant, this is also to be approved by the Planning Authority in consultation with Transport Scotland before delivery commences.

Reason: To minimise interference and maintain the safety and free flow of traffic on the trunk road as a result of the traffic moving to and from the development and to ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network.

11. Wheel Washing

No development shall take place unless, details of wheel washing facilities (or an alternative appropriate solution as agreed, in writing, by the Planning Authority in consultation with Transport Scotland) are agreed, in writing, with the Planning Authority in consultation with Transport Scotland. The agreed plant and facilities shall be provided within the construction site and shall remain in place for the duration of the construction period, unless otherwise agreed, in writing, by the Planning Authority.

Reason: To ensure that material from the site is not deposited on the trunk road to the detriment of road safety.

(b) The following Direction:

DIRECTION UNDER SECTION 58 (2) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 as amended by Planning etc. (Scotland) Act 2006:

That subsection (1) of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) shall apply in respect of the permission, with the substitution of the period of three years referred to in that subsection with the period of five (5) years, as is considered appropriate by the Planning Authority in this instance on the basis of the scale of the development. The provisions of subsection (1) shall therefore be read as follows:

The planning permission is to lapse on the expiration of a period of five (5) years (beginning with the date on which the permission is granted) unless the development to which the permission relates is begun before that expiration.

(2) the reason for the decision as follows -

The proposal and mitigation measures set out and contained therein are considered to be acceptable in terms of the relevant Policies contained within the Aberdeenshire Local Development Plan 2017. The proposal is consistent with the Development Plan's aims of reducing carbon emissions and adapting to climate change. It also contributes to the Scottish Government's National Planning Framework's aim to move Scotland towards creating a low carbon place.

5. PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020

There had been circulated a report dated 22 January, 2020 by the Director of Infrastructure Services seeking agreement on the content of the Proposed Aberdeenshire Local Development Plan 2020 as the settled view of the Council on planning policy and site allocations for the period 2021 to 2031 prior to public consultation. The report advised that detailed discussion and consultation had been undertaken with all six Area Committees and the Infrastructure Services Committee and outlined the next steps in terms of public consultation over an 8 week period, submission to and public examination of the Plan by the Scottish Government Directorate of Planning and Environmental Appeals followed by final approval and adoption of the Plan by the Authority. The report also highlighted outstanding issues which had arisen for Members' consideration.

The Head of Planning and Environment expressed his appreciation to all Members, staff and communities for their input in to developing the draft Plan and introduced the report making reference to the process followed, the influence of new planning legislation and outlined next steps.

The Provost advised that ten requests to speak had been received in respect of this item and the Council **agreed** to hear from speakers prior to consideration and determination of the matter.

The Council then heard from speakers as follows –

Mr David Wardrop of Wardrop Strategic Planning on behalf of Taylor Wimpey seeking the reintroduction of bid site KN027 for 300 homes north of Thistle Drive at Portlethen. Mr Wardrop made reference to the original surplus land allocations identified by Officers within the draft Plan, a perceived lack of housing land allocation within the current draft Plan presented, the potential for non compliance with the Strategic Development Plan in terms of housing allowance and the suitability of the bid site KN027 at Portlethen. In conclusion, he requested that the Council replace the perceived lost flexibility of housing land allocations in the draft Plan and, in doing so, reintroduce the site KN027 to the north of Portlethen to provide a broader choice of sites and better chance of delivery of new private and affordable homes in this part of Aberdeenshire.

Mr Wardrop then responded to a question from a Member relating to housing land allocation and the potential for non compliance with the Strategic Development Plan.

Ms Lesley Tierney of Lippe Architects and Planner on behalf of CHAP seeking the allocation of bid sites FR063 and FR064 at Auchterellon Farm, Ellon. She made

reference to Area Committee and Infrastructure Services Committee consideration of the site allocations, Transport Scotland comments on the proposals, Transportation Service feedback, estimated traffic generation figures and proposed housing allocation within the Ellon area. In conclusion, she asked the Council to support the inclusion of the sites within the Local Development Plan.

There were no questions from Members.

Mr Daniel Harrington of Thain, Harrington and Edwards on behalf of Cala Homes seeking the inclusion of bid site KN032 at Braehead Farm, Stonehaven. Reference was made to the location of the site, access arrangements, scale of the proposed development, range of house types, road improvements and submission of a draft masterplan. He also made reference to recent discussions with Mackie Academy Rugby Club on the potential to deliver new replacement pitch facilities as part of any development at Braehead. In conclusion, he highlighted the potential benefits associated with development on this site and urged the Council to support its inclusion in the Local Development Plan.

Mr Harrington then responded to Members' questions providing assurance that the development would not exacerbate any current flooding issues in Stonehaven and that the suggested arrangement with the Rugby Club would be subject to an agreed masterplan being in place in respect of development on this site.

Mr Daniel Harrington of Thain, Harrington and Edwards on behalf of Cala Homes seeking the inclusion of bid site KN109 at land at Causeyport, Portlethen. Reference was made to the location of the site, the proposed phasing of development on the site, services to be delivered, the strong demand for housing in that location, educational provision including accessible sports pitches, access arrangements and a potential future link to the Aberdeen Western Peripheral Route (AWPR).

Mr Harrington responded to questions from Members on any discussions with Transport Scotland regarding the potential future link to the AWPR, the current designation of the application site in the Local Development Plan, the number of residential units proposed, the potential contribution to educational provision and previous engagement with the public on the proposals.

Mr Peter Thain of Thain, Harrington and Edwards on behalf of Forbes Homes seeking the inclusion of bid site KN138 at Woodlands of Durriss. Reference was made to the location of the site, referred to as an infill site between two developments, services and community facilities to be provided, density and design proposals, educational capacity within the area, potential improvements to access arrangements, lower density housing, demand for single storey accommodation and community facilities to be provided.

Mr Thain responded to a Member's question relating to the developer's approach to meeting the needs and demands of its customers.

Mr Andy Richards, a local resident, on bid site MR038 to the North of Hill of Banchory and its importance to the biodiversity of the community of Banchory. Reference was made to the planned expansion of the town, the local nature reserve to the North at the Loch of Leys, which had a high degree of biodiversity and provided habitat for a wide range of wildlife and insects some of which were included

on the Scottish Biodiversity list, and the potential impact of development on bid site MR038 on the nature reserve and adjacent woodland and hedges.

Mr Richards responded to questions from Members by confirming his request that no development take place on the bid site and that he was aware that a charitable trust had been set up to look after the Loch of Leys area.

Mr Michael Lorimer of Ryden on behalf of Forbes Homes seeking an increased allocation in respect of bid site MR061 at Glen O' Dee, Banchory from 40 units to 100 units. Reference was made to the long history of planning consents associated with the site, including enabling development for the redevelopment of the former A Listed Hospital Building. He advised that the main building had been destroyed by fire in 2016 and as a result there were significant costs associated with remediating the contaminated site prior to development. He also made reference to an assessment undertaken on the potential impact of any development on ancient woodland as requested by the Infrastructure Services Committee, consultees comments on development of the site and community support for the development.

Mr Lorimer responded to Members questions on the scale of the remedial work required, the need for increased housing allocation and how that could be accommodated on site, consultation with the local community council, options available to submit an application for a higher density development and associated risks, previous consents for development on the site, impact on the ancient woodland, existing contamination in and around trees on the site and the viability of a development of 40 units as proposed.

Mr Hugh Craigie on behalf of CHAP seeking the inclusion of bid site KN064 for a residential led mixed use development at Kincluny (Park Quarry). Reference was made to the Examination report on the Strategic Development Plan (SDP) which had resulted in an increased allocation of 1879 homes split evenly between the Shire and the City Councils. He considered that the Local Development Plan did not make sufficient provision to meet the increased SDP allocation within the Aberdeen Housing Market Area and also included a number of constrained sites which may not be deliverable. He suggested that there was a need for more housing sites to be included in the Plan and that bid site KN064, a brownfield site with no known technical constraints and effectively shovel ready, would assist in providing access to affordable housing in that location. He also advised that development of the site was not dependent on Park Bridge for access but that the development may provide an opportunity for the developer to provide a contribution towards repair work required.

Mr Craigie then responded to Members questions on the perceived lack of housing sites in the Local Development Plan, consultation undertaken with the community council on the proposals including any potential contribution towards repairs to Park Bridge, the required reinstatement of the quarry site for agricultural use and the interconnection between the two separate communities.

Mr Graeme Webster, site owner, seeking the inclusion of bid site FR088 at Parcock Quarry, Oldmeldrum for up to 10 houses in the Local Development Plan. He made reference to the Local Development Plan bids in Oldmeldrum and advised that this was the only bid proposing the provision of single storey homes and had the support of the local community council following a local place standard survey highlighting the need for such provision. Reference was also made to the site location, site

layout and proposed access arrangements and that no objections had been received to the proposed site allocation.

There were no questions from Members.

Ms Sarah Graham of Halliday, Fraser, Munro on behalf of Mr John McIntosh, site owner, seeking the inclusion of bid sites GR118 at Kinmuch and GR144 at Little Goval for up to 15 self build housing plots. She advised that there was a strong local demand for this type of housing and a lack of policy provision in this respect in the Local Development Plan. Both sites were considered suitable for sympathetic small scale development with no technical issues identified and appropriate site access achievable. In conclusion, she urged the Council to approve the inclusion of the sites in the Local Development Plan.

Ms Graham responded to a question from Members on the current status of the site at Little Goval which had been used as a temporary site compound for the AWPR.

The Head of Planning and Environment then responded to questions from Members on the appropriate allocation of housing sites in the Local Development Plan, clarification of wording relating to the link road at Cromleybank, policy on the density of development within the Local Development Plan, a discrepancy between green belt policy and the Kincardine and Mearns settlement statement which required correction and the text relating to Banchory Academy site R3 and requirement for developer contributions.

Thereafter, the Council determined proposals for the inclusion of bid sites in the Local Development Plan as follows -

Bid site FR063 and FR064 at Auchterellon Farm, Ellon

Councillor Wallace moved, seconded by Councillor Davidson, that Council reinstate sites FR063 and FR064 at Auchterellon Farm, Ellon in to the Proposed Local Development Plan 2020.

As an amendment, Councillor Gifford moved, seconded by Councillor Argyle, that the Council not include bid sites FR063 and FR064 at Auchterellon Farm, Ellon in the Proposed Local Development Plan 2020.

Members of the Council voted:-

for the motion

(29)

Councillors Adam, Baillie, Beagrie, Berry, Calder, Davidson, Dickinson, Findlater, Gibb, Harper, Hassan, Hutchison, Ingram, Mair, McKelvie, Mollison, Owen, Partridge, Petrie, Pike, Reynolds, Simpson, H Smith, Stirling, Taylor, Walker, Wallace, Wilson and Withey.

for the amendment	(31)	Councillors Agnew, Aitchison, Allan, Argyle, Bews, Blackett, Bruce, C Buchan, Carr, Cassie, Cox, Evison, Ewenson, Ford, Forsyth, Gifford, Hood, Howatson, Ingleby, Johnston, Kloppert, Latham, Lonchay, McKail, Reid, Robertson, Roy, N Smith, S Smith, Sutherland and Topping.
declined to vote	(5)	Councillors Duncan, Durno, Fakley, Ross and Whyte.

The amendment was carried and the Council **agreed** not to include bid sites FR063 and FR064 at Auchterellon Farm, Ellon in the Proposed Local Development Plan 2020.

Bid site KN138 at land at Woodlands of Durris

Councillor Wallace moved, seconded by Councillor Pike, that Council include bid site KN138 for land at Woodlands of Durris in the Proposed Local Development Plan 2020.

As an amendment, Councillor Argyle moved, seconded by Councillor Gifford, that the Council not include bid site KN138 for land at Woodlands of Durris in the Proposed Local Development Plan 2020.

Members of the Council voted:-

for the motion	(12)	Councillors Baillie, Bews, Calder, Carr, Ingram, Mollison, Partridge, Pike, Walker, Wallace, Wilson and Withey.
for the amendment	(52)	Councillors Adam, Agnew, Aitchison, Allan, Argyle, Beagrie, Berry, Blackett, Bruce, C Buchan, Cassie, Cox, Davidson, Dickinson, Duncan, Durno, Evison, Ewenson, Fakley, Findlater, Ford, Forsyth, Gibb, Gifford, Harper, Hassan, Hood, Howatson, Hutchison, Ingleby, Johnston, Kloppert, Latham, Lonchay, Mair, McKail, McKelvie, Owen, Petrie, Reid, Reynolds, Robertson, Ross, Roy, Simpson, H Smith, N Smith, S Smith, Stirling, Sutherland, Taylor and Topping.
declined to vote	(1)	Councillor Whyte.

The amendment was carried and the Council **agreed** not to include bid site KN138 for land at Woodlands of Durris in the Proposed Local Development Plan 2020.

Bid site MR061 at Glen O' Dee

At this stage in the proceedings the Council agreed to suspend Standing Order 2.1.2 to allow the meeting to continue beyond 1pm.

Councillor Ross moved, seconded by Councillor Durno that the allocation in the Proposed Local Development Plan 2020 in respect of bid site MR061 at Glen O' Dee be increased from 40 units to 100 units.

As an amendment, Councillor Argyle moved, seconded by Councillor Ford, that the allocation in the Proposed Local Development Plan 2020 in respect of bid site MR061 at Glen O' Dee of 40 units be approved.

Members of the Council voted:-

for the motion	(25)	Councillors Baillie, Bews, C Buchan, Carr, Cox, Durno, Fakley, Findlater, Gibb, Harper, Ingram, Lonchay, Mair, McKelvie, Partridge, Petrie, Pike, Reid, Reynolds, Ross, N Smith, Sutherland, Wallace, Wilson and Withey.
for the amendment	(38)	Councillors Adam, Agnew, Aitchison, Allan, Argyle, Beagrie, Berry, Blackett, Bruce, Calder, Cassie, Davidson, Dickinson, Duncan, Evison, Ewenson, Ford, Forsyth, Gifford, Hassan, Howatson, Hood, Hutchison, Ingleby, Johnston, Kloppert, Latham, McKail, Mollison, Owen, Robertson, Roy, Simpson, H Smith, S Smith, Stirling, Taylor and Topping.
declined to vote	(2)	Councillors Walker and Whyte.

The amendment was carried and the Council **agreed** that the allocation in the Proposed Local Development Plan 2020 in respect of bid site MR061 at Glen O' Dee of 40 units be approved.

Discussion then took place on the potential impact of any new development on the provision of sports pitches in Stonehaven and the requirement for such proposals to provide replacement sports pitches to the satisfaction of the Council and Sport Scotland and it was acknowledged that this was an issue which could affect settlements across Aberdeenshire not just Stonehaven and should be addressed through an amendment to the Open Space Policy in the Proposed Local Development Plan 2020.

Thereafter, Councillor Argyle moved, seconded by Councillor Cox, that Council approve the recommendations in the report including an amendment to the Open Space Policy to address the potential impact of any new developments in settlements across Aberdeenshire on the provision of sports pitches.

As an amendment, Councillor Ford moved, seconded by Councillor Aitchison, that Council -

- (1) approve the recommendations in the report including an amendment to the Open Space Policy to address the potential impact of any new developments in settlements across Aberdeenshire on the provision of sports pitches; and
- (2) agree that the review of the Plan due to commence in 2021 is accelerated to the earliest possible date in accordance with statutory requirements so that changes to the Plan needed to address the climate change emergency can be made as soon as possible.

Members of the Council voted:-

for the motion	(35)	Councillors Agnew, Argyle, Beagrie, Berry, Bruce, Carr, Cox, Davidson, Dickinson, Ewenson, Fakley, Findlater, Gibb, Gifford, Hassan, Howatson, Hutchison, Ingleby, Latham, Lonchay, Mair, McKail, McKelvie, Mollison, Pike, Ross, Roy, Simpson, N Smith, Stirling, Sutherland, Taylor, Walker, Whyte and Withey.
for the amendment	(23)	Councillors Adam, Aitchison, Allan, Baillie, Bews, C Buchan, Calder, Cassie, Duncan, Durno, Evison, Ford, Forsyth, Harper, Ingram, Johnston, Kloppert, Petrie, Reid, Reynolds, S Smith, Topping and Wilson.
declined to vote	(1)	Councillor Wallace.
absent from the vote	(6)	Councillors Blackett, Hood, Owen Partridge, Robertson and H Smith.

The motion was carried and the Council **agreed**:

- (1) to approve the publication of the Proposed Local Development Plan for public consultation for a period of 8 weeks, as the settled view of the Council on these matters, subject to any minor changes required to be agreed by the Director of Infrastructure Services following consultation with Group Leaders and an amendment to the Open Space Policy to address the potential impact of any new developments in settlements across Aberdeenshire on the provision of sports pitches; and

- (2) to approve the publication for public consultation of the Strategic Environmental Assessment (SEA) - Environmental Report of the Proposed Local Development Plan for a period of 8 weeks, subject to any minor changes required to be agreed by the Director of Infrastructure Services following consultation with Group Leaders, published to support this Report.

Having proposed an amendment which was not seconded proposing that the Council not approve the publication of the Proposed Local Development Plan, Councillor Wallace requested, as provided for in Standing Order 5.2.4, that the terms of his amendment be recorded in the minute.

6. REVIEW OF LICENSING BOARD STRUCTURE IN ABERDEENSHIRE

With reference to the Minute of Meeting of 21 November, 2020 (Item 12) there had been circulated a report by the Director of Business Services on the responses to the public consultation exercise undertaken and the views of the South and Central Licensing Boards in respect of the review of the Licensing Board structure in Aberdeenshire and proposing that the Council dissolve the current structure and establish a new single Licensing Board for Aberdeenshire.

The Head of Legal and Governance outlined the proposals and reported on comments received from the North Licensing Board where the majority view had been in favour of the officer recommendation and, for those who were not, the concern was around a loss of local knowledge.

Thereafter, Councillor Gifford moved, seconded by Councillor Argyle that Council approve the recommendations in the report to establish a single Licensing Board for Aberdeenshire with ten members and that a report be presented to the Aberdeenshire Council meeting on 18 March, 2020, with a view to seeking the election of Members to the new Board.

As an amendment, Councillor Topping moved, seconded by Councillor Calder, that the Council retain the three current divisional Licensing Boards.

Members of the Council voted:-

for the motion

(50) Councillors Adam, Agnew, Aitchison, Argyle, Baillie, Beagrie, Berry, Bruce, Carr, Cassie, Davidson, Dickinson, Durno, Evison, Ewenson, Fakley, Findlater, Ford, Forsyth, Gibb, Gifford, Harper, Hassan, Howatson, Hutchison, Ingleby, Ingram, Kloppert, Latham, Mair, McKail, McKelvie, Mollison, Petrie, Pike, Reynolds, Robertson, Ross, Roy, Simpson, N Smith, S Smith, Stirling, Sutherland, Taylor, Walker, Wallace, Whyte, Wilson and Withey.

for the amendment	(4)	Councillors C Buchan, Calder, Duncan and Topping.
declined to vote	(1)	Councillor Lonchay.
absent from the vote	(10)	Councillors Allan, Bews, Blackett, Cox, Hood, Johnston, Owen, Partridge, Reid and H Smith.

The **motion** was carried and the Council **agreed**:

- (1) to reduce the current number of 3 Divisional Licensing Boards to one single Board for Aberdeenshire;
- (2) to revoke the decision of Council on 17 May 2007 to form three Divisional Boards, in North, Central and South Aberdeenshire under the Licensing (Scotland) Act 2005 ("the Act"), and dissolve the Divisional Boards from midnight on 28 April 2020;
- (3) to establish a single Licensing Board for Aberdeenshire known as the Aberdeenshire Licensing Board from 29 April 2020;
- (4) that the new Aberdeenshire Licensing Board have 10 members and a report be presented to the Council on 18 March, 2020, with a view to confirming those appointments;
- (5) that the first meeting of the Aberdeenshire Licensing Board take place on 29th April 2020 in Woodhill House, at which a future schedule of meetings for the Board would be considered and approved; and
- (6) to appoint the Head of Legal and Governance as Clerk to the Licensing Board with authority to delegate those functions to Depute Clerks.

[REDACTED]

From: [REDACTED]
Sent: 25 February 2020 15:55
To: [REDACTED]
Subject: Re: ABS/LDP - Aberdeenshire Local Development Plan - Sites at Ellon, Aberdeenshire - email to [REDACTED] - 25th February 2020

Hi [REDACTED] it was still a draft report.

Regards,

[REDACTED]

From: [REDACTED]
Sent: 25 February 2020 15:24
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: ABS/LDP - Aberdeenshire Local Development Plan - Sites at Ellon, Aberdeenshire - email to [REDACTED] - 25th February 2020

Thanks [REDACTED]

Were your most recent comments still in respect of the draft DPMTAG report or has a more final version been provided? It will be interesting to see what the proposals are for the deliverability of infrastructure.

I will hopefully get a response from Aberdeenshire Council, but it's a bit like getting blood from a stone sometimes!

Regards

[REDACTED]

[REDACTED]
Principal Engineer - Transportation

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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
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From: [REDACTED]
Sent: 25 February 2020 14:30
To: [REDACTED]
Cc: [REDACTED]

Subject: ABS/LDP - Aberdeenshire Local Development Plan - Sites at Ellon, Aberdeenshire - email to [REDACTED] - 25th February 2020

Hi [REDACTED], Transport Scotland provided comments to the Council on the DPMTAG based appraisal undertaken to inform the LDP, a few weeks ago. We are expecting to hear back from the Council on the comments in due course as the work is ongoing. TS's comments focussed on the deliverability of transport infrastructure.

Sorry I cant be of more help just now, however the work is ongoing and we are continuing to work with the Council on the progression of the appraisal and LDP.

Regards,

[REDACTED]

From: [REDACTED]

Sent: 24 February 2020 15:03

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: ABS/LDP - Aberdeenshire Local Development Plan - Sites at Ellon, Aberdeenshire - email to [REDACTED]

- 22nd October 2019

[REDACTED]

Are you able to advise on when you will be able to respond to the below email?

Regards

[REDACTED]

[REDACTED]
Principal Engineer - Transportation

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[REDACTED]
[REDACTED]
[REDACTED]
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From: [REDACTED]

Sent: 18 February 2020 14:45

To: [REDACTED]

Cc: [REDACTED]

[REDACTED]

Subject: RE: ABS/LDP - Aberdeenshire Local Development Plan - Sites at Ellon, Aberdeenshire - email to [REDACTED] - 22nd October 2019

Hi [REDACTED]

Further to your email below, has there been any further updated information provided to you from Aberdeenshire Council or any further responses issued from Transport Scotland in relation to either the LDP sites at Ellon or the DPMTAG report?

Regards

[REDACTED]

[REDACTED]
Principal Engineer - Transportation

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[REDACTED]
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Consider the environment. Please don't print this e-mail unless you really need to.

From: [REDACTED]

Sent: 22 October 2019 15:19

To: [REDACTED]

Cc: [REDACTED]

Subject: ABS/LDP - Aberdeenshire Local Development Plan - Sites at Ellon, Aberdeenshire - email to [REDACTED] - 22nd October 2019

[REDACTED]

Thanks for this. Throughout the plan preparation Transport Scotland has highlighted a number of locations where we have requested further information to understand the impact of development on the trunk road and what, if any, mitigation measures may be needed to support that, including how these would be delivered. Ellon is one such location.

The below comments relating to Ellon are taken from the recent response we issued last week to the Council on their draft DPMTAG report. The report was very much in draft and was primarily sent to us to comment on the structure, rather than content as the Council's work is on-going. We understand that they are currently updating their Ellon model using post-AWPR data.

'further information should be provided on any relevant previous and current modelling within the Report. In relation to current/ongoing modelling relating to Ellon and any other areas, this should include what type of model is being used, the assumptions being made, data collected and included, and the output results so this can fully influence decision making on any potential local or wider cumulative impacts.

FURTER ERRATA

Following a recent meeting with our colleagues in Transportation they have identified to us that the two sites FR063 and FR064 (equivalent to land that could accommodate 226 homes) should not be included in the Local Development Plan due to likely impacts on congestion arising on the A90(T) junctions with the B9000 and the A948. Transportation are content that Cromleybank can be developed to its geography with the A90(T) / B9005 Roundabout, but that asking 226 homes to pass through both roundabouts (or cross the Bridge Street / Market Street / South Road Roundabout) would be entirely unadvisable without significant contributing trunk road enhancements in this area. The applicant has neither the land nor the value in his site to make a meaningful contribution to these works and regrettable that these sites have to be removed.

We have also received the attached Memo from Aberdeenshire Council which is referring to comments from an early draft of the DPMTAG report regarding the sites at Ellon. The memo appears to suggest that the comments have come from Transport Scotland and that there should be no development allocation in Ellon north of the River Ythan.

We have been asked to review the comments and give advice to our Client, but to do so it would be helpful to fully understand the concerns / issues. From reading the Memo, the suggestion is that additional traffic on the A90 from north of the River Ythan is an issue, but what does that mean for allocations in places such as Peterhead and Fraserburgh which will still generate traffic on the A90 travelling to / from Ellon and Aberdeen?

My other concern is that the comments all seem to be based on old traffic modelling data and assumptions with only recent observations taken from Google Live Traffic as a basis for the concerns. There is undoubtable a need for assessments to be updated, but I am surprised at the comments from Aberdeenshire Council in that they did not consider that improvements at the two Ellon Roundabouts would have any benefit and that the single carriageway link between the two roundabouts would need to be dualled. That is a strong statement to make, which appears to be only based on some outdated modelling assumptions. It may be correct, but surely an updated assessment based on current traffic flows and projections is required?

Regards

[Redacted]

[Redacted]
Principal Engineer - Transportation

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Consider the environment. Please don't print this e-mail unless you really need to.

From: [REDACTED]
Sent: 22 October 2019 12:49
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: LDP Sites at Ellon, Aberdeenshire

[REDACTED]

Apologies, this slipped through the net last week as it was quite a busy one. I have only been in post since the end of August but will speak to colleagues to understand what may have been said before I started. I have not seen the committee report you refer to, do you have a link to it?

Thanks.

Regards,



[REDACTED]
Head of Development and Regional Transport Planning
Transport Strategy and Analysis Directorate

Transport Scotland, [REDACTED]

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Transport Scotland, the national transport agency
Còmhdhail Alba, buidheann nàiseanta na còmhdhail
*Our logo may not display properly on some computer systems

From: [REDACTED]
Sent: 22 October 2019 12:37
To: [REDACTED]
Subject: RE: LDP Sites at Ellon, Aberdeenshire

[REDACTED]

Are you able to advise on my email below? Or if it is not you, can you let me know who I should contact?

Regards

[REDACTED]
Principal Engineer - Transportation

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[REDACTED]
[REDACTED]
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From: [REDACTED]
Sent: 16 October 2019 09:56
To: [REDACTED]
Subject: LDP Sites at Ellon, Aberdeenshire

Hi [REDACTED]

Fairhurst have been asked to investigate the issues that have been identified through the LDP Main Issues Report consideration for sites at Ellon, Aberdeehsire. It is understood that some sites to the north of Ellon, which had initially been proposed for inclusion, have now been removed from the proposed LDP. The reasons given are essentially due to concerns with the capacity at the two A90 roundabouts at Ellon and the single carriageway that routes between them and over the River Ythan.

There is reference within Aberdeenshire Council's recent LDP Committee Report of comments made by Transport Scotland that have led to the decision to remove the sites. Is it possible for you to provide the comments that you have issued to Aberdeenshire Council for us to review so that we can fully understand the issues / concerns and then advise our Clients accordingly.

Regards

[REDACTED]
Principal Engineer - Transportation

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From: _____
Sent: 13 April 2020 15:22
To: _____
Cc: _____
Subject: RE: ABS/LDP - Aberdeenshire Local Development Plan - Sites at Ellon, Aberdeenshire

Sorry _____ nothing substantive to update you on yet.

From: _____
Sent: 09 April 2020 09:28
To: _____
Cc: _____
Subject: RE: ABS/LDP - Aberdeenshire Local Development Plan - Sites at Ellon, Aberdeenshire

Hi _____ hope you are well.

Has there been any further progression with the DPMTAG report, and in particularly any progression on future needs on the A90 at Ellon and how any identified mitigation is to be delivered?

Regards

Principal Engineer - Transportation

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From: _____
Sent: 26 February 2020 15:44
To: _____
Cc: _____
Subject: RE: ABS/LDP - Aberdeenshire Local Development Plan - Sites at Ellon, Aberdeenshire - email to - 22nd October 2019

Thanks for the email.

1. The work has not concluded yet, and there are accordingly no reports publicly available.
2. Aberdeenshire Council and Transport Scotland continue to be in correspondence regarding the DPMTAG assessment.
3. The progression of both elements of work are ongoing and include the local and trunk road network in and around Ellon.

Kind regards

From: _____

Sent: 24 February 2020 15:03

To: _____

Cc: _____

Subject: RE: ABS/LDP - Aberdeenshire Local Development Plan - Sites at Ellon, Aberdeenshire - email to _____
- 22nd October 2019

Are you able to advise on when you will be able to respond to the below email?

Regards

Principal Engineer - Transportation

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From: _____

Sent: 18 February 2020 14:54

To: _____

Cc: _____

Subject: RE: ABS/LDP - Aberdeenshire Local Development Plan - Sites at Ellon, Aberdeenshire - email to _____
- 22nd October 2019

Further to the email below, which _____ was copied into, there is mention of the Ellon model being updated using post AWPR data. Has this work concluded yet, and if so are there any reports available for review?

Can you also provide an update as to the status of the DPMTAG report? Has there been any updates to the previous draft report that was issued to Transport Scotland and to which the below response refers to?

If the updated modelling works and DPMTAG reporting has not progressed since the below, can you advise of the likely timescales for these projects to be completed and when reporting would be available to review?

Given the previous concerns raised in relation to the LDP sites at Ellon, has there been any further studies undertaken looking at the perceived issues at the two roundabouts at Ellon?

Regards

Principal Engineer - Transportation

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Consider the environment. Please don't print this e-mail unless you really need to.

From: _____

Sent: 22 October 2019 15:19

To: _____

Cc: _____

Subject: ABS/LDP - Aberdeenshire Local Development Plan - Sites at Ellon, Aberdeenshire - email to _____ - 22nd October 2019

Thanks for this. Throughout the plan preparation Transport Scotland has highlighted a number of locations where we have requested further information to understand the impact of development on the trunk road and what, if any, mitigation measures may be needed to support that, including how these would be delivered. Ellon is one such location.

The below comments relating to Ellon are taken from the recent response we issued last week to the Council on their draft DPMTAG report. The report was very much in draft and was primarily sent to us to comment on the structure, rather than content as the Council's work is on-going. We understand that they are currently updating their Ellon model using post-AWPR data.

'further information should be provided on any relevant previous and current modelling within the Report. In relation to current/ongoing modelling relating to Ellon and any other areas, this should include what type of model is being used, the assumptions being made, data collected and included, and the output results so this can fully influence decision making on any potential local or wider cumulative impacts.

.....a great deal of information is yet to be included within the Report to enable Transport Scotland to comment fully. This information as discussed previously, should include a narrative on previously identified schemes and their

current position, specifically for Peterhead, Ellon, Inverurie, Kintore and Toll of Birness. The information should focus on detailing any potential impact to the network and outlining if any improvements are required and how they are to be delivered. This is to ensure the Proposed Plan spatial strategy can be delivered as per the requirements of SPP. This requirement has been discussed previously with the Council, including over the phone on the 15th.'

I would note however that while we have raised concerns relating to Ellon and welcomed the further modelling work the Council is undertaking, the comments we provided were not in relation to any specific sites being allocated, or not allocated. In recent discussions regarding their LDP we have not commented on Ythan bridge infrastructure.

We have emphasised that the Proposed Plan should be influenced by the appraisal outputs and ensure sites and any associated infrastructure improvements are deliverable.

We trust this is helpful.

Regards,

From: _____

Sent: 22 October 2019 13:29

To: _____

Cc:

Subject: RE: LDP Sites at Ellon, Aberdeenshire

Thanks _____

This one is all a bit strange! The two sites in Ellon (FR063 and FR064) were not initially recommended for allocation in the Main Issues Report but this was overturned during the Formartine Area Committee during which both sites were put forward for allocation. There was an Infrastructure Services Committee meeting held on 3rd October with the main objective being a review of the MIR and subsequent recommendations of the various Area Committees. However at the ISC meeting _____ provided the below statement advising that both sites should not be allocated due to their possible impacts on the A90(T) junctions with the B9005 and the A948. During the meeting it was divulged that it is Transport Scotland who made the recommendation suggesting that there may be a requirement to dual the bridge over the River Ythan. There is however no reference to the need to dual the A90(T) in the statement but this detail was given verbally by Council Officers.

FURTER ERRATA

Following a recent meeting with our colleagues in Transportation they have identified to us that the two sites FR063 and FR064 (equivalent to land that could accommodate 226 homes) should not be included in the Local Development Plan due to likely impacts on congestion arising on the A90(T) junctions with the B900 and the A948. Transportation are content that Cromleybank can be developed to its geography with the A90(T) / B9005 Roundabout, but that asking 226 homes to pass through both roundabouts (or cross the Bridge Street / Market Street / South Road Roundabout) would be entirely unadvisable without significant contributing trunk road enhancements in this area. The applicant has neither the land nor the value in his site to make a meaningful contribution to these works and regrettable these sites have to be removed.

We have also received the attached Memo from Aberdeenshire Council which is referring to comments from an early draft of the DPMTAG report regarding the sites at Ellon. The memo appears to suggest that the comments have come from Transport Scotland and that there should be no development allocation in Ellon north of the River Ythan.

We have been asked to review the comments and give advice to our Client, but to do so it would be helpful to fully understand the concerns / issues. From reading the Memo, the suggestion is that additional traffic on the A90 from north of the River Ythan is an issue, but what does that mean for allocations in places such as Peterhead and Fraserburgh which will still generate traffic on the A90 travelling to / from Ellon and Aberdeen?

My other concern is that the comments all seem to be based on old traffic modelling data and assumptions with only recent observations taken from Google Live Traffic as a basis for the concerns. There is undoubtable a need for assessments to be updated, but I am surprised at the comments from Aberdeenshire Council in that they did not consider that improvements at the two Ellon Roundabouts would have any benefit and that the single carriageway link between the two roundabouts would need to be dualled. That is a strong statement to make, which appears to be only based on some outdated modelling assumptions. It may be correct, but surely an updated assessment based on current traffic flows and projections is required?

Regards

Principal Engineer - Transportation

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From: | _____
Sent: 22 October 2019 12:49
To: | _____
Cc: | _____
Subject: RE: LDP Sites at Ellon, Aberdeenshire

Apologies, this slipped through the net last week as it was quite a busy one. I have only been in post since the end of August but will speak to colleagues to understand what may have been said before I started. I have not seen the committee report you refer to, do you have a link to it?

Thanks.

Regards,



Head of Development and Regional Transport Planning
Transport Strategy and Analysis Directorate

Transport Scotland, | _____

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Transport Scotland, the national transport agency
Còmhdhail Alba, buidheann nàiseanta na còmhdhail
*Our logo may not display properly on some computer systems

From: | _____
Sent: 22 October 2019 12:37
To: | _____
Subject: RE: LDP Sites at Ellon, Aberdeenshire

Are you able to advise on my email below? Or if it is not you, can you let me know who I should contact?

Regards

Principal Engineer - Transportation

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From: _____
Sent: 16 October 2019 09:56
To: _____
Subject: LDP Sites at Ellon, Aberdeenshire

Hi _____

Fairhurst have been asked to investigate the issues that have been identified through the LDP Main Issues Report consideration for sites at Ellon, Aberdeehsire. It is understood that some sites to the north of Ellon, which had initially been proposed for inclusion, have now been removed from the proposed LDP. The reasons given are essentially due to concerns with the capacity at the two A90 roundabouts at Ellon and the single carriageway that routes between them and over the River Ythan.

There is reference within Aberdeenshire Council's recent LDP Committee Report of comments made by Transport Scotland that have led to the decision to remove the sites. Is it possible for you to provide the comments that you have issued to Aberdeenshire Council for us to review so that we can fully understand the issues / concerns and then advise our Clients accordingly.

Regards

Principal Engineer - Transportation

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PROPOSED HOUSING DEVELOPMENT

SITE AREA:

PHASE 1: 13 acres (includes Road)

PHASE 2: 10 acres

REVISIONS

Rev. A 29.07.20 PM
Drawing revised per Engineer's comments.



RESIDENTIAL MIX - PHASE 1

House ID	House Type	Accommodation	Number	Mix (%)
A	Balbirnie	2 bed terrace	8	9.9
B	Kintraw	3 bed terrace	13	16.0
C	Cullerlie 2	3 bed semi	10	12.3
E	Achmore	3 bed semi	7	8.6
F	Ardbair	3 bed detached	10	12.3
G	Dunbeath	4 bed detached	8	9.9
H	Callanish	4 bed detached	8	9.9
J	Lochbuie	4 bed detached	8	9.9
K	Omaig	4/5 bed detached	9	11.1
			81	100%

RESIDENTIAL MIX - PHASE 2

House ID	House Type	Accommodation	Number	Mix (%)
A	Balbirnie	2 bed terrace	7	11.1
B	Kintraw	3 bed terrace	10	15.9
C	Cullerlie 2	3 bed semi	7	11.1
E	Achmore	3 bed semi	4	6.3
F	Ardbair	3 bed detached	8	12.7
G	Dunbeath	4 bed detached	6	9.5
H	Callanish	4 bed detached	6	9.5
J	Lochbuie	4 bed detached	7	11.1
K	Omaig	4/5 bed detached	8	12.7
			63	100%

PROJECT DETAILS

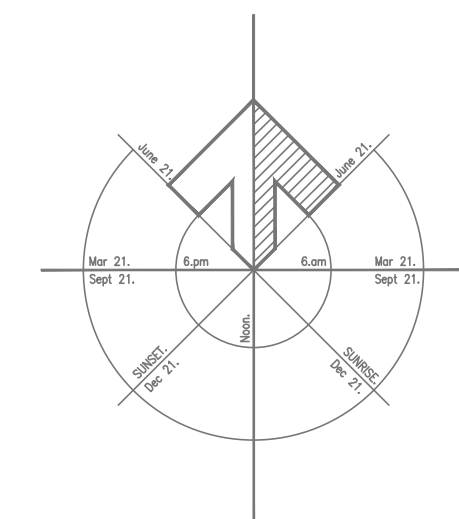
Housing Development
Land to West & North
of Golf View
Ellon

CHAP Group Ltd

MASTERPLAN

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Date: FEB '19
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CHECK INITIALS DATE
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