

Kincardine and Mearns Community Council Forum

Council Chambers, Viewmount, Stonehaven

28 February 2013

Local Development Plan Process and Identification of Main Issues

At this meeting members of Community Councils across Kincardine and Mearns were briefed on the Local Development Plan preparation process and the need to identify 'main issues' for the Main Issues report. Piers Blaxter the Policy Team Leader was available to answer questions and Hilary Wilkinson, the local Policy Planner for Kincardine and Mearns took minutes.

Summary of Issues raised

The discussion focused on a variety of issues. Specific concerns were raised about flooding and soil erosion at Gourdon, healthcare provision at Elsick as well as concerns about the slow rate of development at Laurencekirk. Wider concerns about wind energy, developer contributions and affordable housing were also raised. There was also much discussion about opportunities for meaningful engagement and feedback from the next Local Development Plan process.

Issues Raised

Issue 1: Alarm was expressed about the unintended consequences of new housing developments specifically their impact on flooding and soil erosion in Gourdon. It was asked how a new plan will address this issue and more general issues such as our changing climate.

Piers Blaxter (PB) explained that resolution of problems that have arisen through past developments are difficult to undertake in a new Local Development Plan but they do provide an opportunity for us to learn and where necessary change future policy or strategies. He gave the example of reviewing our responses and treatments of sites to only accept those which are subject to a lower risk of flooding than is currently accepted. He noted that in the current Aberdeenshire Local Development Plan (ALDP) 40% open space is requested which includes provision of sustainable urban drainage systems this increases developers awareness of mitigating and managing runoff.

Issue 2: It was pointed out that there is a problem with potholes, particularly on A roads and minor roads in the countryside due to dispersed individual houses being built in the countryside.

PB acknowledged that road maintenance is an issue and that the scale of development allowed in the countryside and contributing to such problems is likely to be a topic for further discussion and may be consulted on as a 'main issue'.

Issue 3: Concern was expressed about engaging the public in the Main Issues Report feedback process. Larger settlements such as Laurencekirk and Stonehaven are easy to get round and public meetings were well attended but the Kincardine and Mearns area also has less accessible areas and there was generally poor representation and turn out from these areas.

PB expressed his awareness of this situation and explained that as a team of six there were limitations to the number of public community consultation events that could be attended. PB explained that to compensate for this the team has been looking at making use of new technology in order to engage a wider and more varied audience. A twitter account has been

set up which will tweet up to date information and deadlines about the Local Development Plan Process. PB also expressed his desire to engage with school parent councils as well as continued engagement with community councils. One innovation proposed was to give community councils flyers, posters and leaflets as members will best know where these should be put in order to effectively attract members of the local community to events or to visit the website.

Issue 4: A forum member explained that they felt that the Current ALDP had led to severe problems in Laurencekirk. It was felt that land has been 'tied up' by large developers leading to local building companies being unable to find land on which to build. There is not enough new housing or business to satisfy current local demand within Laurencekirk so people and businesses are moving out of the town.

PB explained that the decision had been made to make large scale allocations in Laurencekirk due to the high infrastructure requirements and costs. He advised that unfortunately large sites do have a long lead in time but that progress had been made and the new Mearns Academy will mean that sites can start to move forward. It is likely that the new Local Development Plan will concentrate on small sites to complement big allocations and account for some of the shortfall caused by the long lead in time of larger sites. PB pointed out however that these smaller sites would not come forward until the publication of the next Local Development Plan.

Issue 5: It was raised that the Main Issues Report and responses to it focused far too heavily on the proposed developer bids rather than changes to policy.

PB pointed out that it is always the case that people react to the bids as these can be seen and they immediately impact on people's surroundings. PB explained that policy reviews are currently being undertaken and that any feedback from community councils about policy would be welcome.

A suggestion was made that perhaps the Main Issues document could be split with the bids assessments and policy review parts published at different times. It was thought that this could also alleviate the pressure of the tight time period of consultation.

PB explained that it may be too confusing to produce two Main Issues documents. He pointed out that the detailed policy review reports would be available in advance of the publication of the Main Issues report which would enable policies to be considered separately.

Issue 6: A question was raised about how the current ALDP copes with 'unforeseen circumstances'.

PB reminded the forum that members are able to grant departures from the planning officer's recommendation, if there are sufficient material considerations. PB also explained that each piece of Supplementary Guidance is independent from the plan so it is a relatively quick process if a change to Supplementary Guidance needs to be made. Supplementary Guidance that is not working could also be removed by case law if it is found on appeal not to stand up to a reporter's scrutiny.

Issue 7: General concern was raised for the public consultation process and it was felt by much of the forum that as the process of the new LDP went on there was a reduced chance for public engagement and there was no opportunity to engage with processes at draft plan stage. Concern was also raised about the lack of consultation on changes to the plan made by the reporter.

PB asserted that the Main Issues should be considered as a draft plan and he will be working hard to emphasize this fact so that the public are aware that this is the time to

engage. PB explained that there had been a consultation from the Scottish Government about the reduced opportunity for local democracy at the point when the reporter makes changes. However, despite the consultation the current practice has remained the same and is the law which cannot be changed at a local level. PB pointed out that the reporter should not be making large changes as they must be aware that the proposed plan has been formed through consultation.

Issue 8: A forum member expressed frustration that there was very little feedback from the objections and representations that were put in by the public and Community Councils.

PB explained that there was a huge volume of representations to the Main Issues report and in order to deal with them the approach taken was to provide in-depth feedback on general issues. Responses were given to objections to the proposed plan but the council was limited to a short response.

Issue 9: Confusion was raised about whether anything would change or could be changed in the existing ALDP before the adoption of the next one.

PB pointed out that Local Development Plans must provide clarity and certainty and it would therefore be undesirable to keep changing it. However he went on to explain that further supplementary guidance and planning advice could be published as and when it is needed.

Issue 10: It was felt that there needs to be a more robust policy on wind turbines. Concern was raised that there was little guidance on what areas are appropriate for wind turbines. Worry was expressed that by the publication of the next LDP in 2016 it would be too late and that guidance and a proper policy were needed now.

PB reassured forum members and explained that there is currently a robust policy in the ALDP to give guidance about wind turbines. PB also pointed out that the policy team are currently working with SNH looking at producing advice on ways of assessing the cumulative impacts that wind turbines may have. PB suggested that it was also very likely that, because wind power is such a big issue, it is very likely that it will be a main issue and a map showing "areas of search" to give guidance about where appropriate and less appropriate areas are for wind turbines would be prepared. PB acknowledged that this approach will take time to implement.

A further point was raised about the money generated from wind turbine applications and what kind of contributions turbines could be forced to make.

PB asserted that there are not vast amounts of money generated from turbine applications and that only contributions needed to allow the turbine development to proceed can be taken as developer contributions.

Issue 11: A question was raised about whether the current call for developer bids is just for house builders or if it would enable bids from the retail and business sector.

PB explained that development bids were not limited to housing and proposals for business land and retail would also be considered. However PB pointed out that in all likelihood the bids process would attract a large amount of bids for housing and that there are significant economic challenges for the retail sector at the present time.

Issue 12: Concern was raised that developer contributions that are not spent within a 5 year period could be lost by communities.

PB pointed out that developer contributions are taken for a specific purpose eg a village hall. He explained that there may be rare circumstances, perhaps due to failure to attract match

funding, that if the contribution cannot be spent on its intended purpose then the money will have to go back to the developer.

Issue 13: A suggestion was made that if the affordable housing contribution was removed then more housing would be affordable as at the moment it is a tax on the development industry makes provision of houses more expensive.

PB agreed that this was an issue particularly for small developments and self build and it was something that he was keen to consult on as there are also significant administrative costs of regulating and collecting these payments.

Issue 14: A question was raised about whether delays in large scale infrastructure improvements such as the AWPR and grade separated junctions at Laurencekirk will lead to further delays in large scale development.

PB explained that there is an issue, as upfront funding for large scale infrastructure is no longer realistic. However large scale infrastructure can still be funded but there needs to be some building first in order for developers to finance these contributions.

Issue 15: Anxiety was expressed about how large scale development at Elsick would impact on medical provision, particularly on existing NHS services such as the hospital in Stonehaven.

PB explained that because of the scale of development identified at Elsick the developer will be required to identify a site for a health centre which the NHS will need to secure funding to develop. The NHS get funding from the government in order to provide healthcare services and if demand for services increases in an area funding will be made available for more staff or an extension to services as appropriate.

Issue 16: Concern was expressed by all forum members about the time period for responses to the Main Issues report. It was felt that the 1st of February 2014 deadline was too tight considering that the consultation period coincided with the festive period and possible bad weather.

PB vowed to raise the concerns with his steering group and also raise the issue at other Community Council forums. He explained that any reasonable requests for the extension of time to submit a response would not be refused

PB thanked attendees for their time.