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P Blaxter
Aberdeenshire Council
Sent By E-mail

Our ref: LDP-110-3

22 June 2022

Dear Mr Blaxter

**PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANNING) (SCOTLAND)
REGULATIONS 2008**

SUBMISSION OF THE REPORT OF THE EXAMINATION

We refer to our appointment by the Scottish Ministers to conduct the examination of the above proposed plan. Having satisfied ourselves that the planning authority's consultation and engagement exercises conformed with their participation statement our examination of the proposed plan commenced on 28 June 2021. We have completed the examination and now submit our report.

In our examination we considered all 58 issues arising from unresolved representations identified by yourselves to the Proposed Local Development Plan. In each case we have taken account of the original representations, as well as your summaries of the representations and your responses to such, and we have set out our conclusions and recommendations in relation to each issue in our report.

A large proportion of the recommended modifications were suggested by the council, in the form of what you referred to as 'non-notifiable modifications'. Where the suggested 'non-notifiable modifications' arise from representations made to the proposed plan, they require to be considered in the examination. We therefore address these matters in our conclusions and include them in our recommendations, as considered appropriate.

In the Schedule 4s for Issue 2, Issue 5 and various settlements, we recommend modifications to Appendix 6 Housing Land Allocations. In the interest of clarity, a revised version of Appendix 6, incorporating the recommended modifications is provided at the end of our report.

In the Schedule 4 for Issue 12, we recommend a modification that requires the council to prepare statutory Supplementary Guidance on Developer Obligations and Affordable Housing. A copy of the Supplementary Guidance, which the council wishes to adopt, is to be submitted to Scottish Ministers within 12 months from the date the local development plan is adopted.

Although no unsolicited correspondence has been received on the draft NPF4, we are aware of its publication. Our view in this examination and at this point in the proceedings,

is that NPF4 is a consultative draft with corresponding potential for subsequent changes which may prove substantive. Scottish Planning Policy and NPF3 remain extant in setting the national policy context for this local development plan.

The examination process also included a comprehensive series of unaccompanied site inspections and, for some issues we requested additional information from the authority and other parties.

We did not require to hold any hearing or inquiry sessions.

Subject to the limited exceptions as set out in Section 19 of the Town and Country Planning (Scotland) Act 1997 (as amended) and in the Town and Country Planning (Grounds for Declining to Follow Recommendations) (Scotland) Regulations 2009, you are now required to make the modifications to the plan as set out in our recommendations.

You should also make any consequential modifications to the text or maps which arise from these modifications. Separately, you will require to make any necessary adjustments to the final environmental report and to the report on the appropriate assessment of the plan.

All those who submitted representations will be informed that the examination has been completed and that the report has been submitted to yourselves. We will advise them that the report is now available to view at the DPEA website at:

<https://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=121481>

A copy of the report will also be posted on the planning authority's website at:

<https://aberdeenshire.gov.uk/planning/plans-and-policies/pldp-2020/>

The documents relating to the examination should be retained on your website for a period of six weeks following the adoption of the plan by yourselves.

It would also be helpful to know when the plan has been adopted and we would appreciate being sent confirmation of this in due course.

Alison Kirkwood

Reporter

Rob Huntley

Reporter

Sinead Lynch

Reporter

Malcolm Mahony

Reporter

Claire Milne

Reporter

Andrew Sikes

Reporter

Stuart West

Reporter

REPORT TO ABERDEENSHIRE COUNCIL

PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020 EXAMINATION

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Date of Report: 22 June 2022

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Examination of Conformity with the Participation Statement

Introduction

1. Section 19(4) of the Town and Country Planning (Scotland) Act 1997 (as amended) requires the person who has been appointed by the Scottish Ministers to examine the plan: “firstly to examine...the extent to which the planning authority’s actings with regard to consultation and the involvement of the public at large as respects the proposed plan have conformed with (or have been beyond the requirements of) the participation statement of the authority which was current when the proposed plan was published under Section 18(1)(a).”

2. Section 20B of the Act requires each planning authority to prepare a development plan scheme at least annually. The scheme should set out the authority’s programme for preparing and reviewing its development plan, and must include a participation statement. This publication should state when, how and with whom consultation on the plan will take place and the authority’s proposals for public involvement in the plan preparation process.

Participation statement

3. Aberdeenshire’s Proposed Local Development Plan was published in April 2020. The version of Aberdeenshire’s participation statement, which was current at the time, is contained in Aberdeenshire Council’s Development Plan Scheme May 2020. This was revised and republished to reflect the impact of social distancing measures and changes introduced through the emergency Coronavirus (Scotland) Act 2020.

4. The Development Plan Scheme sets out Aberdeenshire Council’s commitment to engagement as follows:

“Ultimately engagement and consultation remain a key part of the Plan-making process. As a place-based document that is designed to meet local planning needs and aspirations, the Aberdeenshire Local Development Plan reflects the land use changes that people would wish to see in their communities.”

“Aberdeenshire Council has adopted the principles of the updated National Standards for Community Engagement. These seven Standards provide a best practice approach to achieving influential community participation, ensuring that any barriers to engagement in the process are overcome, based on the needs and available resources of those groups. Engagement methods will be fit for purpose and will enable participants to engage efficiently and effectively as far as it is practical to do so. We will ensure that those with an interest in the Local Development Plan understand the issues we are concerned with and are consulting on. We will encourage them to work effectively with other consultees to provide useful feedback to us. Particular emphasis will be placed on engagement through the education system. At the end of the process, we will feedback how we have dealt with the information they have provided.”

5. A timetable for preparing and reviewing the local development plan is included. The following summarises the key stages up to the point of submission of the plan for examination.

Pre-Main Issues (Autumn 2017 - January 2019)

- Early community consultation and stakeholder engagement
- Publication of the 'Call for sites' process
- Communication and awareness

Main Issues Report (MIR)

- Publish MIR - 14 January 2019
- Consultation on MIR - 14 January to 8 April 2019 (12 weeks)

Proposed Local Development Plan

- Approval of Proposed Local Development Plan – 5 March 2020
- Consultation on Proposed Local Development Plan – 25 May to 17 July 2020 (8 weeks)

6. The participation statement sets out a variety of consultation methods that the council intends to use to ensure its six main user groups have a voice in the preparation of the plan. These six groups comprise: Community Councils and other community groups; developers, landowners and agents; Key Agencies; special interest groups; other individuals with a specific issue; and the wider council, Transport Scotland, Scottish Water and NHS Grampian.

7. At the **proposed plan** stage, the consultation methods referred to include the following:

- Publish statutory notices in the local press
- Provide appropriate updates to the council's e-newsletter and use a range of social media to keep people informed
- Place a copy of the plan on the council's website (downloadable pdf and interactive online versions)
- Place a response pro-forma on the website and distribute hard copy response forms upon request
- Upload to the website short films about the proposed plan and how to submit a representation
- Undertake engagement with stakeholders, including Community Councils, via electronic means (virtual drop-ins/webinars)
- Write to all Community Councils to provide formal notice of the publication of the proposed plan and how to make representations
- Notify all those who engaged on the MIR of the publication of the proposed plan and how to make representations
- Notify in writing, the owners, lessees or occupiers of land neighbouring (i.e. within 20 metres of) proposed allocations identified in proposed plan
- Notify all statutory undertakers including the Scottish Government and adjoining local authorities of the publication of the proposed plan and how to make representations
- Liaise with community planners and representatives of 'hard to reach' groups to identify engagement methods suitable for these particular groups

- Refer to the Children’s Charter in order to link with young people and write to all schools in Aberdeenshire of the publication of the proposed plan and how pupils can make representations.

8. The council refers to its local development plan e-newsletter as a key vehicle that will be used to keep people engaged in the preparation of the local development plan. This is a self-subscribing electronic document published approximately every four weeks and with a disclosure check in April of each year. The council advises that there have been over 500 subscribers to this facility.

Statement of conformity with the participation statement

9. The council’s statement of conformity with the participation statement was submitted with the proposed plan in accordance with Section 18(4)(a)(i) of the Act. It refers to innovative techniques and activities identified to ensure the fullest and most effective engagement could be tailored to each stage of the plan-making process and the issues being dealt with.

10. The statement acknowledges Scottish Government advice and the provisions within the Covid-19 emergency legislation which allowed the council to undertake public consultation without the need to make physical documents available for inspection, for example in libraries or planning offices. Formal consultation due to commence on 27 April 2020 was postponed and face-to-face ‘drop-in’ events previously programmed for May and early June 2020 could not take place. The engagement strategy progressed largely using an electronic means of engagement, including a virtual drop-in ‘room’ as a like for like replacement for the traditional drop-in format. The council also pursued a traditional means of engagement to provide an overall digital and non-digital consultation ‘package’.

11. The approach and methods carried out to secure the engagement of interested parties specifically in respect of the **proposed plan** are highlighted as follows:

Distinctive branding

- Use of strong visual graphics with a continuous theme and use of pictorial symbols in the plan to visually connect the vision and policies.

Keep people informed

- Pre-consultation information / updates with Community Councils (9 March 2020), public media update (31 March 2020) and e-newsletter bulletin (April 2020).
- Press release (1 May 2020) on council website setting out revised consultation dates 25 May to 17 July 2020.

Publication of statutory notices

- Notices placed within first available editions of regional and local press (various publications 26, 28 and 29 May 2020) allowing 8 weeks for responses.
- The period of consultation was subsequently extended to 10 weeks ending on 31 July, with a further extension of 2 weeks allowed on request.

Informed all stakeholders

- Formal notice (25 May 2020) to stakeholders advising of publication of the plan, directing them to the online documents, response pro-forma and supporting documents, and advising that hard copies were available on request.
- The above notice was issued to neighbouring local authorities, Community Councils, local councillors, all those who engaged on the MIR, key agencies and all other stakeholders in the local development plan database.

Neighbour notification

- Prior to the start of the consultation, the council issued neighbour notification letters to all owners, lessees and occupiers of land within 20 metres of proposed allocations.

Provide clear communication and ensure the process is understandable

- Prior to the start of the consultation, the council issued letters to bid proposers who had a proposal altered from their original bid, or where there had been a change to the proposal since the MIR.

Keep people informed via e-newsletter updates and social media

- Regular social media entries were posted via Twitter (29 tweets) and Facebook (23 posts) to promote the consultation and direct people to the virtual drop-in and website.

Broad publicity / electronic engagement

- Promotion material (posters, leaflet and images) was disseminated through local contact networks and community planning e-bulletins using social media.
- Frequent bulletins of the local development plan e-newsletter were issued, with bi-monthly editions in May and July 2020.
- 'Live Life Aberdeenshire' online/virtual library resource was used to promote the consultation.
- Radio interviews were undertaken with BBC Scotland and Mearns FM.
- Publicity was channelled through Community Council's own communication / bulletins, Aberdeenshire Council Policy bulletins and Sustainable Aberdeenshire newsletter.

Dedicated webpage

- The plan was published on the council website (25 May 2020) containing information on the local development plan programme and key stages, links to relevant documents, 'How to respond' weblink, three short films, an interactive online version of the proposed plan, posters, FAQs and a promotional leaflet.

Undertake stakeholder engagement via electronic means

- A virtual drop-in room went live 25 May 2020 which enabled the user to 'walk' through a summary of the proposed plan around a virtual room, including 'project' folders on tables, screens showing three short films, a live chat function, FAQs, a poster explaining how to make a response, and a downloadable response form.
- Skype meetings were held with Community Council forums, with open question and answer sessions.

Liaise with 'hard to reach' groups

- The consultation was promoted (via the Liaison Officer) to the Gypsy/Traveller community (20 families) through social media and email contacts.
- Material was produced using large text and a 'read out loud' facility to aid those with a visual impairment

Engagement with schools

- All schools and parent councils were emailed with a promotional poster and leaflet.
- Interactive tools were used to encourage young people to participate.

12. Evidence in the form of copies of public notices, extracts from webpages and social media posts are contained within the council's statement of conformity. The council kept a log of all queries received during the consultation (350 in total) which were typically answered within a day. Analysis was also undertaken of visits to the virtual drop-in 'room' with 3,279 individual visitors recorded, many linking in from social media posts.

Representations on the participation process

13. The council identifies 109 representations that refer in some way to engagement processes undertaken in preparing the proposed local development plan. Of these, 83 specifically relate to engagement undertaken with respect to the proposed sites at Potterton. A summary of the points raised is provided within the statement of conformity.

14. With regard to the proposed plan, the representations consider the consultation missed an opportunity to 'sense check' the plan against the changed economic outlook. The representations also question the holding of the consultation during the Covid-19 lockdown as discussion of proposals will have been hampered by the restrictions. It is requested that the plan should be put on hold until public meetings can be held.

15. With regard to Potterton, representations indicate the lack of, and inadequate, engagement and communication in relation to proposals (sites OP1 and OP2) and changes to the green belt and proposals for a community hall. In particular, the representations cite that there has been no opportunity for a public meeting to discuss the proposals, no opportunity for an officer to attend a Community Council meeting (virtually), and that not all residents were neighbour notified.

16. Elsewhere, criticism is made of the neighbour notification process with regard to:

- Site OP1 Huntly – insufficient information provided and letter not sent to all affected residents.
- Site OP1 Findon – limited notification to householders.

- Site OP1 (bid site GR067) Old Rayne – not dealt with properly through the process and the impartiality is questioned owing to land ownership.
- Proposed link road in Newburgh – no contact with property owners.
- Site OP2 Auchnagatt – questioned why notification taking place and that information is missing from the letter.
- Site R2 Inverurie – landowner not consulted.

Council response to the representations on the participation process

17. The council maintains that it took appropriate and legal action by continuing with the consultation, as endorsed by the Coronavirus (Scotland) Act 2020, and a letter issued by the Chief Planner on 3 April 2020 encouraging planning authorities to continue progress on delivering local development plans.

18. The more limited opportunities for the public to engage in the process was realised by the council and a revised engagement strategy developed. The council asserts that its consultation was fully publicised. It highlights the positive feedback received in relation to the consultation format, including the virtual drop-in 'room', at a time when traditional means of engagement were impractical. Although the primary method of engagement was digital, more traditional means of communication (by phone or post) was possible with hard copy extracts of the plan and response forms available on request.

19. Notification was made to all Community Councils of publication of the plan. Virtual officer attendance was offered to all Community Councils but the council advises that Belhelvie Community Council did not wish to take up the offer.

20. The council advises that all the requirements in terms of neighbour notification were undertaken in accordance with statutory requirements and were consistent with Regulation 14 of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008. All properties within a 20 metre radius of a proposal within the plan were duly notified. The notification letter, based on Schedule 2 of the regulations, contained all the key information to enable the recipient to find out more. The council acknowledges that the neighbour notification letters could have exceeded the regulations and provided further clarity and information about the proposed site. However it also considers it impracticable to meet everyone's specific informational requirements.

21. The council refers to 1,390 representations submitted on the proposed plan, a significantly higher figure than received to the Aberdeenshire Local Development Plan 2015 and a positive reflection of the progress made since. This is considered to be evidence of how proactive the council has been in raising awareness, and that it has helped enable communities and stakeholders to engage in the plan-making process.

The reporter's conclusions

22. In response to the representations submitted on the participation process, I am restricted to considering only the activities of the planning authority with regard to participation on the proposed plan, and not any other stages before this.

23. While I note the concerns raised in the representations, the restrictions on public gatherings and need for physical distancing resulting from the coronavirus pandemic could not have been foreseen by the council. The circumstances were unprecedented.

24. The letter of the Scottish Government Chief Planner and the guidance issued in May 2020 recognised that it was not possible for events to take place in person. Planning authorities were asked to consider allowing longer timescales and more flexible arrangements for engagement in development planning. Authorities were encouraged to make progress with plans where possible and to take a cautious but pragmatic approach. They were expected to enhance their use of digital communication but with other non-digital communication, to enable all parts of the community to contribute to the plan, also required. Placing articles in local newspapers, expanding contact with Community Councils or sending letters to householders where there are significant proposals for change, were some suggestions within the guidance.

25. It is clear from the council's submission that it quickly adapted its engagement strategy in response to the rapidly changing situation. The council introduced more online publications, and online facilities and social media. Opportunities for more traditional methods of communication (by phone and by post) were made available coupled with an extended period for consultation (up to 12 weeks). Regional and local newspaper articles, direct mailing and radio broadcasts were issued. These approaches enabled a variety of routes for those interested to become aware and make comments on the plan. Overall, I consider the council's approach in engaging all those with an interest was reasonable and proportionate, consistent with the Scottish Government guidance in place at the time.

26. With regard to neighbour notification, I have no detailed information before me that corroborates the suggestion that the council's approach did not conform to the regulations, and I have no reason to doubt the council's evidence in this regard. While it may have been helpful to have included additional information about individual sites it was not necessary to do so.

27. Having considered all the evidence, I consider that the above information submitted by the council in its statement of conformity demonstrates that its actions with regard to consultation and the involvement of the public and planning stakeholders as respects the proposed local development plan, have been generally in conformity with those set out in the participation statement of the authority, published in May 2020, which was current when the plan was published.

28. Based on the above findings, I am satisfied that it is not necessary for me to submit a report to Scottish Ministers under subsection (1)(b) of Section 19A of the Act. I will therefore proceed with the examination of the proposed local development plan.

Claire Milne
Reporter

Issue 1	Policy Symbols, Foreword, Section 1 – How to use this Plan, Section 2 – Influences on the Plan, Section 3 – Vision for the Plan and its Purpose and Section 4 – The Purpose of the Local Development Plan	
Development plan reference:	Proposed LDP, Page 7 Proposed LDP, Page 8 Proposed LDP, Section 1, Page 9 Proposed LDP, Section 2, Page 10 Proposed LDP, Section 3, Page 11 Proposed LDP, Section 4, Page 14	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Policy Symbols No representations were received on this section of the Proposed Aberdeenshire Local Development Plan (PLDP) 2020.</p> <p>Foreword PP1125 Barratt North Scotland PP1200 Hallam Land PP1238 CALA Homes PP1246 Gladman Developments Ltd PP1263 RSPB Scotland PP1306 Homes for Scotland</p> <p>Section 1 – How to use this Plan PP0556 Newtonhill, Muchalls and Cammachmore Community Council PP0742 Andy Jack PP1219 Scottish Environment Protection Agency PP1418 Rachel Mayo-Jack</p> <p>Section 2 – Influences on the Plan PP0022 Bill Slee PP0139 Anita and Peter Connell PP0455 Amy Anderson PP0659 Paths for All PP0769 Banchory Community Council PP0881 Meldrum Paths Group PP1219 Scottish Environment Protection Agency PP1241 Nestrans</p> <p>Section 3 – Vision for the Plan and its Purpose PP0001 Sarah Ward PP0135 Jane Waters PP0309 Parish of Newmachar Community Council PP0420 Coriolis Energy Limited PP0444 Network Rail PP0462 Stratkraft PP0588 Scottish Renewables PP0597 ESB Asset Development UK PP0608 Frances Getliff</p>		

PP0639 Renewable Energy Systems Ltd
 PP0659 Paths for All
 PP0822 Scottish Hydro Electric Transmission Plc
 PP0876 The Woodland Trust Scotland
 PP0881 Meldrum Paths Group
 PP0884 Formartine Rural Partnership
 PP1219 Scottish Environment Protection Agency
 PP1222 NHS Grampian
 PP1241 Nestrans
 PP1247 Gladman Developments Ltd
 PP1300 NatureScot (Scottish Natural Heritage)
 PP1306 Homes for Scotland

Section 4 – The Purpose of the Local Development Plan

PP0135 Jane Waters
 PP0462 Stratkraft
 PP0659 Paths for All
 PP0660 Graeme Fergusson
 PP0661 Kelly Thow
 PP0769 Banchory Community Council
 PP0778 Sustrans Scotland
 PP0876 The Woodland Trust Scotland
 PP0879 The Woodland Trust Scotland
 PP0881 Meldrum Paths Group
 PP1125 Barratt North Scotland
 PP1175 CALA Homes
 PP1189 Colin Miller
 PP1202 Hallam Land
 PP1219 Scottish Environment Protection Agency
 PP1222 NHS Grampian
 PP1241 Nestrans
 PP1247 Gladman Developments Ltd
 PP1300 NatureScot (Scottish Natural Heritage)
 PP1306 Homes for Scotland

Provision of the development plan to which the issue relates:

Foreword
 How to use the Local Development Plan
 Influences on the Local Development Plan
 The Local Development Plan vision and its purpose
 The purpose of the Local Development Plan and outcomes designed to aid delivery of the vision of the Plan

Planning authority’s summary of the representation(s):

Foreword

Reference to “biodiversity loss” should be included within the second paragraph and the word “should” changed to “must”. The importance of tackling this problem has been recognised at a national level with Scottish Planning Policy (SPP) stating that this duty must be reflected in development plans and development management decisions (PP1263).

Representees request that reference to exceptional circumstance in the fourth paragraph be removed or replaced to align with section 25(1) of the Town and Country Planning (Scotland) Act 1997, on that basis that the proposed text is misleading and even unlawful (PP1125, PP1200, PP1238, PP1246 and PP1306). Representees have included an Appendix (RD0195.A and RD0259.A) in their representation which provides further detail to support their position (PP1125 and PP1306).

Section 1 – How to use this Plan

The Newtonhill, Muchalls and Cammachmore Community Council has commented that that the PLDP 2020 is well written, and the overall layout is a considerable improvement on the current adopted Plan. The Proposed Local Development Plan (PLDP) is easy to read as a series of documents and covers most aspects of planning that the Newtonhill, Muchalls and Cammachmore Community Council would refer to when considering planning applications. No modification sought (PP0556).

The Scottish Environment Protection Agency (SEPA) has confirmed that they have no issues with Section 1 of the PLDP (RD0214.A). No modification sought (PP1219).

The LDP should cover a 5-year period rather than a 10-year period (PP0742 and PP1418).

Section 2 – Influences on the Plan

The economic impact of Covid-19 is likely to be significant, yet the PLDP was developed before the pandemic. As such, representees, including Banchory Community Council believe that the PLDP should be reviewed to reflect how local priorities have changed as a result of Covid-19 (PP0022, PP0455, PP0769 and PP0881).

Nestrans has welcomed that the PLDP takes account of the Strategic Development Plan, Regional Transport Strategy (RTS), Regional Economic Strategy, and the City Region Deal. Nestrans has highlighted that the RTS is undergoing review with formal adoption anticipated in early 2021 (RD0227.A). No modification sought (PP1241). In contrast, another representee raises concern that the PLDP predates the new RTS and the LDP needs to reflect the current and future demands for safe sustainable active travel routes. A greater priority should be given to active travel as a primary means of access and interconnectivity within and between communities, employment and recreation land uses (PP0881). The PLDP needs to be seen in the wider policy context and include reference to a number of different transport and active travel strategies including the National Transport Strategy (NTS), National Walking Strategy, Cycling Action Plan for Scotland and Long-term Vision for Active Travel in Scotland (PP0659). The Council's Planning School Places Policy (PSPS) needs to be considered as an influence on the Plan (PP0139).

SEPA has requested that the 7th bullet point of paragraph 2.3 is amended to reflect that there are now two Flood Risk Management Plans in place covering the Aberdeenshire LDP area, and to say it is in line with an "emerging Plan" is inaccurate (RD0214.A) (PP1219).

Section 3 – Vision for the Plan and its Purpose

Introduction (paragraph 3.1)

Words such as ‘vision’ and ‘aspirations’ conflict with the policies of the PLDP (PP0001).

The National Vision (paragraph 3.3-3.7), Regional Vision (paragraph 3.8) and Local Vision (paragraph 3.6-3.13)

A representee welcomes the reference made to the National Performance Framework (NPF) and SPP. Support was also expressed for the intention to deliver sustainable low carbon places, promoting sustainable development – less reliance on private cars and more promotion of active travel and recognising the benefits of local green spaces and networks. No modification sought (PP0659). Another representee has indicated that they fully endorse some of the ambitions set out including the Vision that, “by 2040 that Plan identifies the area as an even more attractive, prosperous, resilient, and sustainable European City Region, that is an excellent place to live, visit and do business” as outlined in paragraph 3.8. The representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position. No modification sought (PP1306).

NHS Grampian has supported the strategy in the PLDP and the recognition and importance of providing good health and social care facilities, ensuring that adequate provision is made for healthcare facilities to serve new developments. However, they believe that this needs to be strengthened. They note that Section 3 does not make any reference to health. More emphasis should be placed on health within the Vision, especially in relation to healthier living and physical and mental wellbeing. NHS Grampian has included an Appendix (RD0216.A) in their representation which provides further detail to support their position (PP1222).

The reference in the PLDP to the general vision for the planning system as set out in the NPF and SPP is welcomed in terms of aspirations to meeting net-zero targets including the cross reference to nationally important policies as this high-level aspiration is a shared goal. However, the representee would like extra weight and acknowledgement of the need to deliver national developments which are critical to reaching net-zero targets (PP0822).

It is noted by representees that there is no mention in the Vision of the Scottish Government’s declared climate emergency or the net-zero greenhouse gas emissions target by 2045. The LDP must reflect these national commitments and provide a supportive local policy context to help achieve these objectives. The PLDP should give greater recognition to these issues (PP0420, PP0462, PP0588, PP0597, PP0608 and PP0639). In order to address the dual nature of the climate and nature emergencies additional text should be added to the end of paragraph 3.2 (PP0876). Representees have included an Appendix (RD0086.A, RD0092.A and RD0159.A) in their representation which provides further detail to support their position (PP0588, PP0597 and PP0876).

Concern is raised that much of the PLDP is a ‘roll forward’ of the current adopted LDP and key developments and policy ambition that have been announced by Scottish Government since adoption of the LDP 2017 do not feature in the PLDP (PP0420 and PP0462), such as climate change (PP0597). A representee has included an Appendix (RD0092.A) in their representation which provides further detail to support their position (PP0597).

One representee believes that the protection of the environment should be seen as a

higher priority than developing housing (PP0135). The Parish of Newmachar Community Council has suggested that the PLDP should identify a policy framework whereby further housing is postponed until the employment opportunities are significantly increased (PP0309). Whereas another representee suggests that the Vision needs to refer specifically to housebuilding to meet housing need and gain the economic advantages that come with that (PP1247).

Nestrans has requested that a full account is made of the NTS, published in February 2020 by Transport Scotland, with its aims to provide a transport system that reduces inequalities, takes climate action, helps delivery inclusive economic growth, and improves our health and wellbeing (RD0227.A) (PP1241).

For objectives relying on sustainable transport and improved rail connections to be realised, policy and guidance must ensure the impacts of proposals on rail infrastructure are clearly assessed and that delivery, including funding, responsibilities are clear. No modification sought (PP0444).

NatureScot has requested inclusion of the word “natural” in paragraph 3.7 to align the vision more accurately with the wording of the planning outcomes as set out in NPF and SPP, to help improve the quality of place-making delivered by the Plan and will provide a wealth of benefits including those arising from enjoyment by the public (PP1300).

A representee does not consider that the PLDP sufficiently promotes safe and convenient active travel opportunities within paragraph 3.13. The LDP must identify, protect and promote the development of potential active travel routes (PP0881). There is a lack of specific examples of footpaths and cycleways on the ground as well as policies for their promotion, leads to a significant mismatch between the Plan on the ground and the laudable aims, vision and aspirations which underly the LDP (PP0884).

SEPA has welcomed the adoption of reference to green-blue networks throughout the Plan, but for consistency recommends this term is added in paragraph 3.13 on local green spaces (RD0214.A) (PP1219).

Section 4 – The Purpose of the Local Development Plan

Support has been received for the LDPs policy outcomes and the focus on promoting Aberdeenshire as a high-quality place to live, supporting sustainable development, an area where natural and cultural heritage is promoted and enhanced and the commitment to making best use of existing transport infrastructure whilst promoting active means. No modification sought (PP0778).

Support has been received for the intention to promote the creation of green-blue networks between settlements. No modification sought (PP0659).

A representee repeats concern raised under Section 3 in relation to climate emergency or the net-zero greenhouse gas emissions target by 2045. It is suggested that paragraph 4.1 be amended to reflect national commitments to the climate emergency and net-zero emissions target by 2045 and provide a supportive local policy context to achieve these objectives (PP0462).

Amendment is sought to paragraphs 4.1 and/or 4.7 of Section 4 in order to prevent

contradiction and provide consistency so that a planning judgment can be made to decide what relative weight is given to individual policies so that development can be consistent with the LDP as a whole while taking into account other material considerations (PP1175, PP1202 and PP1306). A representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

A representee requests paragraph 4.2 explicitly references green infrastructure to reflect sections 4.12 and 4.17 in the NPF3 (PP0879).

NHS Grampian believe that it is imperative that health and social care provision is recognised as essential infrastructure within a community, similar to water, pipes, schools and roads to meet the requirement laid out in paragraph 4.2. It is requested that the third sentence of paragraph 4.2 is amended to state “A design process is put in place to make sure that land use planning takes place early and over the long term to provide infrastructure, such as water, pipes, schools, healthcare and roads, which will be needed.” (PP1222).

NHS Grampian has expressed support for the encouragement of active travel, through integrated walks and cycleways stated in paragraph 4.3 (PP1222). No modification sought. In contrast another representee believes more emphasis should be placed on active transport such as cycling (PP0135).

A representee requests that instead of just mentioning climate change, mention should be made to both the climate and nature emergencies in paragraph 4.3 (PP0876).

Clarification is sought on how the PLDP will balance economic growth and development with the need to protect and improve how the environment will work in practice (PP0659).

A representee has requested that paragraph 4.4 includes clearer wording so that the built heritage is not improved at the expense of the natural environment, which is supported by NPF3 paragraph 4.12 (PP0879).

There is a need to have more of a focus on measures to stimulate sustainable economic recovery for post pandemic recovery (PP0769). The economic impact and challenging environment for the oil and gas industry underline the importance of re-focusing the development plans for the north-east to reflect the post-March 2020 economic and societal environment. A greater emphasis should be put on encouraging more locally sustained economic activity, with an increase in green tourism serving local and national markets rather than international markets (PP0881).

NHS Grampian has requested that amendment is made to the the first sentence in paragraph 4.6 to read “...and on the edge of our villages and towns can provide a range of social, ecological, health and economic benefits.” (PP1222).

Two representees have requested that paragraph 4.6 (green-blue networks) includes stronger wording and commit to "no further loss or damage" rather than "but is unable to promote anything other than aspiration" (PP0879 and PP1189). SEPA recommends amending the last sentence in paragraph 4.6 to reinforce the benefits of green-blue networks and give a more positive and optimistic approach to the purpose and outcome of the Plan (RD0214.A) (PP1219). Likewise, NatureScot requests removing, “but is unable to promote anything other than aspiration.” from the final sentence of paragraph 4.6, as

the meaning is not clear and does not align with SPP paragraphs 220 and 221, which state that planning should protect, enhance and promote green infrastructure, which includes open space and green networks (PP1300).

The purpose of the LDP must recognise the importance housebuilding makes to the economy and people's lives. It is vital that the PLDP does not limit opportunities for the retention of and growth of the sector (PP1125, PP1247 and PP1306). Representees have included an Appendix (RD0195.A and RD0259.A) in their representation which provides further detail to support their position (PP1125 and PP1306).

It is believed by representees that the PLDP does little to address employment growth opportunities (PP0660 and PP0661).

Nestrans has highlighted that regardless of the type of fuel used for private vehicles, congestion is likely to remain an issue, and in some future scenarios, it could become more of a risk. There is now a well-established sustainable travel hierarchy which is relevant in the context of paragraph 4.7, which is included in the NTS and draft RTS, which prioritises walking and wheeling, cycling, public transport, taxis and shared transport, and lastly private car (RD0227.A). No modification sought. (PP1241). Another representee has requested that the travel hierarchy included in the NTS should be referenced in the PLDP (PP0659).

It is believed that Designing Streets is outdated and does not reflect the NTS or post-pandemic means that promote active travel routes (PP0659).

Modifications sought by those submitting representations:

Foreword

Modify the PLDP to amend the final sentence of the Foreword paragraph 2 to read, "What we do and how we live today should not leave our children unable to achieve a similar quality of life in the future and must take into account the important issues of climate change, biodiversity loss and reducing carbon use." (PP1263).

Modify the PLDP to amend the final sentence of the Foreword paragraph 4 to accord with the Town and Country Planning (Scotland) Act 1997 (PP1125, PP1200, PP1238, PP1246 and PP1306).

Section 1 – How to use this Plan

Modify the PLDP to make it clear that the LDP will cover a 5-year period rather than a 10-year period (PP0742 and PP1418).

Section 2 – Influences on the Plan

Modify the PLDP to include analysis on how local priorities have changed as a result of Covid-19 (PP0022, PP0455, PP0769 and PP0881).

Modify the PLDP to reflect the current and future demands for safe sustainable active travel routes (PP0881).

Modify the PLDP to include at, paragraph 2.3, reflect that the National Transport Strategy, the National Walking Strategy, the Cycling Action Plan for Scotland and the Long-term Vision for Active Travel in Scotland are influences on the LDP (PP0659).

Modify the PLDP to reflect that the Council's PSPS is an influence on the LDP at paragraph 2.3 (PP0139).

Modify the PLDP to replace at the 7th bullet point of paragraph 2.3, "the emerging Flood Risk Management Plan" with "the North East Flood Risk Management Plan and the Tay Estuary and Montrose Flood Risk Management Plan." (PP1219).

Section 3 – Vision for the Plan and its Purpose

Introduction

Modify the PLDP to ensure the Vision does not conflict with policies (PP0001).

The National, Regional and Local Vision

Modify the PLDP to make reference to the importance of health and wellbeing, in relation to delivering healthier living along with physical and mental wellbeing in the Vision (PP1222).

Modify the PLDP to further acknowledge the importance of national developments through the reinforcement and continued development of the electricity transmission network in the Vision (PP0822).

Modify the PLDP to reflect national commitments to the climate emergency and net-zero emissions target by 2045 in the Vision (PP0420, PP0462, PP0588, PP0597, PP0608 and PP0639).

Modify the PLDP to read at paragraph 3.2 (a) of the Vision, "contributes to sustainable development for people and nature." (PP0876).

Modify the PLDP to better reflect the Scottish Government's ambitions with regard to climate change and giving stronger support for the further development of large-scale renewable energy developments in the Vision (PP0420, PP0462 and PP0597).

Modify the PLDP to give higher priority to protection of the environment than developing housing in the Vision (PP0135).

Modify the PLDP to identify a policy framework whereby further housing is postponed until the employment opportunities are significantly increased in the Vision (PP0309).

Modify the PLDP to specifically reference the economic benefits associated with the housebuilding industry in the Vision (PP1247).

Modify the PLDP to fully account for the NTS published in February 2020 in the Vision (PP1241).

Modify the PLDP to read at paragraph 3.7 of the Vision, "Policies and development land

allocations must deliver successful, sustainable, low-carbon, better connected, natural and resilient places, linked by accessible and natural spaces.” (PP1300).

Modify the PLDP to alter paragraph 3.13 of the Vision to identify, protect and promote the development of potential active travel routes (PP0881 and PP0884).

Modify the PLDP to amend paragraph 3.13 of the Vision, last bullet point to read, “An area ... local green spaces and green-blue networks as an ...” (PP1219).

Section 4 – The Purpose of the Local Development Plan

Modify the PLDP to amend paragraph 4.1 to reflect national commitments to the climate emergency and net-zero emissions target by 2045 and provide a supportive local policy context to achieve these objectives (PP0462).

Modify the PLDP to amend paragraphs 4.1 and/or 4.7 to prevent contradiction (PP1175, PP1202 and PP1306).

Modify the PLDP to amend paragraph 4.2 to refer to green infrastructure (PP0879).

Modify the PLDP to amend the third sentence of paragraph 4.2 to read, “A design process is put in place to make sure that land use planning takes place early and over the long term to provide infrastructure, such as water, pipes, schools, healthcare and roads, which will be needed.” (PP1222).

Modify the PLDP to have paragraph 4.3 make reference to both the climate and nature emergencies (PP0876).

Modify the PLDP to clarify how the last sentence of paragraph 4.3 will work in practice (PP659).

Modify the PLDP to ensure paragraph 4.4 includes clearer wording so that the built heritage is not improved at the expense of the natural environment (PP0879).

Modify the PLDP to have greater focus on supporting post-pandemic economic recovery (PP0769).

Modify the PLDP to have greater emphasis on encouraging more locally sustained economic activity, with an increase in green tourism serving local and national markets rather than international markets (PP0881).

Modify the PLDP to amend the first sentence in paragraph 4.6 to read, “... and on the edge of our villages and towns can provide a range of social, ecological, health and economic benefits.” (PP1222).

Modify the PLDP to amend paragraph 4.6 (green-blue networks) to include stronger wording and a commit to "no further loss or damage" rather than "but is unable to promote anything other than aspiration.” (PP0879 and PP1189).

Modify the PLDP to amend the paragraph 4.6 to read, “... The Local Development Plan will protect and promote green-blue networks. Green-blue networks can have multiple

benefits for nature and wellbeing especially in a Placemaking context.” (PP1219).

Modify the PLDP to amend the last sentence in paragraph 4.6 to remove, “but is unable to promote anything other than aspiration.” (PP1300).

Modify the PLDP to specifically reference the economic benefits associated with the housebuilding industry (PP1125, PP1247 and PP1306).

Modify the PLDP to consider employment growth opportunities within the policies (PP0660 and PP0661).

Modify the PLDP to reference the travel hierarchy referenced in NTS (PP0659).

Modify the PLDP to remove reference to Designing Streets (PP0659).

Summary of responses (including reasons) by planning authority:

Foreword

Reference to climate change and reducing carbon use in paragraph 2 is not intended to be an exhaustive list of important issues. The Council recognise that reducing biodiversity loss is also an important issue, along with many others. If the Reporter is minded, to make an amendment, then the Council recommend that the final sentence of paragraph 2 could be modified to read, “What we do and how we live today should not leave our children unable to achieve a similar quality of life in the future and must take into account the important issues such as climate change, biodiversity loss and reducing carbon use”.

The Council agree that the text used in paragraph 4 could be clearer and reworded to accord with the Town and Country Planning (Scotland) Act 1997. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Section 1 – How to use this Plan

Comments made by Newtonhill, Muchalls and Cammachmore Community Council are welcomed. Confirmation from SEPA that they have no issues with this section of the PLDP is also noted. No change is required.

The LDP identifies land use allocations (opportunity sites) for a 10-year period as per the Aberdeen City and Shire Strategic Development Plan 2020. This is reflected in paragraph 1.4 of the PLDP. In accordance with existing planning legislation, it is projected that LDP 2021 will be replaced within 5-years of the date on which the next LDP is adopted. No change is required.

Section 2 – Influences on the Plan

In October 2020 Aberdeenshire Council agreed a new Council Plan for the period 2020-2022 (AD0108.A and AD0109). The impact of Covid-19 on Aberdeenshire Council and the communities it serves necessitated bringing forward a new set of Council Priorities to ensure the organisation is able to maximise service delivery and associated resources to those areas most in need at this challenging time. Notwithstanding, it is believed that the

PLDP, as approved by Aberdeenshire Council on 5 March 2020, continues to contribute towards achieving the Council's priorities, as amended. The significance of the LDP has been further heightened as a means from which the Council's priorities can be achieved as the Council area recovers from the detrimental impact that Covid-19 has had on the economy and society as a whole. No change is required.

The Council note that Nestrans are undertaking a review of the RTS. The Council confirm that we have reviewed the draft RTS as published for consultation in autumn 2020 and provided feedback as part of the wider response provided by Aberdeenshire Council. No change is required.

The documents referenced in paragraph 2.3 are not intended to be an exhaustive list of documents that have influenced preparation of the PLDP. Absence from the list such as the NTS, National Walking Strategy, Cycling Action Plan for Scotland, the Long-term Vision for Active Travel in Scotland and the Council's PDPS does not necessarily mean that they were not considered in preparing the PLDP. The Council do not believe it necessary to list every document that had a bearing on the preparation of the PLDP, hence we have listed a small number of 'important' documents deemed to have had a significant influence on the emerging LDP. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Section 3 – Vision for the Plan and its Purpose

Introduction

The Council acknowledge that there may be rare occasions where the merits of a proposal conflict with policies. Paragraph 3.1 outlines that in such circumstances the Vision should be used to provide balance. The Council have further sought to address this issue through the introduction of the symbols throughout the PLDP to assist in weighing up the differing policy outcomes and the delivery of policy. No change is required.

The National, Regional and Local Vision

The Council welcome comments received in support of the Vision section.

Section 2 recognises the Health and Social Care Strategic Plan as an important influence on the LDP (see PLDP, page 10) and this is reflected throughout the PLDP. Whilst the Council believe this to be sufficient, if the Reporter is minded to make an amendment, then the Council recommend that the first bullet point of paragraph 3.1 could be modified to read, "An area with a high quality of life and distinctive places, and where new developments are designed as effectively as possible to improve this and help deliver sustainable, low carbon places and contributing positively towards the health and wellbeing of its residents."

The PLDP continues to recognise national developments identified in NPF3. It is not considered necessary to repeat this fact in the PLDP Vision. No change is required.

In September 2019 Aberdeenshire Council agreed not to declare a "climate emergency"

but did agree to support COSLA and the Sustainable Scotland Network in their approach to the Scottish Government to seek direction and resources to support a national approach to the declared Climate Emergency for Scotland (AD0123 and AD0124). Given the position of Aberdeenshire Council it would not be appropriate to amend the PLDP to use the phrase 'climate emergency'. The Council believe that sufficient weight has been given to address the challenges posed by climate change and that the policies within the PLDP support development proposals seeking to contribute towards tackling climate change and thus contributing towards the national target net-zero emissions target by 2045. No change is required.

Policies outlined in the PLDP allow for appropriate developments to be delivered that will contribute towards meeting the target of achieving net-zero emissions by 2045. No change is required.

The Council do not believe that sustainable development should be restricted to its impacts on people or the natural environment. To do so could be perceived as limiting the Vision of the PLDP. No change is required.

Paragraph 3.10 recognises the role the LDP has to play in tackling climate change. This is carried forward throughout the policies and land use allocations made in the PLDP. Addressing the challenge of climate change will not solely be achieved through promotion of large-scale renewable energy developments. Indeed, not all parts of Aberdeenshire will be suitable for such developments. This is a matter that is best addressed on a case-by-case basis where the merits of individual proposals can be determined against all relevant policies of the LDP. No change is required.

As seen through the representations received, there are differing views on which priorities that should take precedence in drawing up the LDP. The Council seek to take a balanced approach, bearing in mind the National and Regional outcomes. The Council believe that the Vision, as outlined in the PLDP is clear as to how places in Aberdeenshire should be shaped during the Plan period. No change is required.

The Council do not believe that development of housing should be postponed until employment opportunities are significantly increased. The housebuilding industry itself provides employment opportunities and contributes towards economic activity. Policies and proposals contained within the PLDP promote opportunities for economic growth and employment proposals to come forward. No change is required.

The Council do not agree with the assertion made that the PLDP does not recognise the contribution made by the housebuilding industry or that it does little to address employment growth opportunities. The Vision, Objectives and Outcomes of the PLDP clearly indicate support for development that creates new homes in the area and employment opportunities. This is echoed through the policies and proposals contained in the PLDP, in accordance with the principle of locating the right development in the right place. No change is required.

The Council note that the NTS was published after the PLDP was drafted for consideration by Aberdeenshire Council in March 2020. Notwithstanding this the Council believe that the PLDP takes cognisance of the key themes included within the NTS. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Promotion of active travel is seen throughout the PLDP. Paragraph 3.13 of the Vision outlines that the LDP helps promote Aberdeenshire as "an area that promotes sustainable development that reduces the need to travel, reduces reliance on private cars and promotes safe and convenient active travel opportunities." Likewise, paragraph 4.3 of PLDP confirms that the Council has taken active travel in to account in identifying development sites in the PLDP and indeed "to make efficient use of the transport network, reduce the need to travel and promote walking, cycling, and public transport" forms an objective of the PLDP. It is considered that this statement provides sufficient emphasis on the importance of active travel alongside policies such as Policy P1 Layout, Siting and Design and Policy RD1 Providing Suitable Services. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Section 4 – The Purpose of the Local Development Plan

Support received for the LDPs policy outcomes is noted. No change is required.

As discussed above, the Council has agreed not to formally declare a "climate emergency". The Council believe that sufficient weight has been given to the importance of tackling climate change through the policies and proposals outlined in the PLDP. No change is required.

The Council agree that the text should be amended to avoid confusion and any misinterpretation between paragraphs 4.1 and 4.7. If the Reporter is minded, to make an amendment, then the Council recommend that the final sentence of paragraph 4.7 is removed.

The Council believe that sufficient reference has been given to green and blue infrastructure (termed "green-blue infrastructure" in the PLDP). There is no need to give further reference to this in paragraph 4.2.

The Council see merit in the modification sought by NHS Grampian. If the Reporter is minded, to make an amendment, then the Council recommend amending the third sentence of paragraph 4.2 to read, "A design process is put in place to make sure that land use planning takes place early and over the long term to provide infrastructure, such as water, pipes, schools, healthcare and roads, which will be needed."

The matter of climate emergency is already discussed above. The Council has not been asked to consider the presence of nor formally declare a "nature emergency". Therefore, it would be inappropriate for this term to be used in the LDP. No change is required.

All planning applications require to be determined in accordance with the development plan, of which the LDP is part, unless material considerations indicate otherwise. Each planning application is considered on its own merit and the weight that should be applied to each particular policy will depend on the nature of the proposal put forward. The role of the LDP is to strike balance and it is acknowledged in Sections 3 and 4 of the PLDP. To help with applying the policies of the LDP, on occasions where conflict between the aims of the policy apply, weight can be given to the Vision of the LDP to assist in balancing

competing aims. The Council believe the PLDP to be clear enough in this regard. No change is required.

In order to provide clarity, the Council would support amendment being made to the final sentence of paragraph 4.3. If the Reporter is minded, to make an amendment, then the Council recommend amending the final sentence of paragraph 4.2 to read, "These policies recognise the need to balance economic growth and development with the need to protect and enhance our natural and historic environment."

As noted above, the Council recognise that whilst the PLDP was prepared prior to the Covid-19 pandemic, we firmly believe that the aims and principles set out remain entirely valid. Indeed, it can be said that the emerging PLDP, once adopted, will be well timed to be at the forefront to support economic recovery post-pandemic. There is sufficient flexibility within the PLDP policies to promote economic development in accordance with the principle of locating the right development in the right place. No change is required.

The Council see merit in the modification sought by NHS Grampian. If the Reporter is minded, to make an amendment, then the Council recommend amending paragraph 4.6 to read, "...and on the edge of our villages and towns can provide a range of social, ecological, health and economic benefits".

The Council agree with representees, including SEPA and NatureScot, that the final sentence of paragraph 4.6 should be changed to reflect a more position standpoint. If the Reporter is minded, to make an amendment, then the Council recommend paragraph 4.6 to read, "The Local Development Plan will seek to protect and promote the creation and/or enhancement of green-blue networks".

As discussed above, the Council do not agree with the assertion made that the PLDP does not recognise the contribution made by the housebuilding industry or that it does little to address employment growth opportunities. The Vision, Objectives and Outcomes of the PLDP clearly indicate support for development that creates new homes in the area and employment opportunities. This is echoed through the policies and proposals contained in the PLDP, in accordance with the principle of locating the right development in the right place. No change is required.

The Council note Nestrans' point that regardless of the type of fuel used for private vehicles, congestion is likely to remain an issue, and in some future scenarios, it could become more of a risk. The Council acknowledge that there is now a well-established sustainable travel hierarchy which is relevant in the context of paragraph 4.7 and welcomes alignment of the PLDP with the NTS and draft RTS. No change is required.

As noted below the NTS was published after drafting of the PLDP was completed. Whilst the Council do not believe it necessary to refer to the travel hierarchy, however given this term is likely to become more common phrase it may be appropriate to refer to this term in paragraph 4.7. If the Reporter is minded, to make an amendment, then the Council recommend amending paragraph 4.7 to read, "We promote the principles of the Sustainable Transport Hierarchy and those included..."

The Council do not agree that reference to Designing Streets should be removed. Whilst it is noted that this policy is now 10-years old, it remains a Scottish Government policy document that the Council are expected to take cognisance of in preparing the LDP. No

change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to matters covered in Issue 1. However, where such matters arise from representations made to the proposed plan, they require to be considered in the examination. I therefore address these as appropriate below.

Foreword

3. RSPB Scotland seeks changes to the last sentence in paragraph 2 of the foreword to make reference to biodiversity loss. Paragraph 195 in Scottish Planning Policy (2014) highlights that “planning authorities, and all public bodies, have a duty under the Nature Conservation (Scotland) Act 2004 to further the conservation of biodiversity.” An explanation of how the plan seeks to address this duty and protect and enhance the natural environment is set out in the introductory paragraphs of section 10 of the proposed plan (Natural Heritage and Landscape).

4. Whilst I agree that biodiversity loss is an important issue, it is one of many important issues to be addressed in the plan. I do not consider a specific reference to biodiversity loss in the foreword to be necessary.

5. I do not consider that changing the word “should” to “must” would be justified, within the context of this particular sentence. It is a generic statement about the actions of people and how they live rather than a specific requirement of the plan. No modification is recommended.

6. The council has suggested that the last sentence in the fourth paragraph of the foreword be replaced with, “Planning applications will be determined in accordance with the policies and land allocations in this Plan, unless material considerations indicate otherwise.” I agree that this wording would more accurately reflect the provisions of the Town and Country Planning (Scotland) Act 1997 and therefore recommend a modification to the proposed plan.

Section 1 – How to use this plan

7. A 10 year period for the local development plan is necessary to meet the requirements of the approved Aberdeen City and Shire Strategic Development Plan. These requirements would not be met if the period of the local development plan was reduced to five years. However, the council has indicated its intention to review the plan and replace it within five years of the adoption date. No modification is recommended.

Section 2 – Influences on the plan

8. The monitoring report for the proposed plan was published in November 2019, which was before the start of the first Covid-19 lockdown period in March 2020. Whilst I agree that the economic effects of the Covid-19 pandemic are likely to be significant, the nature and extent of these effects over the plan period are not yet known. Paragraph 1.1 in the council's monitoring report refers to continual annual monitoring. This would provide the opportunity to identify and monitor any relevant effects of the Covid-19 pandemic for consideration through the preparation of the next local development plan.

9. The council has referred me to the revised set of priorities included in its new corporate plan 2020 - 2022, which was agreed in October 2020. It concludes that the proposed plan aligns with these amended priorities.

10. On this basis, I do not consider that delaying progress on this local development plan to address the effects of the Covid-19 pandemic would be justified. No modification is recommended.

11. Paragraph 2.3 in the proposed plan includes a list of national and regional strategies which have had an influence on the plan. The use of the term 'such as', indicates that this list is not exhaustive. I do not consider it necessary or reasonable to list every document which has informed the preparation of the local development plan. It is for the council to identify which documents have had a significant influence on the proposed plan. No modification is required.

12. National Transport Strategy 2 was published in February 2020, after the proposed plan was finalised. Whilst I agree with representees that its vision for transport in Scotland is of relevance, the document was not available in time to directly influence the preparation of the proposed plan. There is no statutory requirement for local development plans to accord with the National Transport Strategy. No modification is required.

13. I have addressed the comments made by Meldrum Paths Group on the need for greater priority to be given to active travel routes in section 3 below.

14. I agree with the Scottish Environment Protection Agency (SEPA) and the council that the seventh bullet point of paragraph 2.3 should refer to the two Flood Risk Management Plans which cover Aberdeenshire. A modification to this effect is recommended.

Section 3 – Vision for the plan and its purpose

15. The comments made by Sarah Ward in relation to the use of the words 'vision' and 'aspiration' refer to specific matters in the New Deer Settlement Statement. These are addressed in Issue 21.

16. Whilst health and well-being are not specifically mentioned in the regional vision set out in the approved Strategic Development Plan, the national vision shared by National Planning Framework 3 and Scottish Planning Policy (2014) refers to "narrowing disparities in well-being". There are also a number of other references to health and well-being in Scottish Planning Policy (2014). For example, in paragraph 29 "improving health and well-being by offering social interaction and physical activity" is identified as one of the principles of sustainable development. Paragraph 15 recognises that well-designed

sustainable places promote well-being and encourage healthier lifestyles.

17. The council indicates that the influence of the Health and Social Care Strategic Plan is reflected throughout the plan. I note that a number of policies and proposals relate to the health and well-being of residents, in particular section 9 Shaping Places and the provision of open space, active travel routes and health and care facilities. I therefore consider it would be appropriate to include reference to health and well-being in the local vision. The council has suggested that an additional clause, be added to the first bullet point in paragraph 3.13 which I agree with, subject to minor edits. A modification to the proposed plan is recommended.

18. Scottish Hydro Electric Transmission plc is seeking further acknowledgement of the importance of national developments, in particular the high voltage energy transmission network, which is identified as a national development in National Planning Framework 3. Paragraph 5.18 in the proposed plan provides support for national developments and these are also covered in relevant policies and settlement statements. I agree with the council that reference to particular national developments does not require to be included within the vision for the plan. Furthermore, National Planning Framework 4 may make changes to the list of national development in this local development plan area. No modification is required.

19. Section 13 in the proposed plan deals specifically with climate change matters and states that “climate change is possibly the greatest challenge facing the world today”. There is considerable overlap between the representations seeking changes to the plan’s vision and the introductory paragraphs in section 13. I agree with representees that the importance of tackling climate change is not sufficiently clear in the plan’s vision. Whilst I acknowledge that the details in national policies may change through the lifetime of the plan, I consider that the vision for the plan should make reference to the climate emergency and net-zero emissions targets aspirations. A modification to paragraph 3.7 is recommended.

20. The text in paragraph 3.2 relates to the purpose of planning and is taken from section 3ZA of the Planning (Scotland) Act 2019. It would not be appropriate to amend this definition by adding the words “for people and nature”.

21. Section 16 (6) of the Town and Country Planning (Act) 1997 requires the local development plan to be consistent with the Aberdeen City and Shire Strategic Development Plan. The need to meet the housing land requirements set out in the strategic development plan would prevent the identification of a policy framework where housing is postponed until employment opportunities are increased.

22. With the exception of my recommended modification in relation to climate change, I consider the vision set out in paragraph 3.13 of the plan is consistent with the strategic development plan’s vision and the vision and outcomes set out in Scottish Planning Policy (2014). I recognise that different representees will wish to see their particular interest given greater emphasis in the vision of the plan. However, there is no justification for additional weight to be given to housing development, environmental protection or active travel routes in the vision.

23. I have addressed the implications of the recently published National Transport Strategy for the plan in section 2, above. Nestrans has drawn attention to the aims of the

National Transport Strategy “to provide a transport system that reduces inequalities, takes climate action, helps deliver inclusive economic growth, and improves our health and wellbeing”. I agree with the council that the vision of the plan is consistent with the aims of the National Transport Strategy.

24. The minor change to paragraph 3.7 sought by NatureScot would better align with outcome 3 (a natural, resilient place) in Scottish Planning Policy. I agree with the council that the last sentence in paragraph 3.7 should be modified to refer to “natural and resilient places”. I also agree that the minor change to paragraph 3.13 sought by the Scottish Environment Protection Agency to refer to “green-blue” networks would be consistent with the use of this terminology elsewhere in the plan. Modifications on these matters are recommended.

Section 4 – The purpose of the local development plan

25. I consider the recommended modifications to paragraph 3.7 and section 13 are sufficient in providing reference to the climate change emergency. I do not consider it necessary to amend paragraph 4.1 in the proposed plan as well.

26. Representees have highlighted an inconsistency between paragraphs 4.1 and 4.7 in terms of the approach to be taken where conflict arises between policies. Paragraph 4.1 directs users of the plan to consider the overall vision, in the circumstances where applying one policy would be at the expense of the other. Whereas the final sentence in paragraph 4.7 indicates that the need for sustainable transport infrastructure may justify other policies being disregarded. I consider that the wording of paragraph 4.7 is misleading, as the relative weight to be given to individual policies in the determination of application can only be decided when assessed against all relevant provisions of the development plan and other material considerations are taken into account. A modification to delete the final sentence in paragraph 4.7 is recommended.

27. Representees state that section 4 of the plan should include reference to housebuilding in terms of meeting housing needs and employment benefits. Paragraph 36 in Scottish Planning Policy (2014) states that “Planning’s purpose is to create better places.” and that “the outcome should be sustainable, well-designed place and homes which meet people’s needs”.

28. Given that an important role of the local development plan is to promote the delivery of homes to meet housing needs in accordance with the strategic development plan, I find the limited reference to housing in section 4 somewhat surprising. I consider that paragraph 4.2 should be amended to refer to the provision of homes alongside infrastructure, within the context of promoting sustainable mixed communities.

29. Paragraph 4.2 promotes sustainable mixed communities with the highest standards of design. As paragraph 4.6 relates specifically to green-blue networks, I do not consider it necessary to include a reference to green infrastructure in paragraph 4.2. The inclusion of healthcare as an additional example of the infrastructure needed in sustainable mixed communities would be consistent with the requirements set out in the proposed plan’s settlement statements (appendices 7A – 7F). I recommend that paragraph 4.2 be modified to address these matters.

30. Paragraph 4.3 refers to the challenges of sustainable development and climate change. The Woodland Trust Scotland has requested that reference also be made to

nature emergencies. There is no mention of a nature emergency in Scottish Planning Policy or the Strategic Development Plan, nor any declaration of a nature emergency by the Scottish Parliament. I agree with the council that it would be inappropriate to introduce this term into the plan.

31. Paths for All has asked for an explanation of how the plan will balance economic growth and development with the need to protect and improve the environment, which the council has provided in its response above. I have nothing further add to this explanation and agree with the council that no modification to the proposed plan is necessary in response to this representation.

32. The council has suggested a modification to the final sentence of paragraph 4.3 in the interest of clarity. However as there is no unresolved representation seeking such a change, I have no remit to include this amendment.

33 The Woodland Trust Scotland is seeking clearer wording in paragraph 4.4 to ensure improvements to the built heritage are not at the expense of the natural environment. I consider the plan's approach to addressing conflict between policies is adequately addressed in paragraph 4.1. There is no justification to highlight one particular example of potential conflict.

34. Paragraph 4.5 covers a range of employment opportunities across Aberdeenshire and refers to increasing and diversifying the economy. I consider that this intended outcome of the plan covers the matters raised in representations in relation to post Covid-19 economic recovery, and encouraging local sustained economic activity. I do not consider there is any justification to specifically highlight the employment benefits associated with housebuilding. No modifications are needed.

35. Representees consider that the wording of paragraph 4.6 in relation to green-blue networks should be strengthened. Paragraph 220 in Scottish Planning Policy (2014) states that "planning should protect, enhance and promote green infrastructure, including open space and green networks". The glossary definition of "green infrastructure" and "green networks" includes "blue" (water environment) features.

36. The settlements statements in appendices 7A – 7F of the proposed plan include requirements to protect, enhance and promote green-blue networks. I consider that the title in bold of paragraph 4.6 should be amended to read "To protect, enhance and promote green-blue networks within and between settlements" to more accurately reflect the provisions of the plan and strengthen this intended outcome, in accordance with Scottish Planning Policy. In the interests of consistency, the last sentence of paragraph 4.6 should be amended to refer to the enhancement of the green-blue network. The council has suggested a form of words which I consider to be acceptable.

37. A number of representees sought clarification on the meaning of the last clause of paragraph 4.6, which states that the local development plan "is unable to promote anything other than aspiration". I too find this clause to be confusing and at odds with the vision of the plan and Scottish Planning Policy. Whilst the council has not provided any explanation, its suggested amendment removes this clause.

38. SEPA seeks the inclusion of an additional sentence in paragraph 4.6 on the benefits of green-blue networks. I do not consider this to be necessary, as a range of benefits are

already mentioned in the first sentence of this paragraph. However consistent with my recommended modification in relation to paragraph 3.13, I agree with NHS Grampian that the first sentence in paragraph 4.6 should be amended to include reference to health benefits. Taking account of all relevant representations, I recommend a modification to replace the wording of paragraph 4.6 in the proposed plan.

39. The National Transport Strategy (on page 42) states that “we will embed the Sustainable Travel Hierarchy in decision making by promoting walking, wheeling, cycling, public transport and shared transport options in preference to single occupancy private car use for the movement of people”. I consider that the wording of paragraph 4.7 is generally consistent with the sustainable transport hierarchy and specific reference to this term is not necessary. Designing Streets” is a current government policy document and I can find no reason why the reference to it should be removed from paragraph 4.7. However, in response to comments made by Meldrum Paths Group in relation to inclusivity and equality of access, I recommend the word “wheeling” is added to the title of paragraph 4.7.

Reporter’s recommendations:

Modify the local development plan by:

1. Replacing the last sentence in paragraph 4 of the foreword on page 8 with:
“Planning applications will be determined in accordance with the policies and land allocations in this Plan, unless material considerations indicate otherwise.”
2. Replacing “the emerging Flood Risk Management Plan” in the list of bullet points in paragraph 2.3 on page 10 with “the North East Flood Risk Management Plan and the Tay Estuary and Montrose Flood Risk Management Plan;”
3. Adding the following new second sentence to paragraph 3.7 on page 12:
“It has been prepared within the context of the Scottish Government’s declaration of a Climate Emergency and the enactment of the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019.”
4. Replacing the last sentence in paragraph 3.7 on page 12 with:
“Policies and development land allocations must deliver successful, sustainable, low carbon, better connected, natural and resilient places, linked by accessible and natural spaces.”
5. Replacing the first bullet point in paragraph 3.13 on page 13 with:
“An area with a high quality of life and distinctive places, and where new developments are designed as effectively as possible to improve this, help deliver sustainable, low carbon places and contribute positively towards the health and wellbeing of its residents.”
6. Inserting “green-blue” before “networks” in the third bullet point in paragraph 3.13 on page 13.
7. Replacing the third sentence in paragraph 4.2 on page 14 with:
“A design process is put in place to make sure that land use planning takes place early and over the long term to provide the homes and infrastructure, such as water, pipes, schools, healthcare and roads, which will be needed.”

8. Replacing paragraph 4.6 on page 15 with:

“To protect, enhance and promote green-blue networks within and between settlements

Connected areas of green and blue space and habitats such as parks, paths and woodlands (green-blue networks) within and on the edge of our villages and towns can provide a range of social, ecological, health and economic benefits. Developments must help to provide these important green links between development sites, the wider countryside and our urban areas. The Local Development Plan will seek to protect and promote the creation and/ or enhancement of green-blue networks.”

9. Inserting “wheeling,” before “cycling” in the title of paragraph 4.7 on page 15.

10. Deleting the final sentence of paragraph 4.7 on page 15.

Issue 2	Section 5 – The Spatial Strategy	
Development plan reference:	Proposed LDP, Section 5, Page 16-21	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>The Spatial Strategy Introduction PP0877 The Woodland Trust for Scotland PP1170 Campbell Murdoch PP1219 Scottish Environment Protection Agency PP1222 NHS Grampian PP1392 Jennifer Taylor</p> <p>Housing and Employment Land PP0040 Tom Hasler PP0057 Neil Donaldson PP0084 Patrick Quinn PP0135 Jane Waters PP0138 Ritchie Cattanach PP0309 Parish of Newmachar Community Council PP0499 Kincardine Estate PP0501 Cabardunn Development Company Limited and Dunecht Estates PP0541 Ian Smith PP0578 Scottish Government Planning and Architecture Division PP0591 CHAP Homes PP0648 Erik Leslie PP0658 Hilary Foxen PP0660 Graeme Fergusson PP0661 Kelly Thow PP0693 Stewart Milne Homes PP0733 Dr Paul Davidson PP0753 Dandara Limited PP0772 Hallam Land PP0837 Harper and Cochrane PP0892 Ian Ross PP0926 Bancon Homes Ltd PP0944 Bancon Homes PP1046 c a s e Consulting Limited PP1048 c a s e Consulting Limited PP1055 c a s e Consulting Limited PP1062 c a s e Consulting Limited PP1073 c a s e Consulting Limited PP1074 c a s e Consulting Limited PP1083 c a s e Consulting Limited PP1089 c a s e Consulting Limited PP1102 c a s e Consulting Limited PP1103 c a s e Consulting Limited</p>		

PP1133 CALA Homes
PP1155 Neil Mathieson
PP1176 CALA Homes
PP1197 CALA Homes (North) Ltd
PP1198 Barratt North Scotland
PP1203 Hallam Land
PP1248 Gladman Developments Ltd
PP1251 Drum Property Group
PP1276 Polmuir Properties (Newtonhill) Limited
PP1283 W & W Mackie
PP1285 The Margaret Mitchell Discretionary Trust
PP1286 W. Maitland & Sons
PP1306 Homes for Scotland

Consistency the Strategic Development Plan

PP0881 Meldrum Paths Group
PP1241 Nestrans
PP1265 RSPB Scotland

Aberdeen to Huntly Strategic Growth Area

PP1125 Barratt North Scotland
PP1126 Chap Group (Aberdeen) Ltd
PP1241 Nestrans
PP1274 Barratt North Scotland and Dunecht Estates
PP1296 Barratt North Scotland

Aberdeen to Laurencekirk Strategic Growth Area

PP0136 Alastair Johnstone
PP0684 Stewart Milne Homes
PP0693 Stewart Milne Homes
PP0751 Elsick Development Company
PP0928 Bancon Homes Ltd
PP0944 Bancon Homes
PP1125 Barratt North Scotland
PP1170 Campbell Murdoch
PP1198 Barratt North Scotland
PP1225 CALA Homes
PP1204 Hallam Land
PP1241 Nestrans

Aberdeen to Peterhead Strategic Growth Area

PP0515 Paul Butler
PP0553 Shona Anderson
PP0599 Barratt North Scotland
PP0607 The Association for the Protection of Rural Scotland
PP0610 Kathryn Barrett
PP0638 Richard Barrett
PP0654 Peter Foxen
PP0671 Stewart Milne Homes
PP0695 William Wright
PP0781 Tanneth Parker

PP0788 Audrey Wright
PP0797 Joanna Brownlie
PP0798 Kate Brownlie
PP0799 Stewart Ralston
PP0800 Alexander Parker
PP0801 Fionidi Parker
PP0802 Joanna Parker
PP0824 Kenneth Badenoch
PP0845 Robin Taylor
PP0850 Christopher Brown
PP0853 Doreen Cassell
PP0854 Phylis Mathers
PP0855 Graham Lonie
PP0856 Eric Stanley
PP0857 Jacqueline Taylor
PP0858 James Bruce
PP0859 Marion Bruce
PP0860 Robert Pirie
PP0870 Gwendolyn Pirie
PP0874 Robert Pirie
PP0886 John Hopkins
PP0887 Gwen Pirie
PP0904 Maureen Pirie
PP0930 Carol Menlove
PP0932 Jean Hopkins
PP0965 Graeme Massie
PP1018 CHAP Group (Aberdeen) Ltd
PP1135 Jane Parker
PP1155 Neil Mathieson
PP1167 Jenni Clarke
PP1190 Rachel MacLugash
PP1241 Nestrans
PP1401 Robert Pirie

Other Locations in Aberdeenshire

PP0591 CHAP Homes
PP0675 Stewart Milne Homes
PP1125 Barratt North Scotland
PP1177 CALA Homes
PP1241 Nestrans

National Developments

PP1264 RSPB Scotland
PP1300 NatureScot

The Spatial Strategy Policy Map

PP0693 Stewart Milne Homes
PP0790 North Banchory Company

**Provision of the
development plan**

to which the issue relates:	The Spatial Strategy
Planning authority's summary of the representation(s):	
<p>Introduction</p> <p>The Scottish Environment Protection Agency (SEPA) has no comments on Section 5, the Spatial Strategy (PP1219).</p> <p>A representee has sought clarity regarding what the Spatial Strategy is and where it is to be found (PP1392).</p> <p>There needs to be a firm commitment in the Local Development Plan (LDP) to significantly increase the area of Scotland's native woodlands that are accessible and welcoming to people, as per Scottish Planning Policy (SPP) paragraphs 194, 216, 217 and 218 specific reference should be made to ancient woodland in Section 5, the Spatial Strategy (PP0877).</p> <p>NHS Grampian supports the removal of the six different administrative areas in Aberdeenshire and instead, the introduction of a wider context to the Settlement Strategy. However, it must be noted that considerable investment is required in health and social care facilities in order to maintain high levels of service to support Aberdeenshire's growing and ageing population (PP1222).</p> <p>A representee has requested that additional text is added to paragraph 5.1 on conserving a green belt buffer between Aberdeen City and Aberdeenshire, as new developments on the administrative boundary with Aberdeen could result in further encroachment into the green belt, damage to the setting of Aberdeen and views from Aberdeen and affect the development of established development areas such as Chapelton (PP1170).</p> <p>Housing and Employment Land</p> <p>A representee has agreed with the Council that the LDP should be planned to be consistent with the Aberdeen City and Shire Strategic Development Plan (SDP) 2020 (RD0259.A) (PP1306).</p> <p>Unused allocations block alternative local development and the concept of "use it or lose it" should be adopted in the LDP (PP0040).</p> <p>The whole planning process is based on developing housing and an economy supporting profit for building companies, not for the protection of the environment (PP0135). The PLDP should reflect national policies on sustainability in matters of site selection (PP0309). In identifying land for housing, a model where new housing is based on renovating existing buildings to reduce resource use or building on brownfield land should be adopted (PP0541). Redevelopment of brownfield sites is at the core of the UK Sustainable Development Strategy, however within the PLDP only 1 of the 60 proposed sites are brownfield sites (PP0138, PP0660 and PP0661). The Scottish Government believe that the last sentence of paragraph 5.10 should be deleted as the statement weakens the national policy position to promote the re-use or re-development of brownfield land, in accordance with SPP paragraph 40. Greenfield sites should not be</p>	

allocated due to a cost difference between developing on greenfield and brownfield development (PP0578).

The information used in preparation of the PLDP does not take account of long-term trends that can be anticipated for Aberdeen City and Aberdeenshire and the implications this will have on the need for housing and employment land (PP0057 and PP0658). Likewise, issues such as Covid-19 and the latest slump in crude oil price will result in an impact on the local economy and suppress the need for new housing (PP0084, PP0648 PP0658 and PP0733). Additional development within the commuting area of Aberdeen further devalues properties creating an even more depressed housing market and exacerbating people's equity problems in a buyer's market (PP1155).

The new SDP has not been adopted and therefore there is a risk to using new SDP housing figures to base housing allocations in the PLDP. Table 1 and Appendix 6 do not accurately represent the housing land position in Aberdeenshire and there is a shortfall in land supply across both Housing Market Areas (HMAs). Should the PLDP be adopted Aberdeenshire Council will fail to allocate sufficient land for its housing requirements. (PP1248). The SDP has not recognised a revised calculation method proposed, but this is of no consequence as the SDP has not yet been approved by Scottish Ministers and, in any regard, will cease to be a constituent part of the development plan in early course (PP1103).

The Scottish Government has asked for greater clarity on the Housing Land Supply target, the percentage used to provide generosity over that target, and the Housing Land Supply Target, all to meet the requirements of paragraphs 113, 115, 116 and 128 of SPP. They are not clear how the housing land allocation figures have been informed by the Housing Need and Demand Assessment (future housing requirement) or the Local Housing Strategy (housing supply target). It is not clear if the PLDP includes generosity as required by SPP (PP0578).

A representee has requested that the Spatial Strategy section should be amended to place much greater focus on deliverability and include additional allocations in the places of greatest need, particularly in the area around Aberdeen City (RD0259.A) (PP1306). Many of the new allocations are not in marketable locations around the City but rather in tertiary market locations (PP0693).

In addition, the numerical basis of the housing allocations is included within the body of the text of the PLDP (PP1306). This last point is echoed by another representee (PP1276). Many of the allocations are not in marketable locations around the City but rather in tertiary market locations. Reliance on more peripheral locations within the Aberdeen Housing Market Area (AHMA) does give the confidence that enough homes will be delivered (PP0693).

The Plan should introduce "Strategic Reserve" or "Future Opportunity Sites" for development in the period post 2032 (PP0499 and PP0501). Bringing sites forward before an interim review of the LDP would accord with SDP paragraph 4.15, which also allows for the identification of Strategic Reserve Housing land. Identification of the long-term growth strategy for settlements is more crucial as the next LDP will be adopted for a period of 10 years. Ensuring a 5-year land supply at all times could prove to be more difficult within a 10-year cycle, particularly in the latter stages of the LDP. Strategic Reserve Land/Future Opportunity Sites provide the Authority with flexibility to review the delivery of allocations

and draw down strategic reserve sites following an interim review of the LDP, should there be an undersupply. Applications for permission to develop Strategic Reserve land would remain contrary to the Plan until that time (PP0501). Future Opportunity Sites should be reintroduced to identify future growth directions for settlements and to provide certainty for communities. A longer-term growth strategy for settlements is important and Future Opportunity Sites would provide flexibility to review the delivery and provisions of housing land supply (PP0926).

The numerical adequacy of the allowances must be demonstrably robust with a residual effective land supply of no less than the 5-year requirement on the 31 December 2032. Allowances should be based on that assumption and provide a credible base residual supply for later Plan periods. The SDP fails to recognise this and will cease to be part of the development plan in early course, with the LDP having responsibility to deliver and maintain the strategic target through sufficient allocations in accordance with SPP. Calculations are provided, based on annualised completions and extrapolation of effective units, which show there is a substantial deficit in the Rural Housing Market Area (RHMA) in the period to 2020-2032 due to the consideration of sites that are marketability constrained. A revised "Table 3 Local Development Plan Housing allowances" is provided to provide the information for a revised Table 1 SDP Housing and Employment Land Figures on page 16 of the PLDP (RD0190.A) (PP1074). Section 5 should be amended to address the shortfall in housing land supply to provide sites that are deliverable as per the requirements of Planning Circular 6/2013. The representee has included an Appendix in their representation (RD0199.A) which provides further detail to support their position (PP1133).

A number of representees have suggested that there is a shortfall in the SDP housing allowances of:

- 1,084 homes to ensure compliance with the Housing Needs and Demands Assessment (PP0772).
- 939 homes to fully align the PLDP with the SDP. Representees have included Appendices in their representation which provides further detail to support their position (RD0089.A) (PP0591), (RD141.A) (PP0837), (RD0213.A) (PP1198), (RD0231.A) (PP1251) and (RD0241.A) (PP1286).
- 939 homes to address over optimism on housing delivery and a need for a greater supply and range of housing sites. The representee has included an Appendix (RD0239.A) in their representation which provides further detail to support their position (PP1283).
- 1,700 homes to resolve a deficit in the AHMA. The representee has included an Appendix (RD0240.A) in their representation which provides further detail to support their position (PP1285).
- 452 additional homes in the AHMA and 1,123 homes in the RHMA to incorporate extrapolated programming of the housing land supply to be built out to 2032. The representee has included an Appendix (RD0130.E) in their representation which provides further detail to support their position (PP0753).
- approximately 850 homes due to the sites not being effective or increases in density (PP0944).
- 1,400 homes in the Aberdeen to Laurencekirk SGA to reflect under-delivery. The representee has included an Appendix (RD0089.A) in their representation which provides further detail to support their position (PP0591).
- 1,700 homes across the Local Plan area as a result of increases in site density and

inaccurate assessment of effectiveness. The representee has included a number of Appendices (RD0259.A) in their representation which provide further detail to support their position (PP1306).

- 1,992 homes due using a less than up-to date supply side calculation, the approach taken to delay some of the housing need and demand from that which occurred in the early part of the plan, and lack of need and demand in the RHMA (PP1197).
- 6,774 homes for 2020 - 2032 period for the Aberdeenshire part of the AHMA, 1,614 for the 2033 - 2035 period and 3,432 for the 2036 - 2040 period in order to demonstrate a residual effective land supply no less than the five-year requirement up to 31 December 2032. The representee has included an Appendix in their representation (RD0194.A) which provides further detail to support their position (PP1103).

Further representees have challenged the housing allowances in Table 1, citing a shortfall in the allocations necessary to satisfy SPP but do not estimate how it should change. Reasons for the shortfall are identified as: excessive site capacity estimates and residual site capacity (PP0892, PP1046, PP1073 and PP1197); use of constrained sites to calculate the total (PP0892, PP1048, PP1055, PP1062, PP1083, PP1089, PP1102 and PP1197).

An additional sentence should be added that reflects the decision made by the Strategic Development Planning Authority that not all need identified in the Housing Need and Demand Assessment will be met (RD0240.A) (PP1176, PP1203 and PP1285).

There is no basis for allocating constrained sites or constrained site extensions, a position reflected in PLDP paragraph 5.4 (PP1197).

The distribution of effective land supply for housing has moved away from the SDP strategy for large allocations in areas of strategic infrastructure. The representee has included an Appendix in their representation (RD0199.A) which provides further detail to support their position (PP1133).

Housing land should not just be concentrated on main settlements but should also reflect the historical settlement pattern. Working from home and remote access to essential services has proven to be effective. The representee has included an Appendix (RD0231.A) in their representation which provides further detail to support their position (PP1251).

Not enough of the new allocations in the AHMA are focused on the SGAs, where the market is strongest and the location generally more likely to be sustainable. The representee has included an Appendix (RD0234.A) in their representation which provides further detail to support their position. (PP1276).

Larger sites should remain part of the housing strategy, but more realistic delivery rates should be adopted. The representee has included an Appendix (RD0591.A) in their representation which provides further detail to support their position (PP0591).

The amount of land available for commercial or industrial activities should be increased (PP0309).

Major developments should be required to be self-sufficient by providing supporting

infrastructure such as shops and community centres, however there is uncertainty as to whether shops will be developed due to the economic climate (PP0733).

Consistency with the Strategic Development Plan

Nestrans has supported the focus of development on the established SGAs as identified at paragraph 5.7, particularly due to the recent transport infrastructure improvements delivered and planned along these corridors. At paragraph 5.8 they agree that the capacity of the Aberdeen Western Peripheral Route should not be negatively affected by development but highlight that the most critical elements are likely to be the junctions along the route and the road network immediately surrounding these junctions (PP1241).

Opportunity for active travel should be included in the core criteria identified in paragraph 5.8 (PP0881).

At paragraph 5.9 clarity is sought as to why a Strategic Environmental Assessment (SEA) and Habitat Regulations Appraisal (HRA) is required. The current wording suggests that SEA and HRA are required to ensure compliance with the National Performance Framework as the reason these specific procedures are required. This is not the case (PP1265).

Aberdeen to Huntly Strategic Growth Area

Clarity is required on where the previous allocations at Huntly are to be reallocated, which has resulted in a reduction of 568 homes from the settlement. These should be reallocated to the SGA and Westhill. The representee has included an Appendix (RD0196.A) in their representation which provides further detail to support their position (PP1125).

There is concern over the lack of a future growth direction for Inverurie due to concerns over the A96 dualling route. (PP1126). The delay in Transport Scotland identifying a route for the proposed dualling of the A96 should not be an indefinite constraint to the growth of Inverurie. The necessary masterplanning exercise can safeguard and propose appropriate design solutions to account for this, in discussion with Transport Scotland. The representee has included an Appendix (RD1296.A) in their representation which provides further detail to support their position (PP1296). Nestrans has recognised that there is still no clarity on this issue and that it is a key requirement for future regional and local infrastructure and development planning (PP1241).

Westhill should be afforded SGA status due to its contribution to the regional economy, its thriving business and employment sector, continued demand for housing and good transport links. A review of the SGAs, as identified in paragraph 8.7 of the SDP, should take place within 5 years of the adoption of the LDP (PP1274).

Aberdeen to Laurencekirk Strategic Growth Area

The Plan needs to take a more positive approach in respect of its own spatial vision for this growth corridor and what the Spatial Strategy has achieved since the Local Development Plan 2017. It should articulate the reasons for Chapelton's slower than anticipated delivery over this timescale (PP0751). One respondent queries the need for more housing, particularly in the Aberdeen to Laurencekirk SGA, and advocates a

cautious and more conservative approach to housing development in this growth corridor (PP0136).

A shortfall of 300 homes exists in the Portlethen to Laurencekirk SGA allocations, and there is no evidence that the Council has made up this deficit. The representees have included Appendices in their representations (RD0113.B and RD0115.A) which provide further detail to support their position (PP0684 and PP0693).

Chapelton and sites in Laurencekirk, Newtonhill and Stonehaven are not delivering at a pace required to meet housing land requirements for the area, nor delivering the necessary affordable housing. This has led to a significant shortfall in delivery of over 1,100 expected homes. The ineffectiveness of current allocations with significantly slow rates of delivery, increased housing requirement as set out in the SDP, and removal of sites by Committees of Aberdeenshire Council, justifies additional housing land release in the SGA. The representee has included an Appendix (RD0213.A) in their representation which provides further detail to support their position (PP1198).

There is an over reliance on what the Council consider to be existing 'effective' housing land supply in this SGA, as a 64% of this is tied up at Chapelton. Chapelton has not delivered the number of homes envisaged in previous Plans and will not deliver the predicted 2,861 homes by the end of the LDP. There is little prospect of addressing this over the 10-year lifecycle of the LDP. This shortfall could be delivered in the short-term on an alternative site (PP0928).

Under-delivery of homes at Chapelton impacts on other allocations in the SGA (PP0944). Delivery of new homes at Chapelton has been slow and this should not be a barrier to the allocation of additional land. It is completely unreasonable to present Chapelton as the only option to homebuyers. Additional housing should be allocated within the SGA to address a lack of affordable housing. The representee has included an Appendix (RD0196.A) in their representation which provides further detail to support their position (PP1125). There is no evidence which would suggest that delivery of other sites in this corridor would be constrained through continued development at Chapelton. The LDP needs new allocations to deliver further options for development locations within this corridor (PP1125). The representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

In contrast, a representee disagrees with statement made in paragraph 5.13. There is no evidence that development is or will be constrained at Chapelton by development in the SGA. The LDP needs to deliver options for development and subsequently new allocations in the SGA corridor (PP1225).

Any proposed new settlement within the green belt should be rejected to ensure the continued development of the new settlement at Chapelton (PP1170).

The LDP needs to take a more positive approach in respect of its own spatial vision and proposes an amendment to paragraph 5.13 Aberdeen to Laurencekirk SGA that reflects what the Spatial Strategy has achieved since the LDP 2017 and articulates the reasons for Chapelton's slower than anticipated delivery over this timescale (PP0751).

Nestrans continues to support the work of Transport Scotland in the delivery of the Laurencekirk junction improvement scheme. Nestrans has also indicated that they are investigating the potential for additional local railway stations along this strategic corridor,

although this work is currently at an early stage. The representee has included an Appendix (RD0227.A) in their representation which provides further detail to support their position (PP1241).

Aberdeen to Peterhead Strategic Growth Area

Potterton is not within the Energetica Corridor (PP0515, PP0695, PP0824, PP0850, PP0853, PP0856, PP0860 and PP1155). Inclusion in paragraph 5.14 implies that it is within, or that it is somehow linked to, the SGA for the purposes of the LDP (PP0515 and PP0553). There is no housing (PP0904 and PP1167) or employment land allocation in Potterton so it cannot be used to promote the Energetica Corridor (PP0857 and PP0904). Potterton is not identified on the www.Energetica.co.uk website interactive map and as such the reference should be removed. Energetica cannot be used as a justification to allocate houses in the settlement (PP0858). Potterton is not a business destination, it is a farming community (PP0904).

Clarification is required as to whether Potterton is within the SGA (PP0671). Potterton was identified as being outwith the Aberdeen to Peterhead SGA at the Examination of the existing LDP (PP0965 and PP1135) and historically it has not been within the SGA (PP0638, PP0781, PP0788, PP1167 and PP1190) and this is confirmed by the Settlement Statement in Appendix 7 (PP0781, PP0886, PP0887, PP0930, PP0932, PP1135, PP1167, PP1190 and PP1401). Appendix 6 wrongly identifies Potterton as within the SGA (PP0781, PP0638, PP1167 and PP1190). Potterton is outwith the Aberdeen to Peterhead SGA (PP0607, PP0610, PP0824, PP0845, PP0855, PP0859, PP0860, PP0886, PP0887, PP0932 and PP0904) and it is therefore within a Local Growth and Diversification Area (PP0781, PP0654, PP0788, PP0797, PP0798, PP799, PP0800, PP0801, PP0802, PP0850, PP0853, PP0854, PP0932, PP0965 and PP1135). Potterton's lack of public infrastructure like roads and public transport are not suitable to support the strategy of what a growth area is supposed to function as and what it represents (PP0860, PP0904 and PP1135). Potterton should be removed from the SGA, (PP0870). No housing completions are shown in the Housing Land Audit 2019 in the period from 2020 to 2030 (PP1401). The housing allocations should be reviewed to reflect the reality of post Covid-19 impacts on this development corridor (PP1155). In contrast however a representee supports recognition in paragraph 5.14 that allocations in Potterton, and more widely within the corridor, have been made to address a shortfall of housing land in the Strategic Growth Area (PP0599).

No modifications were proposed to the specific extent and boundary of an extended or new SGA by the Reporter at the Examination of the Proposed Aberdeen City and Shire SDP 2018, Issue 4, paragraph 11 page 60 where the Reporter advised it would be "unreasonable for this Examination to determine the specific extent and draw a boundary of an extended or new SGA without the opportunity for landowners, the community and other interested parties to be involved." References are also made to statements on page 93, where the Strategic Development Planning Authority conclude that, "No modifications to the Proposed Strategic Development Plan are considered necessary as a result of these representations." (PP0874).

Potterton is outwith the "maps" presented to the Proposed SDP Examination and reported on at page 96 paragraph 6 in the Report to Aberdeen City and Shire Strategic Development Plan Authority on the Proposed Aberdeen City and Shire Strategic Development Plan Examination. It is also outwith the boundary of the SGA identified on

the Spatial Strategy map on PLDP page 21 (PP0874).

The first paragraph of the Vision section within the Potterton Settlement Statement incorrectly states that Potterton lies outside the Aberdeen to Peterhead SGA (SGA); Potterton does sit within the Aberdeen to Peterhead SGA (PP1018).

In paragraph 5.14 it states that, “Peterhead...requires early decisions regarding sustainable transport options.”, but this section of the document does not set out any detail on the nature of these decisions (PP1241).

Other Locations in Aberdeenshire

Westhill has capacity for additional development in the short-term and additional deliverable opportunity sites for housing are required. Westhill has capacity for at least 481 more homes and is a deliverable, marketable, and sustainable edge of City location (PP0675).

The obligation to undertake a review of the Spatial Strategy contained within the SDP should be reflected more strongly in the proposed LDP. Only sweeping reference is made to this in paragraph 5.15 and this should be reinforced, thereby allowing further growth in Westhill. The representee has included an Appendix (RD0196.A) in their representation which provides further detail to support their position (PP1125).

Paragraph 5.15 suggests a moratorium on development in Westhill due to the requirement for traffic impacts to be undertaken over the next few years. It does not recognise that there remains capacity for relatively small-scale development in the town (PP1177). Nestrans has noted that there are ongoing development opportunities and a new allocation of 110 homes proposed in Westhill and that the draft Regional Transport Strategy (RTS) does not identify a specific solution which would allow further development in Westhill (PP1241).

Additional sites should be allocated in Deeside to address affordability issues. The representee has included an Appendix (RD0089.A) in their representation which provides further detail to support their position (PP0591).

National Developments

It should be clarified that Special Areas of Conservation (SACs) are international designations rather than national (PP1264 and PP1300). The representee has included an Appendix (RD0255.B) in their representation which provides further detail to support their position (PP1300). Even after Brexit, SACs and Special Protection Areas (SPAs) will still be of international/European importance but will not be part of the wider Natura network. All our Natura sites (or European sites as they are more likely to be called) will be transferred to the Bern Convention’s Emerald Network, which is an international network. The representee has included an Appendix (RD0255.B) in their representation which provides further detail to support their position (PP1300).

Nature designations should be separated from National Developments identified in NPF3. Carbon rich soils are not “designated” (PP1264).

The Spatial Strategy Policy Map

The Spatial Strategy Map, page 21, is not clear as the circles do not clearly show the allocations made and also would appear to include historical allocations which in some cases are constrained (PP0693).

There is a change in the policy from AHMA/ RHMA to accessible/ remote areas. This has a significant change for Banchory. However, the only map of this is in the Spatial Strategy and it is not clear where the boundary sits. Looking at the Scottish Government guidance the whole west side of Banchory is a remote rural area and it is said that the Plan adopts this. It would be useful for this to be shown at a larger scale, both on the Proposals Maps in the LDP and in Section 7. The representee has included an Appendix (RD0141.A) in their representation which provides further detail to support their position (PP0790).

Modifications sought by those submitting representations:

Introduction

Modify the PLDP to add a Specific reference to ancient woodland in the Spatial Strategy (PP0877).

Modify the PLDP to add the following text to paragraph 5.1, "As well as accommodating the immediate needs of the City and its growth, we need to consider the conservation of our built and natural heritage, including the setting of the City and the green belt zone belt." (PP1170).

Housing and Employment Land

Modify the PLDP to introduce the concept of "use it or lose it" to housing sites (PP0040).

Modify the PLDP to prioritise protection of the environment over developing more houses (PP0135).

Modify the PLDP to reflect national policies on sustainability in matters of site selection (PP309).

Modify the PLDP to prioritise brownfield sites for allocations (PP0660 and PP0661).

Modify the PLDP to delete Paragraph 5.10 (PP0578).

Modify the PLDP to use more up to date information to inform the long-term future of the city and Aberdeenshire in terms of housing need and demand (PP0135).

Modify the PLDP to consider the present impact of the deterioration of the oil industry and also the potential results of Brexit upon the Aberdeen and Aberdeenshire economic climate (PP0658 and PP0733).

Modify the PLDP to clarify the need for housing (PP0084).

Modify the PLDP in the Spatial Strategy to place much greater focus on deliverability and include additional allocations particularly in the area around Aberdeen City (PP1306 and PP0693).

Modify the PLDP to amend the distribution of housing to meet the housing allowances in the AHMA to ensure allocations are made in sustainable locations in proximity to Aberdeen City (PP0693).

Modify the PLDP to introduce future opportunity sites beyond the PLDP 10-year planned period, i.e., post 2031 (PP0499 and PP0501).

Modify the PLDP to ensure the associated Settlement Statement Maps identify both the immediate and future allocations (PP0926).

Modify the PLDP to clarify the housing figures from the Strategic Development Plan, with regard to the Spatial Strategy and/or Housing section of the proposed Plan, specifically the Plan should include the Housing Supply Target (separated into affordable and market sector), the generosity percentage and the Housing Land Requirement for the LDP area (PP0578).

Modify the PLDP to provide further information to establish if the LDP is consistent with the SDP. If there is a shortfall in the allocation of effective sites, then additional sites will need to be allocated. (PP0772)

Modify the PLDP to account for the SDP increased requirement of 939 homes and allocate additional housing land. Include an allowance to account for the HLA evidence of under-delivery and therefore a predicted delivery shortfall – possibly up to 1,700 homes over the Plan's first 5 years. This could be in the form of additional allocations and future reserved housing sites with an appropriate draw-down mechanism; and an equivalent of the sites removed from the MIR stages (min. 400) are replaced with new allocations across a range of locations (PP0837).

Modify the PLDP to include additional housing land allocations, in Section 5 - The Spatial Strategy - Paragraph 5.13 - Aberdeen to Laurencekirk SGA (PP1198).

Modify the PLDP to allocate additional housing land as per the requirements of the SDP Reporter's findings, to reflect the evidence of under-delivery and to make up for the proposed scale of allocations removed at the MIR stage of the PLDP to ensure that they have an appropriate housing land supply to meet requirements (PP1125).

Modify the PLDP to adopt a reserved land approach to ensure that housing land supply can be supplemented should allocated sites fail to deliver (PP1285).

Modify the PLDP to delete Table 1 Summary of Housing Land Allocations from Appendix 6 Housing Land Allocations and Insert a new Table 1 Summary of Housing Land Allocations as provided (PP0753).

Modify the PLDP to delete the proposed contribution to the Allowance for the AHMA of 222 Homes (PP1197).

Modify the PLDP to identify additional allocations in the Formartine part of the AHMA (PP1046 and PP1048).

Modify the PLDP to remove undeliverable sites consistently after a period of time in the RHMA and identify new alternative allocations in the RHMA, or if marketability

constrained, within the adjacent AHMA (PP1050).

Modify the PLDP to amend site capacities to reflect the base date of the emerging LDP and not count existing effective allocations as contributing to the allowances (PP1052).

Modify the PLDP to allocate alternative effective sites (PP1055 and PP1083).

Modify the PLDP to identify additional effective allocations in the Blackdog - Ellon SGA (PP1062).

Modify the PLDP to remove long-term constrained sites (PP1089).

Modify the PLDP to remove contributions to the allowances from sites constrained at the base date of the Plan (PP1102).

Modify the PLDP to reflect residual capacity to allocations carried forward (PP1073).

Modify the PLDP to address the identified shortfall in the housing land supply identified by Homes for Scotland, in section 5 of the PLDP. Aberdeenshire Council should allocate a range of sites to help address this, as required by SPP (PP1248).

Modify the PLDP to delete and replace Table 1 Summary of Land Allocations with the revised table provided (PP0753).

Modify the PLDP to amend the housing allowances for the Aberdeenshire part of the AHMA to 6774 for 2020 - 2032 period, 1614 for the 2033 - 2035 period and 3,432 for the 2036 - 2040 period (PP1103).

Modify the PLDP to add an additional 3153 homes to the 2020-2032 period within the RHMA in table 1 "Strategic Development Plan Housing and Employment Land figures". 682 homes should be removed from the 2033-2035 period in table 1 "Strategic Development Plan Housing and Employment Land figures. 531 homes should be added to the 2036-2040 period in table 1 "Strategic Development Plan Housing and Employment Land figures (PP1074).

Modify the PLDP to address the shortfall in housing land supply in the Spatial Strategy for Section 5 (PP1133).

Modify the PLDP to amend Paragraph 5.3 to read, "A policy decision has been taken through the Strategic Development Plan that Housing Need and Demand will not be fully provided for in the period 2020 – 2032 and is instead deferred until after 2032. To ensure that meeting housing needs is not further eroded, it is particularly important than the allocations made for the period 2020 – 2032 are deliverable." (PP1176 and PP1203).

Modify the PLDP to make more allocations on deliverable sites supported by strategic infrastructure (PP1133).

Modify the PLDP to provide new allocations across a range of locations including rural settlements (PP1251).

Modify the PLDP to increase the amount of land identified for commercial or industrial

activities (PP0309).

Consistency with the Strategic Development Plan

Modify the PLDP to amend paragraph 5.8 to include, “Core criteria have been used to govern where development should be allowed, including future capacity of schools, capacity of unclassified roads and the need to ensure the capacity of the Aberdeen Western Peripheral Route and its junctions are not negatively affected by development (PP1241).

Modify the PLDP to reduce the reliance on the private car, the core criteria at paragraph 5.8 should include the opportunity for active travel (PP0881).

Modify the PLDP to amend paragraph 5.9 to read, “Each development site has been tested through a Strategic Environmental Assessment exercise and subjected to appraisal under the Habitats Regulations to ensure that the LDP complies with environmental legislation. In addition, they have been assessed to ensure that the objectives of the National Performance Framework have been met.” (PP1265),

Aberdeen to Huntly Strategic Growth Area

Modify the PLDP to amend Paragraph 5.12 to provide clarity on where the previous strategic allocations at Huntly, which have been removed from the PLDP are to be reallocated. These should be redistributed to settlements identified for strategic growth or which demonstrate a significant demand for new housing, such as Westhill, rather than within the wider RHMA where demand is more limited (PP1125).

Modify the PLDP to amend Paragraph 5.12 to read, “Within the Aberdeen Housing Market Area the area identified for future strategic development options by the Strategic Development Plan, there is uncertainty in the Aberdeen/Inverurie/Huntly SGAs regarding the proposed dualling of the A96. Whilst currently we do not know when this is likely to be, either at Inverurie or Huntly, development of existing and expanded opportunity sites and, where available, brownfield land remains the best solution to meet housing demand in the short-term with longer-term opportunities created when the dualling has completed. Where development proposals come forward in advance of the identification of a preferred route, they should safeguard the line of any proposed route.” (PP1125).

Modify the PLDP to amend Paragraph 5.12 to read, “Within the Aberdeen Housing Market Area the area identified for future strategic development options by the Strategic Development Plan, there is uncertainty in the Aberdeen/Inverurie/Huntly SGAs regarding the proposed dualling of the A96. Whilst currently we do not know when this is likely to be, either at Inverurie or Huntly, development of existing and expanded opportunity sites and, where available, brownfield land remains the best solution to meet housing demand in the short-term with longer-term opportunities created when the dualling has completed. Where development proposals come forward in advance of the identification of a preferred route, they should safeguard the line of any proposed route.” (PP1296).

Modify the PLDP to make a strong commitment to undertake studies to inform a review of the SDA’s within the first 5 years of the new LDP (PP1274).

Aberdeen to Laurencekirk Strategic Growth Area

Lower housing allocation in the Aberdeen to Laurencekirk SGA (PP0136).

Modify the PLDP to identify and allocate more housing land within the Aberdeen to Laurencekirk SGA (PP0684).

Modify the PLDP to the Portlethen Settlement Statement to add approximately 400 homes, land for education use, and local retail use (PP0684).

Modify the PLDP to include additional housing land allocations in the Aberdeen to Laurencekirk SGA in the Plan (PP1198).

Modify the PLDP to include additional land at Stonehaven for housing, a supermarket, and a primary school (PP1306).

Modify the PLDP to identify future allocations for the period beyond the lifetime of the next LDP (2033 – 2040) (PP0928).

Modify the PLDP to add additional sites in the Stonehaven to Laurencekirk SGA to reflect more realistic build out rates from large allocations, based on past and future Housing Land Audit Projections (PP0928).

Modify the PLDP to identify a substantial portion of the identified effective supply (c.2000 homes) as Strategic Reserve, to facilitate further allocations within the AHMA part of the Aberdeen to Laurencekirk SGA (Portlethen - Stonehaven corridor) (PP0928).

Modify the PLDP to amend the third sentence in paragraph 5.13 of the Aberdeen to Laurencekirk SGA to, "The rate of growth in Chapelton has been unexpectedly slow in line with the wider housing market and the local aspiration for a model sustainable new community." (PP0751).

Modify the PLDP to amend Paragraph 5.13 to read, "...The rate of growth in Chapelton has been unexpectedly slow, therefore substantial new allocations should be made to augment the supply of effective housing land within the corridor..." (PP1125).

Modify the PLDP to amend paragraph 5.13 (PP1204 and PP1225).

Modify the PLDP to amend page 19, paragraph 5.13, to read, "...The rate of growth in Chapelton has been unexpectedly slow and the local aspiration for a model town here is likely to be constrained unless significant new development land elsewhere in the corridor is restricted, and new settlement proposals rejected at this time especially those adjacent to the City boundary on green belt land." (PP1170).

Modify the PLDP to amend Paragraph 5.13 to read, "... The rate of growth in Chapelton has been slow in line with the wider housing market and the local aspiration for a model sustainable new community town here, including stimulating demand for infrastructure and services, is likely to be constrained if significant new development land elsewhere in the corridor was to come forward and dissipate demand for the same infrastructure and services ..." (PP0751).

Aberdeen to Peterhead Strategic Growth Area

Modify the PLDP to remove Potterton from the statement in paragraph 5.14 (PP0515, PP0553, PP0607, PP0610, PP0788, PP0797, PP0857, PP0858, PP0859, PP0874, PP0886, PP0887, PP0904, PP0932, PP0932, PP1167, PP1190 and PP1401) and include a statement that it is not in the SGA (PP0553, PP0638, PP0654, PP0781, PP0788, PP0797, PP0798, PP799, PP0800, PP0801, PP802, PP0850 PP0853, PP0854, PP0855, PP0856, PP0870 and PP0965). Remove Potterton from the SGA column on in Appendix 6 “Housing Land Allocations” (PP1167).

Modify the PLDP to remove Potterton from references to the Energetica Corridor (PP0695 and PP0860).

Modify the PLDP to amend the Spatial Strategy map to exclude Potterton from the SGA (PP0824, PP0854 and PP0860).

Modify the PLDP to allocate land at Potterton (for housing) (PP1018).

Modify the PLDP to remove the sentence, “Additional smaller developments in Newburgh, Foveran, Bellhelvie and Potterton are included to promote the Energetica Corridor.” from paragraph 5.14 (PP1155).

Other Locations in Aberdeenshire

Modify the PLDP to amend paragraph 5.15 to read, “Further Development in Westhill shall be considered as part of a review of the Spatial Strategy within the first 5 years of the Plan, per the commitment set out within the Strategic Development Plan. Accordingly, transport assessments shall be undertaken to inform the Regional Transport Strategy and identify the nature of a solution that may be required to allow further substantial development to take place in the town following an interim review of the Plan.” (PP1125)

Modify the PLDP to remove the phrase “large scale” from paragraph 5.15 (PP1177).

Modify the PLDP to rephrase paragraph 5.15 to, “Development in Westhill remains stalled, curtailed until transport assessments are undertaken over the next few years and the Regional Transport Strategy regional partners identifies identify and consider the nature of a solution potential options, their costs and their wider impacts that maybe required to allow further development to take place in the town.” (PP1241).

National Developments

Modify the PLDP to amend the wording within National Developments paragraph 5.18 to, “The Local Development Plan continues to recognise National Developments, as identified in the National Planning Framework. and both national designated sites. In addition, it recognises the importance of internationally and nationally designated sites such as Special Areas of Conservation, and Sites of Special Scientific Interest and natural resources and habitats such as carbon rich soils, to help conserve the best of the Aberdeenshire environment.” (PP1264).

Modify the PLDP to amend paragraph 5.18 as follows, “The Local Development Plan continues to recognise national developments, as identified in the National Planning Framework, and both national and internationally designated sites such as Special Areas of Conservation, nationally designated Sites of Special Scientific Interest and carbon rich

soils, to help conserve the best of the Aberdeenshire environment. Existing local designations such as the Special Landscape Areas, Local Nature Conservation Sites, and Coastal Zones have been retained from the previous Plan and are also presented as Appendices.” (PP1300).

The Spatial Strategy Policy Map

Modify the PLDP to only show new Housing allocation numbers should be shown on the Spatial Strategy Policy Map (PP0693).

Modify the PLDP to provide clarification for the boundary of the accessible/remote boundary and for this to be detailed in Section 7 and the Proposals Maps (PP0790).

Summary of responses (including reasons) by planning authority:

Introduction

The Spatial Strategy is the outcome of a set of principles applied to the geographic location of potential development proposals. In its widest sense the Spatial Strategy is set by the SDP (2020), but this is refined in detail by consideration of demand, need, infrastructure capacity, reducing the need to travel and other considerations as detailed in the Aberdeenshire Council Bid Assessment Template (AD0097) used to evaluate submissions for inclusion in the LDP. This also addresses the passing comment from NHS Grampian regarding the need for investment in infrastructure to support needed growth. No change is required.

A commitment from a range of partners is given to increasing woodland cover within the Aberdeenshire Council Forest and Woodland Strategy (AD0102, page 2) referred to, at paragraph E3.3 on page 60 of the PLDP. It would be inappropriate to increase the profile of this topic within the Spatial Strategy when this matter is covered adequately elsewhere. Native woodlands are a subset of all woodlands and while the Council agree with the value of creating native woodland, our emphasis is generally on any type of woodland, unless being planted to meet the obligations within the LDP towards providing for biodiversity in developments. No change is required.

Housing and Employment Land

There are significant correlations between comments made on this topic and those made on Appendix 6 (Schedule 4 Issue 5: Section 8 – Shaping Homes and Housing – Housing Land Supply, Policy H1 Housing Land and Appendix 6 Housing Land Allocations). This Schedule 4 document deals with strategic housing and employment land issues and queries on the allowances made by the SDP 2020, the Housing Supply Targets, and Aberdeenshire wide issues. It does not address issues of how those allowances have been met, as this is a debate on the competence of the analysis that has been undertaken on the individual sites listed in Appendix 6.

The Council are pleased that Homes for Scotland agrees with us that the LDP should be planned to be consistent with the SDP.

In developing the Plan, the “use it or lose it” principle has been applied to allocations from previous LDPs which have seen little or no development interest since they were

allocated. "Stalled" sites have been removed, with the exception of those sites in settlements where there is no alternative site (and no prospect of another alternative site coming forward), or where the only constraint is "marketability" and there is no reason to suspect that any alternative site would not immediately fall into the constrained land supply, not due to lack of need, but due to low levels of commercial demand. This matter is explored further in Schedule 4 Issue 5. No change is required.

The Council are content that appropriate consideration of protection of the environment and of sustainability issues was taken in the development of the Plan and the analysis of potential development sites. In the Main Issues Report it was acknowledged that "climate change continues to have a direct and noticeable effect on the local area." Our commitment on this topic is evidenced by the inclusion of Section 4 "The purpose of the Local Development Plan and its outcomes", the Aberdeenshire Council Bid Assessment Guidance (AD0098) used to evaluate submissions for inclusion in the Local Development Plan and the Strategic Environmental Assessment - Environmental Report of the Proposed Local Development Plan (AD0045.A, Appendix 8.6 and 8.7). To take on the challenges of sustainable development and climate change (PLDP page 14, paragraph 4.3) is a key element of the Vision and is cross referenced throughout the Plan by the "umbrella" policy symbol. All development is required to demonstrate measures to enhance biodiversity in proportion to the opportunities available and the scale of the development opportunity (Policy P1.7), provide open space (Policy P2.1) and protect and create access routes (Policy P2.6) to result in net environmental benefits from development.

Brownfield sites were considered as a primary source for development land. The Scottish Vacant and Derelict Land Survey 2019 only identifies seventy-six such sites within Aberdeenshire (AD0172 pages 29 and 49). Of these, thirty are identified as OP (Opportunity) or BUS (sites Safeguarded for Business Uses) sites in the PLDP, twenty-seven are relatively small urban brownfield sites which could be developed through the use of Policy P3 Infill Developments within Settlements and Householder Developments, three are wholly rural sites, six are thought to be undevelopable due to flooding or other issues, and four are currently the subject of live applications or active use. None of the twenty-seven urban brownfield sites have any known interest from the landowner in promoting development and so cannot contribute to meeting either the housing or employment land targets. The statement at paragraph 5.10 reflects the findings of a study conducted by Brownfield Urban Capacity Study of Banff, Macduff, Fraserburgh and Peterhead which showed that "the vast majority of sites in the four settlements are financially unviable and are essentially locked out of traditional forms of development finance streams as funds grow increasingly risk-adverse" (AD0122, page 4). This was associated with high development cost and low land values. This could be addressed by adding text to the paragraph, but the Council are of the view that this is clear that it is in the "peripheral areas" where viability becomes an acute problem. For clarity the Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications, to remove the general statement regarding the cost differences between developing brownfield and greenfield land, as the issue is one of overall development viability rather than just cost. There is no justification to delete the whole paragraph.

While the Council acknowledge that some predictions for the future state of the economy in the north east are gloomy, these risks were identified in the Main Issues Report. The LDP supports the vision of the Aberdeen City and Shire Strategic Development Plan

(AD0016, page 6) that endeavours to present a strategy that is robust in a period of significant economic change. In addition, the Council have cognisance of the Economic Strategy (AD0027), in which Opportunity North East (ONE) sets out a course which is designed to ensure future long-term prosperity. Even in the light of pessimistic predictions the Council are obliged to accord with the SDP and accommodate the levels of growth that it has set. Economic downturns may impact on the rate of population increase that occurs and may slow down the rate of uptake of land for development, but the PLDP requires to take an optimistic approach to avoid artificially constraining development should such predictions not come to pass. No change is required.

The Council does not agree that additional housing in the area around Aberdeen will devalue properties to such an extent that it will cause widespread equity issues, on the contrary constraining the housing market may have the effect of increasing house prices to such an extent that affordability becomes even more serious a problem in the area. No change is required.

The SDP was approved by Scottish Ministers on 12 August 2020, and it is an up-to-date statement on the scale of the housing land allocations required by the LDPs in the area. The Council accept the comment by the Scottish Government that greater clarity could be provided by including tables of the Housing Supply Target (separated into affordable and market sector), the generosity percentage and the Housing Land Requirement for the Plan area, even though SPP on page 30 identifies that this is necessary only for LDPs outwith city regions and this information has already been published in the SDP in Tables 1 and 2 (Page 19) and the flexibility element is discussed at paragraph 4.11. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Housing land allocation figures have been set by the SDP and detailed discussion of the relationship between these figures, the Housing Need and Demand Assessment, and elements of generosity were debated at the SDP Examination and the housing allowances have been provided by Scottish Ministers in approving that document in 2020. There is no further need to consider the scale of those allowances, or of the need for further generosity over and above that set in the SDP.

All necessary housing land information is within the LDP. That some of this detailed information is in Appendix 6 does not belittle or devalue its inclusion. In terms of decision-making Appendix 6 has very little material value, and its inclusion is made to demonstrate how the policy content in the Spatial Strategy and Appendix 7 Settlement Statements has been delivered. Reference to the Shaping Homes and Housing figure on page 44 graphically demonstrates the scale and concentration of development around Aberdeen City, and in accordance with the SGAs of the SDP. Consistently allocations around Aberdeen City have been made on the basis of the availability of infrastructure and the size of allocations that would be appropriate to retain the character and individual sense of place of the individual settlements. No change is required.

In relation to requests for the Spatial Strategy to be amended to concentrate more development around Aberdeen City, the Council note that the SDP makes allowances that accommodate 27,456 homes in the AHMA, 17,846 of which are within the Aberdeen City Council boundary. The Council also note that Scottish Ministers did not agree with Homes for Scotland in the course of the SDP Examination that the balance between AHMA and the RHMA should change by a further 5%. This reflects our understanding of the stronger

market around the City. Reference to the Shaping Homes and Housing figure on page 44 graphically demonstrates the scale and concentration of development around Aberdeen City, and in accordance with the SGA of the SDP. Consistently allocations around Aberdeen City have been made on the basis of the availability of infrastructure and the size of allocations that would be appropriate to retain the character and individual sense of place of the individual settlements. No change is required.

The PLDP is set out as a thirteen-year Plan in accordance with the allowances in the SDP for the period to 2032, and in reaction to the provisions of the Planning (Scotland) Act 2019. Although, it is noted that the provision related to the lifespan of an LDP is still to come into effect. To this point it was our intention to undertake a review of the LDP in 2026, at which time an evaluation of new sites could be undertaken to roll forward the housing allocations. Part of the reason for this approach was to provide as great as possible opportunity for development to occur by making a full allocation for the period to 2032. All too frequently sites the Council are assured as immediately deliverable have become delayed by matters outwith the Planning Authority's control. By allocating a full thirteen-years of housing land the market can progress far more new sites than are needed to meet the five-year effective land supply, and deliver these faster, or slower, as market demand requires. With such a large pool of available housing land, and with a review to recruit new sites to populate the period 2032-37 (and available to be developed "early" in the period 2026-2032) the Council can see no need for Strategic Reserve land. It has been our experience that trying to assess the deliverability of land for development ten to fifteen years into the future is a perilous process, and that it creates uncertainty for communities and compromises any ability to accommodate significant changes in policy direction (as is evidenced by the major changes to place based planning, and climate change that have occurred over the past decade). Not having Strategic Reserve land for a period over ten years in the future does not compromise the strategy and approach set out in the PLDP. No change is required.

There is no reason to promote change from Table 1 Strategic Development Plan Housing and Employment Land Figures. The approved Aberdeen City and Shire Strategic Development Plan 2020 confirms the LDP housing allowances and Table 1 in PLDP is a statement of fact, not policy. It is not possible to turn back the clock and rehearse methodological matters that will have been considered in the SDP Examination, and a resolution made by Scottish Ministers. The SDP formed a significant part of the Indicative Regional Spatial Strategy produced by Aberdeen City Council and Aberdeenshire Council and there is no reason to suspect, at this time, that the National Planning Framework 4 will come to an alternative conclusion. That being the case, early revision of the LDP for this unknown circumstance will have to take place. The SDP remains a valid expression of the consensus between the two Councils on strategic spatial planning matters. Compliance with the terms of Table 1 is a matter for the allocations detailed in Appendix 6 considering the deliverability of individual sites, not for the Spatial Strategy itself. No change is required.

The argument that a full five-year effective land supply has to be identified for the period following 31 December 2032 is flawed as it does not take into account the need to undertake a review during the first period of the LDP to populate the land allocations for the following thirteen-year plan, as a rolling programme. The respondent dismisses the inconsistency of his best-case scenario with the allowances in the SDP and does not recognise that the LDP, currently has to be consistent with that Plan. The method the representee promotes is based on assumptions and extrapolations and is based on an

argument that all development land must be effective and not “capable of becoming effective”, as it is allocated in the Plan. No change is required.

The Council are not clear what representees refer to when they say a policy decision has been taken through the SDP that Housing Need and Demand will not be fully provided for in the period 2020 – 2032. There is no evidence of the need to consider this further at a local level, and SDP paragraph 4.11 identifies an additional flexibility of 20% for the period to 2020 to 2032. The Council are not convinced that any perceived deficiencies recognised by the SDP can be rectified by concentration on the deliverability of sites. This is a matter that is fundamental to all allocated sites in the LDP. No change is required.

Paragraph 5.4 is robust and sets out that the Council have removed many long-term constrained sites from the Plan. The status of individual sites and the nature of any remaining constraints is set out in the discussion of Appendix 6 under Schedule 4 Issue 5: Section 8 – Shaping Homes and Housing – Housing Land Supply, Policy H1 Housing Land and Appendix 6 Housing Land Allocations. No change is required.

Allocations detailed in Appendix 7, and the Policies R1 and R2 relating to rural development demonstrate that appropriate allocations and a policy response have been made to support smaller rural settlements. Historic pattern is not a valid reason for making land use allocations when patterns of need and infrastructure capacity may have changed over time. No change is required.

In relation to employment land, Appendix 1 details the allocations that the Council have made and shows that the Council have already exceeded the Employment Land Allocations identified to us from the Aberdeen City and Shire Strategic Development Plan. The Council are not aware of any regional shortfalls in employment land provision given the distribution and take up rates indicated through the Aberdeen City and Shire Employment Land Audit 2019 process (AD0018, section 4).

Paragraph H1.2 of the PLDP allows community uses linked to homes to be built.

Consistency with the Strategic Development Plan

The support from Nestrans for promoting development in the SGAs is welcomed.

The Council accept that a minor modification should be introduced to recognise that it is not the capacity of the Aberdeen Western Peripheral Route which could have been negatively affected by the distribution of development, but specifically the junctions and the road network immediately surrounding the junctions. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not believe that restating that “opportunity for active travel” should be included in the core criteria identified in PLDP paragraph 5.8. The Aberdeenshire Council Bid Assessment Guidance details the wide range of criteria that were used to evaluate potential sites for inclusion in the PLDP and active travel is one of the many measures that paragraph 5.8 refers to when it states that the measures listed “include” the matters referred to (AD0098, page 5). No change is required.

The Council agrees that the language used in paragraph 5.9 may be misleading but do not

agree that this is the place to rehearse the need for the PLDP to comply with environmental legislation associated with Environmental Assessment and Habitats Regulations Assessment. The Council agrees that cross reference to the National Performance Framework is a separate issue, and while SEA, EIA and HRA all assist us in ensuring the Plan contributes to the environment topics within the National Outcomes contained in the National Planning Framework 3 (AD0004, page 2) (the key outcome that the LDP helps to deliver) it also contributes to other topics through the way the Plan is developed and the actions it promotes. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Aberdeen to Huntly Strategic Growth Area

Revised allocations in Huntly demonstrate how sites which the Council perceive to be incapable of becoming effective have been removed from the LDP. The SDP makes no obligations regarding the distribution of housing in each SGA and, while the Council have to adhere to the expectation in paragraph 3.8 of the SDP, there is no allocation prescribed for any of the SGA's or any settlement. Development could be reallocated to any settlement in the RHMA to ensure the Housing Supply Targets of the SDP are met. There is no formula that would describe how development proposals removed from the LDP in one area is prescribed to another. No change is required.

While the issues associated with the dualling of the A96 will have more of an effect on the discussion of the Inverurie Settlement Statement (Schedule 4 Issue 34: Inverurie and Port Elphinstone) it is worth rehearsing here that the final line of the A96 re-routing will have a profound impact on the geography of the settlement and the Council continue to feel that it is appropriate not to second guess the Scottish Government's decisions on the best route to follow by making allocations, potentially, in places that cannot efficiently access this major new infrastructure. The Council are also aware that significant infrastructure to accommodate new development may be required to address the new pattern of traffic flows in the settlement, but the Council can give no advice on the scope or cost of these to the development industry until a design solution for the A96 is delivered. The Council anticipate that the future development patterns around Inverurie will be a major theme in the mid-term review of the LDP and discussion on this matter will be most appropriately debated once there is certainty with regard to the route and delivery of the project. This is a view that Nestrans would seem to support. No change is required.

The status of Westhill was debated at the SDP Examination and a conclusion reached by Scottish Ministers. The Council can give no assurances that the necessary evaluation work for Westhill and a "West Aberdeenshire" SGA will be completed in time for a mid-term review, or whether it would justify the inclusion of Westhill itself. No change is required.

Aberdeen to Laurencekirk

The Council does not agree that a more cautious and conservative approach should be adopted for the LDP, the strategy is based on sound planning to capitalise on strategic infrastructure in the SGA. It will provide for needs within that area. No change is required.

As discussed in the section Aberdeen to Huntly SGA above there is no metric to identify a "shortfall" derived from making allocations in one part of the HMA, as opposed to another.

The shortfall of 300 houses in the corridor does not, and cannot exist, as there is no allocation prescribed for any of the SGA's or any settlement. No change is required.

The Council does not agree that Chapelton will not provide effective housing land to the extent identified in the PLDP. Already an implemented consent exists for 4,045 homes, and, despite the differing views of other developers, completion rates of 60 to 80 homes per year have been agreed through the Housing Land Audit process up to 2026. The Council anticipate that build rates will increase as we move through the decade and as critical programmed elements of infrastructure are provided to deliver character, convenience, and place-making to make it a successful town. The Council believe that development at Chapelton will continue to contribute to the effective supply and be capable of contributing to the effective land supply even for the period five years beyond 2032. No additional allocations are required in the corridor (such as Stonehaven) to compensate. There is no need to rehearse why this site has not performed as might be expected as the conditions that have inhibited growth are common across many other major sites. No Change is required.

Aberdeen to Peterhead Strategic Growth Area

The Map 17 in the Supplementary Guidance – Energetica published with the LDP 2017 clearly shows that Potterton is within the Energetica Corridor (AD0034.I, page 20). There is no correlation between the settlement being in the Energetica Corridor, and its inclusion in the SGA; the first does not lead automatically to the second. The Energetica interactive map on the www.energetica.co.uk website is dated 2015 and cannot be expected to show the decided content of the current SDP. The area of the Energetica Corridor has been decided by a partnership approach including Aberdeen City Council and ONE and it is not within the gift of the PLDP to make a change. In any event early discussions with Aberdeen City took place between Officers of the three constituent partners and a decision was taken, based on a number of options suggested, that no change to the boundary should be promoted at this time. The character of Potterton is clearly not one of an agricultural community, such are common in less pressured areas of Aberdeenshire, and the Council would accept that it is not currently a “business location”, although there are a number of business premises on the B666. However, given the scale of business development proposed at Blackdog, the scale of new housing allocations that are required to be identified to 2032 and the limited opportunities where this can be accommodated, the Council believe that it is appropriate to continue the development of Potterton as an edge of city settlement. No change is required.

Paragraph 3.9 of the SDP (AD0016) identifies that “the Strategic Growth Areas outwith Aberdeen City are relatively narrow, up to 5 kilometres wide, and that the Local Development Plans will take the final view on which settlements and sites are within a Strategic Growth Area”. It is correct that historically a decision was taken by the Formartine Area Committee that Potterton should be specifically excluded from the SGA. However, with improvements to the A90 and the Aberdeen Western Peripheral Route completion, connectivity along the Aberdeen to Peterhead SGA has evolved since this decision. The SGA has not been amended to include additional settlements, but sites allocated still fall within this area. This is reflected in the column Allocations for 2020-2032, SGA Blackdog – Ellon of Table 2 of Appendix 6 of the PLDP.

The SDP Examination Report confirms that the illustrations in the LDP are illustrative (AD0017, page 115). This neither confirms nor denies any argument that Potterton is

within an SGA, although the SDP notes that SGAs are up to 5 kilometres wide. The existing settlement boundary of Potterton is, by road 2,220m from the A90/Aberdeen Western Peripheral Route junction, site OP1 Potterton is approximately 1,050m from this junction. The Council can appreciate there may be merit to a review of the settlements within the SGA and whether Potterton will contribute to this, but the Council do not believe this is a matter that will be resolved at this stage of the process. Should the strategic allocations in Potterton be approved, and come forward for development, then the settlement could reasonably be considered to be part of the SGA in a future Plan. No change is required.

Arguments that suggest that Potterton's lack of public infrastructure demonstrates that it is unsuitable as a settlement within the SGA could be applied to almost every other settlement in the Aberdeenshire part of the AHMA where sustained and rapid growth has resulted in strained infrastructure, and facilities which are insufficient. At the current time additional development is the only mechanism that allows for these constraints to be resolved, and the Council have prepared the PLDP on that basis. No change is required.

It is not to be unexpected that no new homes are shown to be completed in Potterton over the period to 2032, as the Housing Land Audit only considers sites which are already part of the established land supply, not those that are being considered to be added to that sum. It is anticipated that sites newly allocated in the PLDP will appear in the Housing Land Audit the year following adoption of the next LDP. No change is required.

With respect to the recommendations made by the Reporter at the SDP Examination that the boundaries of the SGA should remain unchanged this is immaterial as the description provided by the SDP would not need to change to include Potterton. The SDP neither defines settlements, not sites to be accounted for as being within the SGA. No change is required.

The Council accept that paragraph 5.14 is vague as to the "sustainable transport options" that are required to allow it to grow. This is a specific reference to the need for safe active travel routes over the A90 from the allocated site OP1, Inverugie Meadows, Peterhead, which represents the next major growth area of the town. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Other Locations in Aberdeenshire

Only Westhill has been identified as an area of concern by representees. The Council would echo the points made by Nestrans that there are still ongoing development opportunities in Westhill and agree that the phrase "Development in Westhill is stalled" is misrepresentative. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications. As the Council do not know what interventions may be required to allow significant more growth, it is misleading to say that additional small-scale development, or even development of up to 481 homes, would be deliverable. The Council will not know what the minimum interventions might be to allow significant new development in Westhill until delivery of a joint study by strategic partners that will commence following the Autumn 2021 completion of modelling studies. No other change is required.

National Developments

The clarification provided by NatureScot on the continuing international status of SAC and SPA designations is welcome. However, within this paragraph the term national is used to distinguish those designations that operate at a national level and those that operate at a local level. To provide clarification the Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications. Carbon rich soils may not be a formal designation but are identified by NatureScot and as such are designated by them.

The Spatial Strategy Policy Map

As detailed above the Spatial Policy Map is a conceptual illustration and is not intended to provide any other information other than a broad strategic overview of the implications of the spatial strategy. Detailed accounting of the established land supply is provided in Appendix 6 of the PLDP, and to include it here would provide no added value. No change is required.

The same argument can be made for the extent of the accessible and remote rural areas, the Spatial Strategy Policy map is not intended as the source of this information. The information is represented in the Development in the Countryside policy map on page 37 of the plan and a scale-able version of this map is available on the dedicated interactive web-based copy of the Local Development Plan. These latter copies do not have the west of Banchory occluded by a graphic. The Housing market area is an administrative boundary used to ensure compliance with the SDP and is not used anywhere else in the PLDP. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to section 5 (The Spatial Strategy). However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Introduction

3. The spatial strategy is set out in section 5 of the proposed plan and illustrated on a map on page 21. It is described by the council as "the outcome of a set of principles applied to the geographic location of potential development proposals". Two representees consider that particular issues, namely woodland coverage and protection of the green belt, should be specifically mentioned in the spatial strategy. Whilst I agree that these are relevant matters for the local development plan, I consider that they are adequately addressed in other chapters and do not justify being given greater prominence in the spatial strategy. No change is required.

Housing and Employment Land

4. A number of representations in relation to housing and employment land refer to the strategic development plan, which I note was not approved at the time the representations were submitted. Some of the comments which relate to the status of the strategic development plan at that time are no longer relevant.

5. Planning legislation (section 16(6) of the Town and Country Planning (Scotland) Act 1997) requires that the local development plan is consistent with the strategic development plan. Paragraph 118 in Scottish Planning Policy states that strategic development plans should identify the amount and broad locations of land which should be allocated in local development plans to meet the housing land requirement up to year 12 from the expected year of plan approval. Whilst strategic development plans will not form part of the planning system under the Planning (Scotland) Act 2019, this does not alter the current development plan status of the approved Aberdeen City and Shire Strategic Development Plan.

6. Table 1 on page 16 of the proposed plan sets out the housing allowances from the Aberdeen City and Shire Strategic Development Plan for the Aberdeenshire part of the Aberdeen Housing Market Area and the Rural Housing Market area in the periods 2020 - 2032, 2033 - 2035 and 2036 – 2040. Whilst the proposed plan predates the approval of the strategic development plan, the figures included in table 1 on page 16 are the same as those contained in the approved strategic development plan. Paragraph 5.3 states that allocations for the 2020 - 2032 period will be made through this local development plan.

7. A number of representations seek increases to the strategic development plan allowances and have submitted supporting information to explain their reasoning. I have reviewed these submissions as part of my consideration of unresolved representations. However, matters relating to the overall housing allowances, their relationship with the housing need and demand assessment and housing supply targets, applied generosity and distribution of these allowances between the two housing market areas were considered through the examination into the proposed strategic development plan. Now that the strategic development plan has been approved, the housing allowances are confirmed and there is no scope to amend these figures through this examination. Representations which relate to the sites identified by the council to meet the strategic development plan allowances are addressed under Issue 5.

8. The Scottish Government has requested clearer information be provided in the plan on the housing figures from the strategic development plan, including the housing supply target (separated into affordable and market sections), the generosity percentage and the housing land requirement. The council has suggested the inclusion of a table derived from tables 1 and 2 in the approved strategic development plan which shows the housing supply targets and housing land requirement by housing market area and tenure for the periods 2016 to 2019; 2020 to 2032; and 2033 to 2040.

9. Table 1 in the strategic development plan sets out the housing supply targets by housing market area, local authority and tenure mix. From these figures, it is also possible to identify the housing supply target figure for the Aberdeenshire part of the Aberdeen Housing Market Area.

10. Table 2 in the strategic development plan sets out the equivalent housing land requirements. These were calculated by applying a 10% generosity figure to the housing supply targets for the periods 2016 to 2019 and 2033 to 2040, and a 20% generosity figure to the housing supply targets for the period 2020 to 2032.

11. I find the table suggested by the council to be overly complicated and, in particular, I do not consider it necessary to include a detailed breakdown of the figures for the period beyond 2032. Instead, I recommend that paragraph 5.2 of the proposed plan is amended to provide a more detailed explanation of the housing figures from the strategic development plan, and summary tables setting out the housing land supply targets and housing land requirements for the Aberdeenshire area up to 2032 be included in Appendix 6. Modifications to this effect are set out below.

12. Representees are concerned that the information on which the housing and employment land allocations is based on is out of date, and doesn't take account of the implications of the Covid-19 pandemic or the slump in oil prices. Concern has also been raised regarding the implications of housing allocations on property values. As indicated above, the local development plan is required to be consistent with the strategic development plan in terms of its housing and employment allocations. However, the council has also explained that risks to the economy in the northeast and the economic strategy were taken into account in the preparation of the proposed plan. There will be an opportunity to take account of the implications of the covid-19 pandemic in the preparation of future plans. No change to the plan is required in this regard.

13. In response to the representation on "the use it or lose it principle", the council has explained how some sites where development has not come forward, have not been included as housing allocations in the proposed plan. Consideration of the deliverability of the sites identified to meet the strategic development plan allowances is set out under Issue 5 (Shaping Homes and Housing). No modification is required in relation to the spatial strategy.

14. I note that matters relating to the protection of the environment and sustainability issues are addressed in various chapters in the proposed plan. The council has explained how these considerations were taken into account in the assessment of bid sites and the strategic environmental assessment of the proposed plan. I am satisfied that the challenges of balancing the need for development with the need to protect the environment and tackle climate change are addressed in section 4 of the proposed plan and have informed the spatial strategy. No change is required.

15. I have no evidence before me to indicate that a policy decision has been taken in the strategic development plan that housing need and demand will not be fully provided for. Given that the strategic development plan requires the allocations made for the period 2020 to 2032 to be deliverable, no further text is needed.

16. A number of representees object to sites, which are identified as constrained in the 2019 housing land audit, contributing towards the strategic development plan allowances. Paragraph 4.18 of the strategic development plan states that new allocations should "attempt to utilise the current 'constrained' supply in the first instance". I therefore consider that the principle of including constrained sites is consistent with the strategic development plan. The council has explained that constrained sites have only been

included where a bid submission indicates that the site can come forward within the plan period. It also states that a number of long term constrained sites have not been included in the plan because the council does not have confidence these will be delivered. I note that there are some existing constrained sites included as housing allocations, but not identified as contributing towards the strategic development plan allowances. The council has explained that these have been retained where there are no existing or potential alternative sites in a settlement. I accept that there may be various reasons why a site should be included as a housing allocation, even if it is not certain that it can be delivered by 2032.

17. Overall, I consider the principle of the council's approach to constrained sites to be justified. Matters relating to the contribution that particular constrained sites make towards meeting the strategic development plan allowances are addressed in Issue 5 and in the schedule 4 for the relevant settlement. The implications of any recommended modifications in terms of the allocations identified to meet the strategic development plan allowances are explained in Issue 5. However, I do not consider any change is necessary in relation to the spatial strategy section of the proposed plan. No modification is required.

18. Paragraph 4.20 in the strategic development plan states that "local development plans may choose to make provision for additional strategic reserves for housing for the period 2033 to 2040 in line with Table 3, but this is not a requirement". The term "strategic reserve" is defined in the strategic development plan glossary as "areas of land identified in a local development plan for possible future development". A number of representees have called for the identification of a strategic reserve of housing allocations or future opportunity sites which could be brought forward if required, for example, if there is a shortfall in the five year effective land supply.

19. I note that the Main Issues Report 2019 sought views on preferred housing sites (those that can be made available on adoption of the plan) and reserved sites (those identified as possible future opportunity sites). However, the Issues and Actions Paper indicates that the council is concerned that "strategic reserve" housing sites may be drawn down prematurely and that this will undermine the delivery of existing allocated sites. The council has also highlighted the difficulty in making accurate predictions on the deliverability of sites in future years.

20. The council decided not to make provision for additional strategic reserves for housing for the period beyond 2032 in the proposed plan. Instead it intends to review the plan in five years which will provide the opportunity to identify further housing sites, if required.

21. There is no requirement to identify a strategic reserve or future allocations in the strategic development plan or Scottish Planning Policy. I am aware that there are a number of allocations in the proposed plan which are expected to contribute to a continuing pipeline of housing opportunities beyond the plan period. These include large allocations which are likely to have remaining capacity at the end of 2032 and constrained sites which are not expected to become effective until after 2032. I agree with the council that, should anticipated circumstances changes, additional housing could potentially come forward on these sites in the period up to 2032. I conclude that the housing land requirements in the strategic development plan include a flexibility allowance and there are existing allocations within the plan which have the potential to provide further flexibility

if necessary. No modification is required.

22. A number of representees, including Homes for Scotland, have raised concerns about the marketability of allocations within the Rural Housing Market Area and more peripheral parts of the Aberdeen Housing Market Area. Matters relating to the marketability and deliverability of individual sites are addressed under Issue 5 and the schedule 4s for the relevant settlements.

23. Evidence suggests that there are parts of the local development plan area where market demand is weaker than others, particularly in the Rural Housing Market Area. However, I consider that the local development plan requires to achieve a balance between allocating sites which are marketable and the need to “ensure appropriate levels of growth can be provided across the (rest of the) city region” (paragraph 4.18 in the strategic development plan). I agree with the council that allocating alternative or additional sites in similar locations to those with marketability constraints would not address the problem, as these sites are also likely to be constrained. Simply removing allocations with a marketability constraint from the proposed plan and replacing them with sites in marketable locations would not be consistent with the spatial strategy in the strategic development plan or the proposed plan. Furthermore, the allocation of additional housing land may further weaken market demand for existing sites in some areas.

24. I asked the council, in a further information request (FIR008), to explain any measures it has in place (or which it intends to introduce) to help overcome marketability constraints in the Rural Housing Market Area. It indicated that local marketability issues can be multifarious, complex, and are often interlinked with other problems associated with physical delivery of sites. The council is working with others involved in delivering housing in the Rural Housing Market Area to bring forward innovative and practical solutions. Examples include publication of a housing site prospectus, the Aberdeenshire Regeneration Strategy, investment in new schools, supporting Tarland Community Housing Group and delivering affordable housing projects.

25. Whilst I recognise the importance of marketability and deliverability in relation to the implementation of the spatial strategy, I do not consider that any modifications are required to this section of the proposed plan. The additional information provided by the council indicates a range of measures already in place or being considered to address marketability constraints.

26. I consider that the comments made by Parish of Newmachar Community Council on the selection of housing sites and the amount of land identified for commercial and industrial activities are more appropriately addressed in relation to its objections to sites OP1 and OP2 under Issue 36 (Newmachar).

Consistency with the Strategic Development Plan

27. The tables in Appendix 6 in the proposed plan include information on the housing sites identified to meet the strategic development plan allowances for the period 2020 to 2032. I agree with the council that there is no reason to amend the plan to include this information in one of the main sections of the plan rather than an appendix.

28. Modifications relating to the format of the tables, explanatory text and detailed figures in Appendix 6 are recommended under Issue 5. However, no changes to the spatial strategy section are required.

29. A number of representees consider that there is a need to identify additional housing sites because the allocations in the proposed plan do not meet the strategic development plan allowances. There are also representations seeking changes in terms of the geographical distribution of housing allocations. Whilst matters relating to the contribution that specific sites make to these allowances are covered in Issue 5, the outcome of these considerations overlaps with the spatial strategy.

30. The distribution of the allowances between the Rural and Aberdeen Housing Market Areas is set in the strategic development plan. There is no scope to redistribute some of the rural allowance to the Aberdeen Housing Market Area as suggested by some representees.

31. The distribution of allocations within each of the housing market areas is a matter for the local development plan, albeit the strategic development plan provides some guidance. Paragraph 4.18 states that “these allocations should be focused within the strategic growth areas, but ensure appropriate levels of local growth can be provided across the rest of city region, with a specific focus on those towns named by this Plan as regeneration priority areas (Banff, Macduff, Fraserburgh and Peterhead)”.

32. Table 2 in Appendix 6 in the proposed plan indicates that sites within a strategic growth area would contribute 1,913 homes towards meeting the strategic development plan allowance for the Aberdeen Housing Market Area. This represents just over 60% of the total allocations. Not surprisingly, the equivalent percentage within the Rural Housing Market Area from Table 3 in the proposed plan is only 11%. The proposed plan includes new and existing allocations in the regeneration priority areas identified in the strategic development plan.

33. I acknowledge that the recommended modifications elsewhere in this report will have implications for these figures. However, given that the majority of allocations within the Aberdeen city part of the Aberdeen Housing Market Area would be expected to be located within a strategic growth area, I am satisfied that the expectations of the strategic development plan are met, in terms of the geographical distribution of allocations to meet the allowances.

34. I disagree with the comment that the distribution of housing sites has moved away from the strategic development plan strategy for large allocations in areas of strategic infrastructure. Paragraph 3.8 of the strategic development plan indicates that “the strategic growth areas will be the main focus for development in the area up to 2040, accommodating at least 75% of all homes built and employment land developed in this period. A number of large housing allocations in strategic growth areas have been rolled forward from the previous local development plan, with development expected to continue beyond 2032. Whilst new housing allocations are also identified within the strategic growth areas, the strategic development plan is clear that these “should not inhibit the delivery of current strategic allocations”.

35. The proposed plan highlights the need to ensure that the capacity of the Aberdeen Western Peripheral Route is not negatively affected by development. Nestrans agrees with this statement. However, it has requested that paragraph 5.8 of the proposed plan be modified to indicate that development is also likely to impact on junctions along the route of the Aberdeen Western Peripheral Route and the road network immediately surrounding

these junctions. I agree that it would be appropriate to refer to the impact that development may have on the junctions and road network in the vicinity of the Aberdeen Western Peripheral Route. The modification suggested by the council would remove the reference to the capacity of the Aberdeen Western Peripheral Route itself. I therefore recommend an alternative modification which retains the reference to capacity and also refers to the peripheral route, junctions and surrounding road network.

36. Paragraph 5.8 explains the factors which have influenced decisions regarding the location of development. I note that the bid assessment guidance provides further details of the criteria used to evaluate sites, including active travel opportunities. However, “opportunity for active travel” does not appear to be one of the core criteria and therefore it would be misleading to add this to paragraph 5.8. No change is required on this matter.

37. I find that the wording of paragraph 5.9 in the proposed plan is confusing and a modification is required to better explain the matters taken into account in the assessment of development sites. I consider the wording suggested by RSPB Scotland, as set out in the “Modifications sought by those submitting representations” section above to be appropriate and recommend a modification based on this.

38. A number of representees consider that more of the housing allocations should be on brownfield sites. The Scottish Government is concerned that the last two sentences in paragraph 5.10 on page 18 in relation to brownfield sites would not accord with Scottish Planning Policy.

39. Paragraph 40 in Scottish Planning Policy states that spatial strategies in development plans should consider “the re-use or redevelopment of brownfield land before new development takes place on greenfield sites”. Paragraph 4.18 in the strategic development plan also states that “new allocations should consider opportunities to reuse brownfield land”.

40. The council explains that an assessment of the development potential of brownfield sites was undertaken. This included reference to a brownfield urban capacity study of Banff, Macduff, Fraserburgh and Peterhead in March 2013, which was used to inform the 2012 local development plan. From the council’s response, it would appear that there are a number of reasons why a limited number of development allocations are on brownfield sites, including availability, ownership and development viability.

41. I am satisfied that the council has considered the potential for brownfield sites to contribute to the housing allowances, in line with Scottish Planning Policy and the strategic development plan. I agree that uncertainty regarding deliverability means that brownfield land may not meet the requirement for sites identified to meet the strategic development allowances to be deliverable by 2032. However, suitable brownfield sites can still come forward as windfall development, subject to assessment against relevant local development policies.

42. I consider that the second last sentence in paragraph 5.10 should be removed as the wording does not reflect the range of reasons why the majority of allocations in the proposed plan are greenfield. In accordance with paragraph 40 in Scottish Planning Policy and paragraph 4.18 of the strategic development plan, I suggest the insertion of the following sentence in its place, “In identifying sites to meet the strategic development plan allowances, consideration has been given to the development potential of brownfield

sites". With the addition of the word "However", I consider that the last sentence of paragraph 5.10 is relevant within the context of the rest of the paragraph. My recommended modification to paragraph 5.10 is set out in full below.

Aberdeen to Huntly Strategic Growth Area

43. Sites OP1 to OP5 shown on the Huntly key map in the existing local development plan have not been included in the proposed plan. These sites are identified as constrained in the 2019 housing land audit and do not form part of the existing housing supply for the Rural Housing Market Area (column 1 of Table 3 in the approved strategic development plan). The proposed plan does not rely on these sites to meet the housing land requirement and there is no need to "replace" them.

44. The strategic development plan allowance of 2,042 homes in the period 2020 - 2032 is for the Rural Housing Market Area as a whole. There is no specific housing requirement for Huntly or the Aberdeen to Huntly strategic growth area. No change is required. Matters relating to the implications of the A96 dualling project for Inverurie are addressed under Issue 34 (Inverurie and Port Elphinstone).

45. Paragraph 8.7 of the strategic development plan indicates that the extent of existing strategic growth areas or the need for new locations for growth should be kept under review. Reference is made to a range of studies to be undertaken over the next five years, including on the impact of the Aberdeen Western Peripheral Route on travel patterns. Representations seeking the inclusion of Westhill within a strategic growth area were considered through issue 4 of the strategic development plan examination. I note, from the examination report, that the reporter concluded "that it would not be appropriate or reasonable to define an extended, or new strategic growth area to cover Westhill and its surroundings at this time".

46. The council has indicated that it cannot commit to undertaking the studies to inform a review of strategic growth areas within a five year period. On this basis, I consider that paragraph 8.7 in the strategic development plan adequately covers this matter. No modification is required.

Aberdeen to Laurencekirk Strategic Growth Area

47. One representee wishes to see less housing in this strategic growth area. However, a number of representees support an increase in the overall number of housing allocations and are promoting specific bid sites. Matters relating to sites which are allocated in the proposed plan and bid sites which have not been allocated are covered in the schedule 4 forms for the relevant settlements.

48. I note that the Aberdeen to Laurencekirk strategic growth area covers both the Aberdeen and Rural Housing Market Areas. I agree with the council that, as the strategic development plan does not set a housing allowance for the Aberdeen to Laurencekirk strategic growth area, it is not possible to identify a specific shortfall or surplus of allocations on this geographic basis. The agreed 2019 housing land audit forms the base supply for the strategic development plan and the proposed plan. Consideration was given to past and future anticipated completions rates from existing sites in the strategic development plan examination. I am satisfied that matters relating to the rate of delivery of existing sites have been taken into count in the setting of the strategic development plan allowances. No modification is required.

49. Paragraph 5.13 in the proposed plan highlights the council's concern that the delivery of homes to create a model town at Chapelton is likely to be constrained, if significant new development is allowed elsewhere in this strategic growth area. A number of representees object to this aspect of the spatial strategy.

50. I consider that the council's cautious approach in relation to the delivery of Chapelton is supported by the strategic development plan. Chapter 3 of the strategic development plan explains that its long term spatial strategy was developed in the 2009 structure plan and has been carried forward into subsequent strategic development plans. It focuses growth on a limited number of places, where public and private investment in infrastructure can be delivered. Paragraph 4.19 of the strategic development plan specifically states that "allocations should be of a scale which would not inhibit the delivery of current strategic allocations". This does not prevent the local development plan from allocating new sites in the Aberdeen to Laurencekirk strategic growth area, but requires consideration of the potential impact on the delivery of allocations at Chapelton.

51. The proposed plan identifies land for 662 homes in this strategic growth area to meet the strategic development plan allowances; 523 in the Aberdeen Housing Market Area and 192 in the Rural Housing Market Area. These allocations include a range of sites in Stonehaven, Portlethen and Laurencekirk, consistent with the expectations of Scottish Planning Policy. In setting the strategic development allowances, extrapolated completion rates for sites programmed beyond 2026 (including Chapelton) were taken into account. I consider that the allocations in the Aberdeen to Laurencekirk strategic growth area represent an appropriate balance between supporting the delivery of the new settlement at Chapelton and providing a range of additional sites in other locations. Representations in relation to individual sites are addressed in the schedule 4s for the relevant settlement statements. However, any suggested modifications would not require changes to the spatial strategy section.

52. I agree with the council that there is no reason to provide an explanation for slower than expected growth rates in Chapelton in the plan. No modification is required.

Aberdeen to Peterhead Strategic Growth Area

53. The majority of representations to this section of the proposed plan relate to whether or not Potterton lies within the Aberdeen to Peterhead strategic growth area. I note that Map 17 in the Energetica supplementary guidance shows Potterton as being located within the Energetica Corridor. However, I agree with the council that this has no bearing on whether or not Potterton lies within the strategic growth area

54. The extent of the Aberdeen to Peterhead strategic growth area is shown indicatively by a pink dashed oblong on Figure 3 (page 17) in the strategic development plan. Taking account of the geographical location of Potterton in relation to Balmedie, Newmachar, and the junction between the A90(T) and the Aberdeen Western Peripheral Route, I consider that Figure 3 suggests that Potterton could be viewed as being within the strategic growth area.

55. However, I note that paragraph 3.9 in the strategic development plan states that "local development plans will take the final view on which settlements and sites are within a strategic growth area". The term "strategic growth area" is defined in the glossary of the

proposed plan as “the main focus for development as defined in the Aberdeen City and Shire Strategic Development Plan”. The extent of the strategic growth areas is shown indicatively in the proposed plan by a red shading on the spatial strategy map (page 21) and by a red dashed boundary on the shaping homes and housing map (page 44). I do not consider that either of these maps provide a definitive answer as to whether Potterton lies within the strategic growth area.

56. The council has indicated that a decision was taken historically to exclude Potterton from the strategic growth area and that it has not made any amendments in the proposed plan to include additional settlements. This matter was considered at the examination for the existing local development plan and modifications were made to make clear that Potterton was excluded from the strategic growth area.

57. I find that there are a number of inconsistent statements on this matter in the proposed plan. Paragraph 5.14 in the proposed plan relates to the Aberdeen to Peterhead strategic growth area and, in my view, the reference to Potterton in this paragraph suggests that the settlement is located within the strategic growth area. Turning to Appendix 6 in the proposed plan, the new housing allocations in Potterton are clearly listed as being within the strategic growth area. However, the settlement statement for Potterton states that it is outwith the strategic growth area.

58. I consider the council’s explanation that the new housing allocations at Potterton are located within the Aberdeen to Peterhead Strategic Growth Area, but the settlement itself is not, to be somewhat unsatisfactory. Given that parts of the existing settlement lie to the north, south, east and west of the new allocations, I consider that it would be illogical to define the boundary of the strategic growth area on the basis suggested by the council.

59. I agree with the council that, including Potterton within the strategic growth area at this stage in the local development plan process would not be appropriate, as interested parties have not been given the opportunity to comment. I therefore consider that the plan should make clear that Potterton, including its new housing allocations, is not located within the strategic growth area.

60. In order to provide the clarification sought by representees, I consider that modifications are required to address the inconsistencies in the proposed plan. I recommend that the reference to new development in Potterton is removed from paragraph 5.14 and included instead in paragraph 5.15 (Other Locations in Aberdeenshire). The necessary changes to Tables 2 and 3 in Appendix 6 are covered in Issue 5.

61. The council has suggested a change to the last sentence in paragraph 5.14 to address the comments from Nestrans that no details had been provided on the decisions required in relation to sustainable transport options in Peterhead. I agree that this paragraph should be modified to explain that early implementation of active travel connections across the A90 road at Peterhead are required.

Other Locations in Aberdeenshire

62. Consideration of representations promoting additional housing sites in Westhill is included under Issue 37. Paragraph 8.7 in the strategic development plan identifies the need to review the spatial strategy, including “consideration of whether changes to the extent of the existing Strategic Growth Areas are required, or if any new locations for

growth should be designated in the future, for example in the corridor west of Aberdeen". It refers to a range of studies being undertaken over the next five years, but does not commit to a review of the spatial strategy in this time period.

63. The modification sought by Barratt North Scotland seeks a commitment from the council on the studies required to support future development in Westhill. The council has indicated that it is not able to confirm when the necessary evaluation work for Westhill will be completed. In the absence of any certainty on this matter, it would be misleading to pre-empt the outcome of future studies. No modification is required to the spatial strategy. However this matter is also considered under Issue 37 Westhill.

64. The representation from Nestrans provides useful information on the transport issues currently constraining development in Westhill and the work being undertaken by regional partners to develop and test alternative strategic transport interventions. The council has suggested a minor modification to clarify that development in Westhill is "limited" rather than "stalled", until transport modelling and assessments are undertaken. I consider this change would be consistent with the Westhill settlement statement, which includes some development allocations and covers the matters raised by Nestrans. A modification to this effect is provided below.

65. There is no justification to allocate additional housing in Deeside to address affordability issues. Deeside is not defined as a separate geographical area in the strategic development plan or the proposed plan and I have no means of identifying any potential shortfall on this basis. Matters relating to affordable housing policy are covered under Issue 6. No modification is required.

National Developments

66. Paragraph 5.18 includes reference to national developments and national and local designations. Carbon rich soils are identified on NatureScot's Carbon and Peatland Map 2016. As such, I agree with the council that these can reasonably be described as "nationally designated".

67. I find that the clarification provided by NatureScot that Special Areas of Conservation are international designations is factually correct and consistent with the terminology used in policy E1 Natural Heritage in section 10 of the proposed plan. The council has suggested a modification which describes Special Areas of Conservation, Sites of Special Scientific Interest and carbon rich soils as "designations determined by national bodies". However, this would not reflect the international status of Special Areas of Conservation. A modification based on the wording put forward by NatureScot is recommended.

The Spatial Strategy Map

68. The Spatial Strategy map on page 21 of the proposed plan provides an illustrative visual overview of the geographical implications of the plan's strategy. In order to show the whole of the local development plan area on one A4 page, it is understandable that this is a small scale map providing indicative information only.

69. The yellow circles provide an indication of the size of existing settlements, with the red circles showing the extent of proposed development relative to the number of existing homes. The red circles do not distinguish between the established housing land supply

and new housing allocations. I agree with the council that this information is more appropriately provided in Appendix 6.

70. The council has explained that the boundaries between the accessible and remote rural areas are also shown indicatively on the Development in the Countryside map on page 37 of the proposed plan. I note that the boundary to the west of Banchory is not obscured by other symbols on this map and that the boundaries between the two areas can be viewed in greater detail on the interactive online version of the local development plan. However, we would encourage the council in the preparation of the adopted plan to use a map, or maps, that show the boundaries more clearly.

71. No modifications to the content of the spatial strategy map are required.

Reporter's recommendations:

Modify the local development plan by:

1. Replacing paragraph 5.2 on page 16 with the following two paragraphs and renumber the remaining paragraphs accordingly:

“5.2 The Aberdeen City and Shire Strategic Development Plan identifies that sufficient land is required within Aberdeenshire to maintain a housing supply over the period 2020 to the end of 2032 (insert footnote as in proposed plan) and that 60 hectares of employment land needs to be available at all times within Strategic Growth Areas (insert footnote as in proposed plan). The Strategic Development Plan sets housing supply targets by housing market area, local authority and tenure mix for the periods 2016-2019; 2020-2032 and 2033-2044 (add footnote see Table 1 in the Strategic Development Plan). By applying a 10% generosity to the targets for the periods 2016-2019 and 2033-2044 and a 20% generosity to the targets for 2020-2030, the housing land requirement was calculated, by housing market area, local authority and tenure mix (add footnote see Table 2 in the Strategic Development Plan). The housing supply target and housing land requirement figures relevant to this local development plan are set out in detail in Tables 1 and 2 in Appendix 6.

5.3 Allowances for 5,107 additional homes are be identified in this local development plan (3,065 in the Aberdeenshire part of the Aberdeen Housing Market Area and 2,042 in the Rural Housing Market Area) to help meet the housing land requirement to the year 2032 identified in the Strategic Development Plan (add footnote as in proposed plan). These figures are derived from an 80% / 20% division of allowances between the Aberdeen Housing Market Area and 50% / 50% divide between Aberdeen City Council area and Aberdeenshire Council area. The Strategic Development Plan housing allowances and employment land allocations up to the year 2040 are set out in Table 1 below.”

2. Inserting the following paragraph and two tables at the start of Appendix 6 Housing Land Allocations on page 167:

“Tables 1 and 2 provide an overview of the housing supply target and housing land requirement figures up to 2032 for the Local Development Plan Area as a whole, the Rural Housing Market Area and the Aberdeenshire part of the Aberdeen Housing Market Area. The information in these tables is taken from Tables 1 and 2 in the Strategic Development Plan.

Table 1: Housing Supply Targets by Housing Market Area and Tenure

	2016 - 2019			2020 - 2032			2016 - 2032
	Affordable	Market	total	Affordable	Market	total	Total
Aberdeenshire part of the Aberdeen Housing Market Area*	685	1265	1950	3003	5577	8580	10530
Rural Housing Market Area	680	1270	1950	2002	3718	5720	7670
Aberdeenshire Local Development Plan Area	1365	2535	3900	5005	9295	14300	18200

Table 2: Housing Land Requirement by Housing Market Area and Tenure Mix

	2016 – 2019**			2020 – 2032***			2016 - 2032
	Affordable	Market	total	Affordable	Market	total	Total
Aberdeenshire part of part of the Aberdeen Housing Market Area*	754	1392	2146	3604	6692	10296	12442
Rural Housing Market Area	748	1396	2144	2402	4462	6864	9008
Aberdeenshire Local Development Plan Area	1502	2788	4290	6006	11154	17160	21450

* The figures for the Aberdeenshire part of the Aberdeen Housing Market Area are the difference between the figures for the Rural Housing Market Area and Aberdeenshire Council.

** The housing land requirements for the period 2016 -2019 have been calculated by applying a 10% generosity allowance to the equivalent housing supply target figures.

*** The housing land requirements for the period 2020 - 2032 have been calculated by applying a 20% generosity allowance to the equivalent housing supply target figures.”

(Note - A revised version of Appendix 6 incorporating the recommended modifications from Issues 2 and 5 is provided at the end of this report.)

3. Replacing the third sentence in paragraph 5.8 on page 18 with:

“Core criteria have been used to govern where development should be allowed, including future capacity of schools, capacity of unclassified roads and the need to ensure the capacity of the Aberdeen Western Peripheral Route, its junctions and the road network immediately surrounding these junctions are not negatively affected by development.”

4. Replacing paragraph 5.9 on page 18 with:

“Each development site has been tested through a Strategic Environmental Assessment exercise and subjected to appraisal under the Habitats Regulations to ensure compliance with environmental legislation. In addition, they have been assessed to ensure that the objectives of the National Performance Framework have been met.”

5. Replacing the last two sentences of paragraph 5.10 on page 18 with:

“In identifying sites to meet the strategic development plan allowances, consideration has been given to the development potential of brownfield sites. However, development to meet needs would not come forward if it were restricted to brownfield land.”

6. Removing ‘Potterton’ from the penultimate sentence in paragraph 5.14 on page 19.

7. Replacing the last sentence of paragraph 5.14 on page 19 with:

“Peterhead is a very successful town but requires early implementation of active travel connections across the A90 to allow that growth to flourish.”

8. Adding the following new third sentence to paragraph 5.15 on page 19, after the word “likely”:

“Additional developments in Potterton are included to promote the Energetica Corridor.”

9. Amending the last sentence of paragraph 5.15 on page 19 to read:

“Development in Westhill is limited until transport modelling and assessments are undertaken over the next few years to identify the nature of a solution that may be required to allow further significant development to take place in the town.”

10. Amending the first sentence of paragraph 5.18 on page 20 to read:

“The Local Development Plan continues to recognise national developments, as identified in the National Planning Framework, internationally designated sites such as Special Areas of Conservation, nationally designated Sites of Special Scientific Interest and carbon rich soils, to help conserve the best of the Aberdeenshire environment.”

Issue 3	Section 6 – Shaping Business Development and Appendix 1 Employment Land Allocations, Appendix 2 Retail Centres and Appendix 3 Regeneration Priority Areas	
Development plan reference:	Proposed LDP, Section 6, Page 23-28, Appendix 1 Employment Land Allocations, Appendix 2 Retail Centres and Appendix 3 Regeneration Priority Areas, Page 95-102, Page 103-106 and Page P107-112	Reporter: Andrew Sikes
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Shaping Business Development Introduction PP1130 Giancarlo Pia</p> <p>Policy B1 Town Centre Development PP0558 Asda Stores Limited PP0578 Scottish Government Planning and Architecture Division PP0659 Paths for All PP0716 Scottish Land and Estates PP0881 Meldrum Paths Group PP1219 Scottish Environment Protection Agency PP1222 NHS Grampian PP1300 NatureScot (Scottish Natural Heritage)</p> <p>Policy B2 Employment/Business Land PP0502 Scottish Enterprise PP0578 Scottish Government Planning and Architecture Division PP0716 Scottish Land and Estates PP0881 Meldrum Paths Group PP1178 CALA Homes PP1205 Hallam Land PP1219 Scottish Environment Protection Agency PP1237 CALA Homes</p> <p>Policy B3 Tourist Facilities PP0716 Scottish Land and Estates PP0877 The Woodland Trust Scotland PP0881 Meldrum Paths Group PP1219 Scottish Environment Protection Agency PP1241 Nestrans PP1266 RSPB Scotland</p> <p>Policy B4 Special development Areas PP1155 Neil Mathieson PP1219 Scottish Environment Protection Agency</p> <p>Appendix 1 Employment Land Allocations PP1219 Scottish Environment Protection Agency</p> <p>Appendix 2 Retail Centres PP0578 Scottish Government Planning and Architecture Division</p>		

PP1219 Scottish Environment Protection Agency PP1399 Ashfield Land (Aberdeen) Ltd Appendix 3 Regeneration Priority Areas PP1219 Scottish Environment Protection Agency PP1222 NHS Grampian Shaping Business Development Policy Map PP0556 Newtonhill, Muchalls & Cammachmore Community Council	
Provision of the development plan to which the issue relates:	Policies relating to business development
Planning authority's summary of the representation(s):	
<p>Policy Introduction</p> <p>A representee has predicted that over 80,000 jobs will be lost between 2020-2035 due to the lack of demand or retirement. It is unclear the direction that jobs and industry will turn after the oil and gas industry diminishes (PP1130).</p> <p>Policy B1 Town Centre Development</p> <p>A representee has raised concerns regarding the approach that has been taken on Retail Impact Assessments (RIA); applying this assessment for only major retail proposals would not cover the impact on existing centres. A small retail proposal can have a significant negative impact on the existing town centre therefore, the assessment criteria should be lowered to a threshold of 400sqm (gross) floor area and this would ensure that adequate assessment is carried out as set out in Scottish Planning Policy (SPP) (PP0558). In contrast, another representee has sought justification for seeking an RIA to be clarified. The representee highlighted that the policy did not reflect the 2,500m² threshold to meet paragraph 71 of SPP. Paragraph 71 of the SPP states that a retail impact analysis should be undertaken when the proposed retail and leisure development has a gross floorspace over 2,500m² and it is proposed to be located outwith a town centre. This statement could be added in paragraph B1.1 within the sentence that focused on major retail development.</p> <p>Major developments are defined in The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, which include a Schedule that sets out classes of development and corresponding thresholds. Retail use class may fall under paragraph 9 of the Schedule 'Other Development' for which the threshold is 5,000m² gross floorspace or sites over 2ha. It is unclear if that threshold for major developments is intended to be used in relation to the requirement for RIAs. In that case, it could mean that some retail proposals, which could be significant in terms of their impact on town centres, would not have to carry out the retail impact analysis expected by SPP. However, if they do not meet the major threshold, it could have negative impacts for town centres (PP0578).</p> <p>The Scottish Government has indicated that paragraph B1.1 covers retail and services that are used on a regular basis which is covered in the 'other town centre uses' as set out in SPP (paragraph 68). However, concern has been expressed regarding the definition</p>	

provided for 'sequential approach' in the footnote of page 25, i.e. referring to "sites on the periphery of the town centre", rather than the 'edge of the town centre'. The Proposed Local Development Plan (PLDP) does not cover 'commercial centres' and the sequential order in which they come. This should be revised to reflect the sequential approach as set out in SPP, paragraph 60 and 68, covering the range of uses (use class order), the sequential order of locations and accessibility via different modes of transport (PP0578).

A representee objects to any further expansion of out-of-town development and a redefinition/repurpose for town centres needs to be identified. A survey by 'Paths for All' found that 64% of people would walk to their local shops and seeks exploration on improvement on walking (PP0659).

A representee felt that the sentence in paragraph B1.1 "Town centre sites must be conveniently accessible by modes other than the private car..." is deemed unsuitable and restrictive because Aberdeenshire is a rural constituency where many people's only sustainable travel option is by private car (PP0716).

NHS Grampian has supported the reference the policy made on healthcare facilities in paragraph B1.1. NHS Grampian has indicated that where health centres are located in town centres, support should be given to their continued presence and scope for expansion, however, many town centres are overly developed, therefore, unable to extend due to the constrained nature of town centre sites. In instances where health centres require to be located outwith the town centre, they should be in locations preferably accessible by foot, cycling and public transport. If any site becomes redundant after the relocation of a health centre from a town centre, the site should be identified as an opportunity site for development. The town centres should have the ability to accommodate current health and social care requirements and provide 50% expansion in the future should it be required (PP1222).

A representee has indicated that the term 'footpath' is an inadequate and outdated term used in paragraph B1.2. It does not meet the requirement to have a multi-use active travel route available for citizens to travel safely. The LDP requires to explicitly state that any new development must be linked by full specification active travel links that are separate from vehicular access and as such provide a safe means of travelling to and from the development by walking, wheeling and cycling (PP0881). NatureScot has suggested an amendment to paragraph B1.2 to using the phrase "paths and/or active travel routes", instead of "footpaths" because this covers a broader spectrum, including segregated cycle lanes on or off road or even quieter roads as active travel routes (PP1300).

Scottish Environment Protection Agency (SEPA) has requested reference to Policy C4 Flooding in relation to redevelopment/change of use proposals due to certain business development that has the potential to introduce increased vulnerability uses to a site, for example, ancillary uses to business sites such as day care nurseries. SEPA has also indicated that they object to Policy B1 Town Centre Development if their suggested rewording of Policy C4 Flooding regarding redevelopment of existing buildings and their potential vulnerability to flood risk is not undertaken, or no reference is made on this issue in Policy B1 to ensure that these proposals are in accordance with the SEPA Flood Risk and Land Use Vulnerability Guidance, as referenced by SPP and SEPA (RD0214.A) (PP1219).

Policy B2 Employment/Business Land

A representee has indicated support that the policy includes provisions to protect the local community and ensures that the alternative use is compatible with adjoining uses. No modification sought (PP0502).

Two representees have expressed support for the general concept/ambition of the policy (PP1178 and PP1205). This policy should provide information on how the Employment Land Audit ensures that the allocated sites meet the current needs and market expectations as referred to in SPP paragraphs 101, 102 and 103. The representee has stated that policy should follow the requirements laid out in paragraph 101, 102 and 103 of SPP (PP0578).

A representee has requested that Policy B2 should highlight the need for the availability of different modes of transport to access all sites, in a similar manner highlighted in Policy B1, paragraph B1.1. The policy needs to be reviewed and reflect the National Transport Strategy (NTS2), 'sustainable transport hierarchy' (PP0881).

A representee has raised a question regarding the reason behind refusing to approve non-employment uses on sites allocated for employment in paragraph B2.1. It should be encouraged to deliver mixed-use development on non-industrial sites to reduce the need for commuting, etc. (PP0716). It has been requested to deliver further guidance on the evidence landowners will be required to present to demonstrate the constraint and the degree to which it precludes employment generating uses on the site in paragraph B2.2. This approach would provide some protection to the more marginal and viable BUS sites (PP0502).

The representee finds the words in paragraph B2.2 are too onerous. They request that this is amended to "unless there is a constraint on the site whereby there is no reasonable prospect of it ever becoming marketable for business development or it is poorly located employment use" (PP1178 and PP1205). Another representee has sought amendment to the second half of the first sentence in paragraph B2.2 so that the length of time for an existing business site needs to be marketed before it is redeveloped is reduced to the Plan period. The sentence, "whereby there is no reasonable prospect of it ever becoming marketable", is too onerous (PP1237).

SEPA has requested that Policy B2 Employment/Business Land references their amended Policy C4 Flooding regarding redevelopment/change of use proposals, as certain business development has the potential to introduce increased vulnerability uses to a site, for example, ancillary uses to business sites such as day care nurseries. SEPA has also indicated that they would object to Policy B2 Employment/Business Land if their requested rewording of Policy C4 Flooding regarding redevelopment of existing buildings and their potential vulnerability to flood risk is not undertaken, or no reference is made on this issue in Policy B2 to ensure that these proposals are in accordance with the SEPA Flood Risk and Land Use Vulnerability Guidance, as referenced by SPP. SEPA has argued that certain business developments have the potential to introduce increased vulnerability uses to a site, for example, ancillary uses to business sites such as day care nurseries, so a need to reference this issue is necessary (RD0214.A) (PP1219).

Policy B3 Tourist Facilities

A representee has claimed that Policy B3 does not fully cover the promotion of

development of sustainable tourist initiatives. Encouraging the development of tourism ventures and the infrastructure that supports it, to introduce and promote the establishment of green tourism activities to areas outside the Cairngorms National Park that have traditionally been more reliant upon fishing, farming and the oil and gas industry for employment should be a key priority of the LDP. This is necessary to secure a more sustainable, diverse and therefore resilient economy that would support communities and their local retail, services, hospitality and leisure businesses across the whole of Aberdeenshire (PP0881).

A representee expects that sustainable accessibility should be focused as a key consideration in paragraph B3.1 in respect of any major high value tourist developments (PP1241). Another representee has requested that text requires to be added to paragraph B3.1 to ensure that there is no further loss of ancient woodlands (PP0877).

The representee highlighted that the wording, “We will protect existing tourist sites from being converted to other uses unless ...” in paragraph B3.2 is overly restrictive when there is a clear need for flexibility to build resilience in the context of the recovery from Covid-19 (PP0716).

Retail in the countryside is likely to have a greater impact on the natural environment. Although the use of brownfield land is welcomed, it should be noted that brownfield sites can be much richer for wildlife. Clarity in the wording should be provided outlining that the impacts on the environment and biodiversity will be an important consideration. The wording gives the presumption in favour of retail development in the countryside. It is suggested that the wording recognises that other policies are also important (PP1266).

SEPA has requested that Policy B3 references their amended Policy C4 Flooding regarding redevelopment/change of use proposals, as certain business development has the potential to introduce increased vulnerability uses to a site, for example, tourist facilities that provide overnight accommodation, particularly tents or caravans. SEPA has also indicated that they would object to Policy B3 if their requested rewording of Policy C4 Flooding regarding redevelopment of existing buildings and their potential vulnerability to flood risk is not undertaken, or no reference is made on this issue in Policy B3 to ensure that these proposals are in accordance with the SEPA Flood Risk and Land Use Vulnerability Guidance, as referenced by SPP. SEPA argues that certain business development has the potential to introduce increased vulnerability uses to a site, for example, tourist facilities that provide overnight accommodation, particularly tents or caravans, so a need to reference this issue is necessary (RD0214.A) (PP1219).

Policy B4 Special Development Areas

There are a number of planning applications approved within the Energetica Corridor of which many have not been delivered. This situation should be reviewed and any new development within the Energetica Corridor may be considered as part of a commuting settlement (PP1155).

SEPA has requested that Policy B4 references their amended Policy C4 Flooding regarding redevelopment/change of use proposals, as certain business development has the potential to introduce increased vulnerability uses to a site, and a significant proportion of the Regeneration Priority Areas lie within Potentially Vulnerable Areas (areas where significant flood risk exists now or is likely to occur in the future) that have been identified

in the National Flood Risk Assessment. SEPA has also indicated that they would object to Policy B4 if their requested rewording of Policy C4 Flooding regarding redevelopment of existing buildings and their potential vulnerability to flood risk is not undertaken, or no reference is made on this issue in Policy B4 to ensure that these proposals are in accordance with the SEPA Flood Risk and Land Use Vulnerability Guidance, as referenced by SPP. SEPA further argue that certain business development has the potential to introduce increased vulnerability uses to a site, and a significant proportion of the Regeneration Priority Areas lie within Potentially Vulnerable Areas (areas where significant flood risk exists now or is likely to occur in the future) that have been identified in the National Flood Risk Assessment (RD0214.A) (PP1219).

Appendix 1 Employment Land Allocations

SEPA has no comments on Appendix 1 (RD0214.A). No modification sought (PP1219).

Appendix 2 Retail Centres

SEPA has confirmed that they have no comments on Appendix 2 (RD0214.A). No modification sought (PP1219).

The Scottish Government has referred to page 105 of the PLDP, in the box for 'Other Town Centres' where the final column, indicates that that the Town Centre First Principle does not apply to five of Aberdeenshire's towns (Insch, Kintore, Macduff, Newmachar and Portsoy), the words 'No' should be changed to 'Yes', or ideally that column should be removed as it should be explicit that the Town Centre First Principle applies to all towns (PP0578).

The Scottish Government outlines that Appendix 2 sets out the network of centres 'Other Town Centres', are identified as towns which have "a minimum of one Academy or represent a local service centre for a wider area". The Scottish Government has expressed concern that in the final column, it indicates that the Town Centre First Principle does not apply to five such towns (Insch, Kintore, Macduff, Newmachar and Portsoy), and that these are to be treated differently from the other 'Other Town Centres'. Whilst SPP policy allows scope for flexibility of the sequential test, it is Scottish Government's expectation that this is done on a case-by-case basis, and not that LDPs exclude whole towns from the Town Centre First Principle (PP0578).

It is requested that Blackdog town centre is recognised as a Principal Town Centre within the PLDP on the basis that Blackdog is a sustainable new community with its own town centre and the proposed uses meets the definition. Planning Permission in Principle (PPP) was granted for the mixed-use development at Blackdog in December 2017, including for a new town centre and the PLDP should reflect this planning permission in the retail hierarchy in Appendix 2 in accordance with paragraph 60 of the SPP because the paragraph states that new centres can be included in the "network of centres" even if the town centre is yet to be developed. This town centre should also be considered for the application of the Town Centre First Policy. The permission included 11,500sqm of retail floorspace, an 850-seat cinema and up to 2,000sqm of class 3 use. This makes Blackdog 6th in the ranking for retail floor space when compared with retail floor space for town centres identified as Principal Town Centres. The uses within the granted PPP meet the definition of Principal Town Centres in PLDP Appendix 2. It is highlighted that by not recognising the status of Blackdog Town Centre, Blackdog will not form part of any

sequential assessment required in accordance with Policy B1 and it will not be afforded protection against developments in non-town centre locations. Also, there are comparable settlements included within the Appendix. The representees have included Appendices (RD0269.A and RD0269.B) in their representation which provides further detail to support their position (PP1399).

Appendix 3 Regeneration Priority Areas

A representee has expressed support for Appendix 3 reference to Banff, Fraserburgh, Macduff and Peterhead. The requirement for development proposals to be located within 200m of the settlement boundary will ensure good accessibility to town centre facilities, including health care provision, located there. The representee supports that the PLDP seeks to promote networks of walking and cycling routes as this will improve accessibility as well as improving the health of users. However, although this is specifically noted in relation to Banff and Macduff, it should be included for all regeneration priority areas. It is therefore requested that the text for Fraserburgh and Peterhead also includes this requirement (PP1222).

SEPA has requested that if their proposed rewording of Policy C4 Flooding is not accepted, then Appendix 3 includes a cross-reference to Policy C4 to ensure development will only be acceptable where there is no increase in vulnerability to flood risk, highlighting that any conversion or new development must be in accordance with SEPA Flood Risk and Land Use Vulnerability Guidance as referenced by SPP. SEPA has argued that while they welcome the restoration of/conversion of existing buildings, this has the potential to introduce increased vulnerable uses to a site at risk from flooding, particularly in terms of overnight accommodation (RD0214.A) (PP1219).

Shaping Business Development Policy Map

The map entitled Shaping Business Development shows the 'Other Town Centre' (TC) icon just above Newtonhill, but it should be moved to Portlethen, as this settlement is listed in Appendix 2, Retail Centres (PP0556).

Modifications sought by those submitting representations:

Policy Introduction

Modify the PLDP to reflect the future of the economy of Aberdeenshire (PP1130).

Policy B1 Town Centre Development

Modify the PLDP and amend Policy B1 to show the threshold for Retail Impact Assessments is set at a lower level at 400sqm gross (PP0558).

Modify the PLDP to revise footnote 6 to fully reflect the sequential approach as set out in Scottish Planning Policy, paragraph 68 (PP0578).

Modify the PLDP to clarify the requirements/guidance for Retail Impact Assessments (PP0578).

Modify the PLDP to reflect the 2,500sqm threshold and the terms of paragraph 71 of SPP

(PP0578).

Modify the PLDP to state that new out of town development should not be developed. A repurpose of town centres is required (PP0659).

Modify the PLDP to remove reference to the requirement that town centre sites must be conveniently accessible by modes other than the private car from Policy B1 (PP0716). Modify the PLDP to explicit that any new development must be linked by full specification active travel links that are separate from vehicular access and as such provide a safe means of travelling to and from the development by walking, wheeling and cycling (PP0881).

Modify the PLDP to amend Policy B1 on the need for sustainable and alternative modes of transport to access health centres if the health centre is located within the town centre (PP1222).

Modify the PLDP to add a sentence to state that any disused health centres in the town centre can become an opportunity site for development (PP1222). Furthermore, the policy should also include a statement stating that grounds should be available for expansion adjacent to any health centre and should be allocated as a Protected site (PP1222).

Modify the PLDP to amend paragraph B1.2 to read, "Retail and commercial facilities must be appropriate to the scale and function of the settlement and support an appropriate mix of uses within the town centre. Any new development adjacent to the town centre, or adjacent to paths and/or active travel routes footpaths leading to the town centre, should be connected via a path and/or active travel route footpath." (PP1300).

Modify the PLDP to amend Policy B1 Town Centre Development to include a sentence/footnote that requires redevelopment/change of use proposals to comply with SEPA's 'Flood Risk and Land Use Vulnerability Guidance, as referenced by Scottish Planning Policy, unless Policy C4 Flooding is amended as per SEPA's request on this issue (PP1219).

Policy B2 Employment / Business Land

Modify the PLDP to amend Policy B2, paragraph B2.2, to amend the first sentence include text to read, "Require a professionally qualified person, such as a land surveyor, to demonstrate the lack of take up is as a result of the constraint." (PP0502).

Modify the PLDP to amend paragraph B2.1 and provide justification as to why non-employment uses would not be approved on allocated employment land (PP0716).

Modify the PLDP to amend Policy B2, in paragraph B2.2 to read, "... unless there is a constraint on the site whereby there is no reasonable prospect of it becoming marketable in the Plan period or it is poorly located for employment use." (PP1178, PP1205 and PP1237).

Modify the PLDP to make it clear how the business land audit ensures allocated sites meet current needs and market expectations as referred to in SPP 101a, 102 and 103 (PP0578).

Modify the PLDP to ensure Policy B2 reflects the National Transport Strategy (NTS2) sustainable transport hierarchy (PP0881).

Modify the PLDP to amend Policy B2 to include a sentence/footnote that requires redevelopment/change of use proposals to comply with SEPA's 'Flood Risk and Land Use Vulnerability Guidance', as referenced by Scottish Planning Policy, unless Policy C4 Flooding is amended as per SEPA's request on this issue (PP1219).

Policy B3 Tourist Facilities

Modify the PLDP to include text that supports the development of tourism ventures and associated infrastructure in areas outside the Cairngorms National Park (PP0881).

Modify the PLDP to amend Policy B3, paragraph B3.1, to add 'existing natural environment' to the list in the second sentence (PP0877).

Modify the PLDP to amend the 4th sentence in B3.1 to read, "Proposals must take account of the potential cumulative impact of similar developments in close proximity, and address any issues related to sustainable access." (PP1241).

Modify the PLDP to amend paragraph B3.2 to make the policy more flexible (PP0716).

Modify the PLDP to amend paragraph B3.3 to read, "We will also support shops which will act as a new tourist destination or are built as an ancillary use to the tourist development. We will also support shops that play a role in supporting the existing tourist destination and make a contribution to the development of the area. The expansion or intensification of existing retail uses in the countryside, including established farm shops, will be supported as long as the increased scale of development is appropriate to the rural character of the area and the proposal complies with other relevant policies in the PLDP, including those which protect the natural environment and biodiversity. In any of these cases, the applicant will need to demonstrate that there will be no significant negative effect on existing town centres by submitting a retail impact analysis. Such development is encouraged on brownfield land where possible." (PP1266).

Modify the PLDP to amend Policy B3 to include a sentence/footnote that requires redevelopment/change of use proposals to comply with SEPA's 'Flood Risk and Land Use Vulnerability Guidance', as referenced by Scottish Planning Policy, unless Policy C4 Flooding is amended as per SEPA's request on this issue (PP1219).

Policy B4 Special Development Areas

The Planning Authority should agree on a 'development timescale' at the masterplanning stage for developments within the Energetica Corridor (PP1155).

Modify the PLDP to amend Policy B4 to include a sentence/footnote that requires redevelopment/change of use proposals to comply with SEPA's 'Flood Risk and Land Use Vulnerability Guidance', as referenced by Scottish Planning Policy, unless Policy C4 Flooding is amended as per SEPA's request on this matter (PP1219).

Appendix 2 Retail Centres

Modify the PLDP and amend Appendix 2 on page 105 in 'Other Town Centres' where the final column indicates that the Town Centre First Principle does not apply to five of Aberdeenshire's towns (Insch, Kintore, Macduff, Newmachar and Portsoy), the words 'No' should be changed to 'Yes', or the column should be removed.

Modify the PLDP to include Blackdog as a Principal Town Centre in Appendix 2 (PP1399).

Appendix 3 Regeneration Priority Areas

Modify the PLDP to amend Appendix 3 to include a cross-reference to Policy C4 Flooding and text to ensure that development will only be acceptable where there is no increase in vulnerability to flood risk, and that any conversion or new development must be in accordance with SEPA Flood Risk and Land Use Vulnerability Guidance as referenced by Scottish Planning Policy, unless Policy C4 Flooding is amended as per SEPA's request on this matter (PP1219).

Modify the PLDP in the table of Appendix 3 to insert the following sentence within the paragraph Regeneration Priority Areas, "Regeneration priority areas should promote networks of walking and cycling routes as this will improve accessibility as well as improving the health of users." (PP1222).

Shaping Business Development Policy Map

Modify the PLDP to amend the policy map to move 'TC' from above Newtonhill to Portlethen.

Summary of responses (including reasons) by planning authority:

Policy Introduction

The business policy does not focus particularly on oil and gas and this allows the opportunity to diversify and cover different sectors. It reflects the business opportunities and economy in Aberdeenshire today and the future. No change is required.

Policy B1 Town Centre Development

An RIA is an aid to decision-making to a planning application and all relevant developments must adhere to Policy B1 and other relevant policies contained within the PLDP. An RIA is required when a proposed development is of a scale sufficient to be likely to have a significant impact on the trade of existing or committed retail centres and the surrounding area (Planning Advice 1 /2004 Retail Impact Assessment (AD0046)). It is mentioned in the Planning Advice that this approach can be adopted to any retail/commercial development where the gross floorspace is under 2500m². It is noted that SPP confirms that a 'major retail development' is where the gross area is 2500m² or more. Therefore, the Council confirms that it intends to address Scottish Government Planning and Architecture Division's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications, to introduce a footnote after the "Retail Impact Assessment" in paragraph B1.1.

Furthermore, the Planning and Environment Services recommends adding “see Planning Advice 1 /2004 Retail Impact Assessment – see Glossary” on the same footnote proposed by Scottish Government Planning and Architecture Division. Therefore, if the Reporter is minded, to make an amendment, then the Council recommends to add, “Advice 1/2004 Retail Impact Assessment – see Glossary” in addition to the footnote.

Paragraph 71 of SPP (AD0012) states that, “For smaller retail and leisure proposals which may have a significant impact on vitality and viability, Planning Authorities should advise when retail impact analysis is necessary”. Therefore, this justifies the right to seek an RIA for a retail development with a gross floor space of less than 2500m². Reference has been made to the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 (AD0015), where ‘retail’ would be likely to fall under paragraph 9 of the Schedule ‘Other Development’ for which the threshold is 5,000m² gross floorspace or sites over 2ha. There is no reference made in SPP towards seeking an RIA for retail development where the gross floor area is 5000m² or more, therefore, this shall not be reflected in Policy B1. No change is required.

The sequential approach is applied for retail and office developments to ensure that the site can be accessed through different modes of transport. It is not necessary to outline the requirements of a sequential approach in the LDP because guidance is laid out in SPP (AD0012, paragraph 68). SPP also highlights (AD0012, paragraph 69) that an individual “should be flexible and realistic in applying the sequential approach, to ensure that different uses are developed in the most appropriate locations”. This means that the approach taken to apply the sequential approach can be flexible. All developments are assessed and judged based on their own merit, therefore, judgements must be made based on knowledge and the economic situation within the town centre when assessing a planning application. The fact that all the retail centres/commercial centres are not covered in the PLDP, along with the sequential order, is due to the volume and the unnecessary precedent of providing information. Policy RD1 Providing Suitable Services of the PLDP (AD0041.A, pages 89-92) ensures that good transport links are achieved. The sentence “Town centre sites must be conveniently accessible by modes other than the private car”. Policy B1 (AD0041.A, pages 25-26) ensures that town centres are accessible via alternative modes of transport in addition to cars. No change is required.

In recent times, with small retail units going out of fashion, larger units are more in demand. The retail units found within town centres are generally small units, hence do not meet the requirement of the modern retail businesses. However, the larger units can only be provided outwith the town centre boundary unless it is available within town centre or units can be combined to provide a larger unit, which is not always feasible. Sequential approach can be applied if the desirable retail premise is not available in the town centre. New out of town shopping complexes should be connected to nearby residential developments via footpath/paths/green network through policy P2 Open Space and Access in New Development, in particular, paragraph P2.6, as outlined in the PLDP (AD0041.A, page 50). No change is required.

Aberdeenshire Council promotes the purpose of town centre via the Town Centre First Principle therefore, a new purpose of the town centre is not necessary. All town centres are served by active travel routes, offering various modes of transport into the town centres from various locations both within and outwith the town. In addition, Planning Advice 10/2015 Outdoor Access and Development (AD0048) provides more information on achieving access links within and between communities and places. No change is

required.

Town centres provide the opportunity for a mixed-use, allowing homes and employment side by side within an established town centre boundary, although it must be stressed that it is not always favoured to allow new homes because the main focus of a town centre is to promote shops and services. The element of mixed-use allows the users access to the town centre without the need to travel a far distance, making it a sustainable development. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications. With regard to SEPA's objection to Policy B1 unless Policy C4 is amended by including a statement that "development should not increase flood risk vulnerability", it is considered this is unfounded since paragraph C4.2 refers to "increased severity of flood risk elsewhere". Likewise, the introduction of the term "re-development" is unnecessary as in planning terms re-development will constitute a form of development. There are no inconsistencies or omissions and therefore, no change is required.

Health centres such as a GP surgery and hospital are considered to be a service under Class 2. Therefore, if a health centre is located within a town centre, then no additional statement is required to identify the need for sustainable and alternative modes of transport to access a health centre. This is because paragraph B1.1 covers the need for different modes of transport via the sentence "Town centre sites must be conveniently accessible by modes other than the private car to the projected catchment of the facility." No change is required.

Any disused or redundant site within a town centre that has been empty or vacant for a prolonged period of time, can be permitted to change its use under Policy P3 Infill Developments within Settlements and Householder Developments (including home and work proposals). No change is required.

It is accepted that a health centre requires additional land for expansion in the future and land should be protected for the same. NHS Grampian submitted a number of bids in response to the Council's call for sites in 2018 for a new or extensions to health centres in numerous settlements and they were assessed during the MIR stage and consulted on as part of the MIR 2019. Sufficient opportunity has been provided during the MIR and PLDP stages to identify sites that could be included in the LDP for the purpose of new or extended health centres. Any sites that were identified prior to the publication of the PLDP were included in the PLDP, given no other constraints were identified within the site. No change is required.

Policy B2 Employment/Business Land

The support expressed for Policy B2 is noted. The Employment Land Audit 2019 (AD0018) provides information on the status of individual opportunity sites and these opportunity sites are outlined in the LDP. The LDP is led by the Regional Economic Strategy (AD0027) and current economic market trends, to ensure that there are no impediments to servicing within five years. The Aberdeen City and Shire Strategic Development Plan 2020 (SDP) (AD0016) requires 149ha of land to be allocated within the Strategic Growth Area (SGA) during its Plan period and the LDP must adhere to this requirement. Any business opportunity sites outwith the SGA were subject to an

assessment to ensure they were in suitable locations where demand could be expected and where infrastructure capacity was available. Any existing business sites that are underused or vacant may be permitted to alter its use subject to meeting the tests within paragraph B2.2. No change is required.

With regard to SEPA's objection to Policy B2 unless Policy C4 is amended by including a statement that "development should not increase flood risk vulnerability", it is considered this is unfounded since paragraph C4.2 refers to "increased severity of flood risk elsewhere". Likewise, the introduction of the term "re-development" is unnecessary as in planning terms re-development will constitute a form of development. There are no inconsistencies or omissions, and no change is required.

Policy B2, paragraph B2.1 aims to secure new employment sites for use Classes 4, 5 and 6. Exceptionally, and as a departure to the Plan, some ancillary developments may be permitted, particularly when these alternative uses are an appropriate addition to the mix of uses in the immediate area (such as a childcare facility). Non-employment uses are discouraged on sites allocated for new employment use because this would disperse employment uses and introduce the prospect for the landowner to realise higher land values at the expense of creating employment opportunities. New employment uses would not persist if policy effectively made these "white" land on which other uses were acceptable. Once an area of business land is established, safety concerns such as movement of heavy lorries, noise and other technical constraints can have a negative impact on other uses in the area, it can, therefore, be concluded that a policy that would allow non-employment uses on sites allocated for employment are not in the best interest of the wider environment and public interest, hence, no change is required.

Aberdeenshire Council does not agree with the modification that suggests that the test for whether a site will become marketable is reduced through the removal of the phrase "it ever" and adding "in the Plan period" to the policy. The existing phrase has been used to reflect changes in the surrounding context of the site that now make it unsuitable for employment or business uses. An alternative form of development could have a profound impact on the established uses and could lead to the area becoming an unfavourable location for those businesses to continue to operate. Incremental erosion of the employment land base should be avoided. The term "whereby there is no reasonable prospect of it ever becoming marketable" gives a degree of flexibility to assess whether the existing business site has become obsolete. In this context throughout the development of the Plan careful consideration has been made of the merits of retaining existing BUS sites for business and employment uses, particularly where such sites are small, reflect a historic development pattern that no longer exists, or where a specific bid was received for redevelopment. No change is required.

While an appropriately qualified person, such as a land surveyor, would have a role to play in demonstrating that a development site was currently unmarketable, Aberdeenshire Council believes that the assessment of the constraints on the site are a planning judgement, based on wider issues than just the ability of the landowner to market the site. However, we do not preclude proposals for exceptions to the general policy, provided a justification was provided on the marketability of the site to balance the planning judgements required. No change is required.

Policy B3 Tourist Facilities

The Policy B3 aims to encourage the tourist industry to flourish, based on meeting certain criteria, such as being linked to a settlement. The reason for being linked to a settlement is to achieve active travel modes and the facilities would be located in sustainable locations. Sustainable tourism initiative would be highly welcomed however, it is not required to be delivered through this policy because the Plan focuses on sustainable development and sustainable economic growth, in line with SPP. This policy covers all the areas under the authority of Aberdeenshire Council therefore, this requires to be as broad and as flexible as possible. The Cairngorms National Park Authority is responsible for preparing a LDP for the part of Aberdeenshire lying within the Park boundary. No change is required.

Policy B3 encourages tourism ventures and in addition, ensures that the policy does not overly restrict any tourist development to go forward, subject to meeting certain criteria. Furthermore, it is important to ensure that the existing tourist facilities within close proximity are not negatively impacted upon due to the introduction of the new facilities which can be observed in the sentence in paragraph B3.2 “we will protect existing tourist sites from being converted to other uses...”. Existing tourist facilities should be preserved as long as they remain viable and any new tourist development should be brought forward as part of long-term business investments. However, concern has been raised regarding the future of the existing tourist facilities post Covid-19, however, any existing tourist facility that requires a change of use due to closure for a prolonged period of time would require to meet paragraph B3.2. Policy RD1 ensures that appropriate infrastructure is in place for any new development, this includes development for tourism, therefore, no change is required.

All developments highlight the importance of sustainability, following the guidance of SPP (AD0012) “Sustainable Economic Growth”, therefore, it is not required to introduce “sustainable tourist initiatives” into the LDP. The LDP is supportive of delivering facilities in locations which reduce the need to travel and are in sustainable locations and aims to deliver “sustainable developments in sustainable locations”. No change is required.

The LDP has introduced paragraph P1.7, in Policy P1 Layout, Siting and Design, to ensure that measures are identified to enhance biodiversity. The policy allows off-site contributions to secure and enhance biodiversity and wildlife if the development is not practical to meet the net gain (AD0041.A, page 48). This policy would ensure that any brownfield development for retail in the countryside would not have any negative impact on biodiversity. Policy P1 Layout, Siting and Design and all other relevant policies are given equal importance for any development therefore, no change is required.

With regard to SEPA’s objection to Policy B2 unless Policy C4 is amended by including a statement that “development should not increase flood risk vulnerability”, it is considered this is unfounded since paragraph C4.2 refers to “increased severity of flood risk elsewhere”. Likewise, the introduction of the term “re-development” is unnecessary as in planning terms re-development will constitute a form of development. There are no inconsistencies or omissions, and no change is required.

Policy B4 Special Development Areas

It is noted that there are a number of approved planning applications within the Energetica Corridor that have not been delivered. The Planning and Environment Service has a “masterplanning” process where after a masterplan is approved, the plan remains active

for 5 years. The applicant needs to reapply after 5 years unless development has commenced on site. No change is required.

With regard to SEPA's objection to Policy B2 unless Policy C4 is amended by including a statement that "development should not increase flood risk vulnerability", it is considered this is unfounded since paragraph C4.2 refers to "increased severity of flood risk elsewhere". Likewise, the introduction of the term "re-development" is unnecessary as in planning terms re-development will constitute a form of development. There are no inconsistencies or omissions and therefore, no change is required.

Appendix 1 Employment Land Allocations

Comment from SEPA is noted. No change is required.

Appendix 2 Retail Centres

Comment from SEPA is noted. No change is required.

The Town Centre First Principle is adopted and monitored by the Economic Development Service. The criteria followed by the Economics and Development Service, for the Town Centre First Principle, is to have a secondary school within the town. However, the criteria set by the Planning and Environment Service does not require that there be a secondary school within the town. However, there are certain criteria that are required to be met which includes services, collective shops, a focal point and community facilities. For example, Inch has a number of shops/restaurants, a library, etc on High Street and its surrounding streets, however, does not have a secondary school. The settlement has a population of approximately 2700 which is relative in comparison to many other settlements, such as Mintlaw (Aberdeenshire Settlements Population 2016, AD0115) in Aberdeenshire, therefore, justifies the designation of "Insch" as "Other Town Centres". This is backed by paragraph 60 of the SPP, which states, "town centres should be flexible and proactive, enabling a wide range of uses which bring people into town centres" and "town centres should enable a wide range of uses which bring people into town centres". It is important to note that all the settlements that have been identified under the "Town Centre First Principle" have been added in "Appendix 2 Retail Centres", either in the 'Principle Town Centres' or 'Other Town Centres'. The Economic Development Service would treat the five settlements (Insch, Kintore, Portsoy, Macduff and Newmachar) differently, however, it would not affect the Planning and Environment Service when determining a planning application or any other planning related issues, including the Local Development Plan. No change is required.

Blackdog is proposed to undergo a vast change as the site OP1 is allocated for 600 homes and 4ha employment land for this Plan period. Planning Permission in Principle (APP/2016/0766) was approved in December 2017 for Mixed Use Development Comprising Town Centre Including Regional Food Hall, Retail, Leisure and Class 3 Uses; Business and Industrial Uses (Classes 4, 5 and 6) on part of the OP1. It is argued that in paragraph 61 of the SPP, it states that new centres can be included in the "network of centres" even if the town centre is yet to be developed. However, the development on this site is yet to commence and this is backed by the decision made in the Issues and Actions Paper (AD0040.A, Issue 1 MIR Process and Other Issues). No change is required.

In considering Appendix 2, the Council notes that Mintlaw is listed as "other town centre".

However, the 'TC' designation has been omitted from the Mintlaw Settlement Statement. In order to avoid any ambiguity, if the Reporter is minded, then the Council recommends that amendments be made to the Mintlaw Settlement Statement to reflect Appendix 2 by:

- Adding a new row in the "Settlement Features" section, under 'other designations' to state "TC Mintlaw Town Centre"; and
- Showing the town centre boundary as a red dashed line in the Mintlaw Keymap and Mintlaw Map 2.

Appendix 3 Regeneration Priority Areas

Support for Appendix 3 has been noted. However, the restriction of development within 200m of the settlement boundary is ideal because it would meet a sustainable development criterion, however, may restrict development due to financial cost. This policy aims to be as flexible as possible to help boost the economy in these towns. No change is required.

The Council confirms that it intends to address comment from NHS through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

With regard to SEPA's objection to Policy B2 unless Policy C4 is amended by including a statement that "development should not increase flood risk vulnerability", it is considered this is unfounded since paragraph C4.2 refers to "increased severity of flood risk elsewhere". Likewise, the introduction of the term "re-development" is unnecessary as in planning terms re-development will constitute a form of development. There are no inconsistencies or omissions, and no change is required.

Shaping Business Development Policy Map

The Council confirms that it intends to address Newtonhill, Muchalls & Cammachmore Community Council's comment through a non-notifiable modification, as set out in as set out in the List of Non-Notifiable Modifications.

Reporter's conclusions:

Preliminary matters

1. My examination of the proposed plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the provisions of the proposed plan, or which simply make comments that do not seek modifications to the proposed plan. Therefore, unless these relate to an issue which is unresolved, they are not addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to matters covered in Issue 3. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Policy introduction

3. The comments of Mr Pia in respect of business development are made in general

terms. In essence, Mr Pia argues that the proposed plan has failed to take into account the current economic climate in allocating land for development; notably the decline of the region's oil and gas industry. As the council explains in response to Mr Pia's representation, the business policy of the proposed plan does not focus specifically on the oil and gas industry; its application is intended to cover all sectors of the economy and allow for diversification as opportunities arise. I have considered this matter with reference to; the stated ambitions of the Regional Economic Strategy (2015); the objectives of the Aberdeen City and Shire Strategic Development Plan (2020); and, the site of interest to Mr Pia and agree with the council's position. No modification is required.

Policy B1: Town Centre Development

4. The proposed plan does not specify the threshold at which a major retail proposal requires to be supported by a retail impact assessment; or other circumstances in which an assessment may be required. There is also uncertainty as to whether the definition of 'major development' contained in the glossary would apply to retail development. In addition, the description of the 'sequential approach' in the footnote to paragraph B1.1 is inconsistent with that described in Scottish Planning Policy 2014, paragraph 68. The council proposes to address these matters through non-notifiable modifications to the proposed plan.

5. I agree that the addition of a footnote along the lines proposed by the council would go some way to providing clarity on the matters raised in representations. However, I consider that it would be more appropriate to describe the circumstances in which a retail impact assessment is required in the main text of Section 6 rather than a footnote. In this regard, I recommend below additional text consistent with Scottish Planning Policy 2014, paragraph 71, be added to paragraph B1.1.

6. Despite the requirements of the sequential approach being outlined in Scottish Planning Policy 2014, it is the provisions of the development plan against which planning applications will be assessed. For this reason, I agree that the proposed plan should fully reflect the sequential approach; both in terms of the range of uses to which the approach should be applied and the order of locations. The modification recommended below also includes terminology consistent with that used in Scottish Planning Policy.

7. In line with Scottish Planning Policy 2014, the proposed plan promotes a 'town centre first' approach and identifies the preferred order of locations that should be considered for uses which would generate significant footfall; with out-of-centre the least preferred location. In this context, and subject to the modification below, the proposed plan offers qualified support for new development in out-of-centre locations, and only where it can be made easily accessible by a choice of transport modes. As such, it would be inappropriate, and at odds with Scottish Planning Policy, to modify the proposed plan as sought by 'Paths for All'. No modification is required.

8. With regard to the need to redefine and/or repurpose town centres, it is not clear whether 'Paths for All' is seeking a modification to the proposed plan; its representation simply states that around two thirds of Scottish adults would be prepared to walk to their local shop or public transport facilities. In this regard, the policies of the proposed plan promote a 'town centre first' approach and, as is made clear in paragraph B1.1, the council will allow retail and other frequently visited uses only in defined town centres, unless a sequential assessment shows that another site is clearly more appropriate. No modification is required.

9. The proposed plan requires development sites in town centre locations to be conveniently accessible by modes other than the private car. As clarified by the council, this requirement seeks to ensure that sites are accessible by a choice of means of transport which offer alternatives to the car; it does not seek to restrict access by private car. The representee appears to have misinterpreted this aspect of paragraph B1.1. No modification to the proposed plan is required.

10. NHS Grampian states that, where it is necessary for healthcare facilities to be located outwith town centres, they should be accessible by foot, cycling and public transport. In this regard, paragraph 4.7 of the proposed plan notes the council's commitment to supporting development in sustainable locations and promoting the efficient use of transport, particularly public transport, and active travel routes; a commitment which is reflected in Policy B1.1. No modification to the proposed plan is required.

11. A representation seeks the replacement of the word 'footpath' with a term that better describes safe multi-use active travel routes. Another representation suggests that the phrase 'paths and/or active travel routes' should be used, which the council agrees with. I note that the term 'active travel' is defined in the glossary of the proposed plan and that one of the plan's intended outcomes is to promote walking, cycling and (subject to a recommended modification in Issue 1) wheeling. In this context, I consider that the wording of paragraph B1.2 should be amended to include reference to active travel routes. I therefore recommend that the proposed plan is modified as described below.

12. SEPA supports the wording of policies B1 to B4, subject to a number of modifications to Policy C4 (flooding) to ensure that the proposed plan is compliant with its Flood Risk and Land Use Vulnerability Guidance. The modifications sought by SEPA are considered in detail in Issue 11 (climate change), where we recommend that paragraph C4.1 is modified to reflect its representation. Further modifications are also recommended to paragraphs C4.3, C4.4 and accompanying explanatory footnotes. We also recommend the inclusion of a new paragraph regarding the de-culverting of watercourses. On this basis, I consider that it is not necessary to modify policies B1 to B4 to make reference to flooding issues. Consequently, neither do I consider it necessary to include a cross-reference to policy C4 elsewhere in Section 6 or Appendix 3 (regeneration priority areas). No modifications are required.

Policy B2: Employment/ Business Land

13. The requirements of Scottish Planning Policy 2014 in respect of business and employment are not expressly set out in the proposed plan; it does, however, fulfil its requirements by allocating a range of business sites informed by an economic strategy and employment land audit. A brief commentary on the findings of the Employment Land Audit 2017-18 is provided at paragraph 5.5. The proposed plan also includes an appendix to demonstrate how the requirements of the Aberdeen City and Shire Strategic Development Plan (2020) have been met. Despite meeting the requirements of Scottish Planning Policy, I consider that it would be helpful to the reader to understand the context within which the proposed business allocations have been made. Accordingly, the proposed plan should be modified as set out below.

14. The Meldrum Paths Group suggests that Policy B2 should be modified to reflect the sustainable travel hierarchy set out in the National Transport Strategy (NTS2), that is; promoting walking and wheeling; cycling; public transport and shared transport options, in

preference to single occupancy private car use. Although the council has not responded directly to this suggestion, paragraph 4.7 of the proposed plan rehearses the council's commitment to making efficient use of the transport network, reducing the need to travel and promoting walking, cycling and public transport. It is recommended in Issue 1 that paragraph 4.7 be amended to include the word 'wheeling', in line with the NTS2. Furthermore, at paragraph RD1.7, the proposed plan states that where development requires the formation of new accesses, these should, among other things, be convenient for cyclists, pedestrians and public transport. In this context, and on the basis that the proposed plan should be read as a whole, I do not consider it necessary to modify policy B2 in response to the Meldrum Paths Group's representation.

15. The proposed plan establishes a general presumption against the loss of business land to non-employment uses. Contrary to the comments of Scottish Land & Estates and Scottish Enterprise, policy B2 sets out the exceptional circumstances in which the council could support non-employment uses on such land; development must be of benefit to the local community and not prejudice the strategic employment land resource. Policy B2 also offers support to home/work proposals on land identified for mixed-use development, subject to criteria listed in policy P3 being satisfied.

16. I agree with representees that the requirement placed upon prospective developers to demonstrate that a site is constrained to such an extent that there is no reasonable prospect of it ever (my emphasis) becoming marketable for business development is too onerous and potentially impossible to demonstrate. I consider the provisions of paragraph B2.2 to be sufficiently robust without the word 'ever' to resist the introduction of uses that could undermine the operation of nearby established business uses and protect amenity. However, I consider that it would be unreasonable to confine an assessment of marketability to a single cycle of plan-making; it could take longer than 5 years to resolve a constraint, for example, vehicular access. I recommend a modification below that removes the word 'ever'.

17. In the context of a local development plan, the consideration of marketability and the acceptability of alternative uses is ultimately a matter for a planning authority, although decisions may be informed by the advice of a chartered surveyor. No modification to the proposed plan is required in this regard.

Policy B3: Tourist facilities

18. Insofar as it is able, the proposed plan supports sustainable tourism through its support for new tourist facilities and accommodation in locations well-related to settlements and where they are able to deliver net economic and social benefits. More broadly, the proposed plan promotes the efficient use of transport, particularly public transport, and the creation of active travel routes, thus providing sustainable travel options for tourists. Other aspects of sustainable tourism, for example, the procurement of goods and services and the behaviours of those using the countryside, lie beyond the scope of the local development plan. No modification to the proposed plan is required in this regard.

19. With regard to major high value tourist proposals, however, I agree that reference should be made to the protection of the natural environment and the provision of sustainable access; these are important considerations and should be referred to in paragraph B3.1. I recommend modifications below, as suggested by The Woodland Trust and Nestrans.

20. It is argued that the provisions of paragraph B3.2 are overly restrictive, particularly in the current economic climate. While I accept that some flexibility in the assessment of proposals to convert tourist sites to alternatives uses may exceptionally be justified on a case by case basis, the purpose of the proposed plan is to manage the development and use of land in the long-term public interest. For this reason, I consider that it would be inappropriate to modify the proposed plan to remove the general requirements set out in paragraph B3.2.

21. The Royal Society for the Protection of Birds seeks a modification to paragraph B3.3 to clarify that the impacts of new tourism-related retail development on the environment and biodiversity will be important considerations in the assessment of planning applications. I agree that these may be relevant and important considerations in relation to proposals for tourism-related retail development. However, these matters are covered in other plan policies and, as explained in paragraph 1.5 of the proposed plan, all policies in the plan can apply. It would not be appropriate to highlight one or two environmental considerations, when other matters may also be of importance. No modification is recommended.

Policy B4: Special Development Areas

22. The council appears to have misunderstood the nature of Mr Mathieson concerns, which relate to the location of new housing to support the development of the Energetica Corridor in the Aberdeen to Peterhead Strategic Growth Area. No change is sought to the terms of policy B4. Matters raised in his representation are addressed in issue 2 (spatial strategy).

Appendix 2: Retail Centres

23. I agree with the Scottish Government that the proposed plan should apply the town centre first policy consistently and that this should be explicit; the 'other town centres' table presented on page 105 of the proposed plan suggests otherwise. As the Scottish Government notes, whilst Scottish Planning Policy 2014 allows scope for flexibility in the application of the sequential test, the expectation is that it will be done on a case-by-case basis; a local development plan should not exclude whole towns from the application of the town centre first principle. I recommend below a modification that requires the column entitled 'Town Centre First Principle Applies' to be deleted from the tables on pages 105 and 106 of the proposed plan and a note added to the appendix that states that the town centre first principles apply to all defined town centres.

24. A representee seeks a modification to the proposed plan to designate Blackdog as a 'principal town centre' and for it to be shown as such in Appendix 2: Retail Centres. The modification is one of a number sought to the Blackdog settlement statement to reflect the terms of mixed-use development, which received planning permission in principle in December 2017. This and other matters relating to Blackdog are considered in detail in Issue 28, where we conclude that the Blackdog centre as described in the planning permission in principle would meet the definition of a principal town centre given in Appendix 2. For this reason, I conclude that Blackdog should be listed in Appendix 2 as a principal town centre. I recommend a modification below.

25. The council has drawn to my attention to the fact that, while it has identified Mintlaw as an 'other town centre' in Appendix 2, it has failed to reflect its status as such in the

settlement statement tables and maps in Appendix 7b. Accordingly, the council invites me to recommend modifications to correct this mistake. However, this error is not one that I can resolve through the examination, as it has not raised in a representation to the proposed plan. It would be for the council to consider whether it can deal with this matter as a non-notifiable modification.

Appendix 3: Regeneration Priority Areas

26. NHS Grampian seeks the inclusion of a reference to an improved network of walking and cycling routes in the sections for Fraserburgh and Peterhead. Rather than adding a general statement under the 'Regeneration Priority Areas', as suggested by the council, I consider that it would be better to add a sentence to the paragraphs relating specifically to Fraserburgh and Peterhead; as is the case for Banff and Macduff. I recommend modifications below.

Shaping Business Development Policy Map

27. The Shaping Business Development Map in the proposed plan shows Newtonhill as an 'other town centre', but it is not listed as a town centre in Appendix 2. Portlethen is listed as an 'other town centre', but is not shown as such on the Shaping Business Development map. In order to correct this mapping error, the 'tc' should be moved from Newtonhill to Portlethen. A modification is recommended.

Reporter's recommendations:

Modify the local development plan by:

1. Replacing the fifth sentence of paragraph B1.1 on page 25 with the following sentences:

"Where new retail and leisure development with a gross floorspace over 2,500m² is proposed outwith a town centre, contrary to the development plan, a retail impact assessment will be required. The assessment will be required to demonstrate that the proposed development would not have a significant adverse effect on the vitality and viability of existing town centres and would not result in any issue identified by a Town Centre Health Check or Town Centre Strategy being made worse. A retail impact assessment may also be required for retail and leisure proposals with a gross floorspace below 2,500m² which may threaten the vitality and viability of an existing centre."

2. Replacing footnote 6 on page 25 with the following:

"When planning for uses that generate significant footfall, including retail and commercial leisure uses, offices, community and cultural facilities, and where appropriate, other public buildings, such as libraries, education and healthcare facilities, a sequential approach should be adopted. A sequential approach requires that locations are considered in the following order of preference: town centres; edge of town centres; other commercial centres identified in the local development plan; and out-of-centre locations that are, or can be, made easily accessible by a choice of transport modes."

3. Replacing the second sentence of paragraph B1.2 on page 26 with the following:

"New development adjacent to a town centre, or adjacent to paths and/or active travel routes leading to a town centre, should be connected via a path and/or active travel route."

4. Replacing the third paragraph of the introductory section on page 25 with:
“The business land allocations are listed in Appendix 1: Employment Land Allocations. The allocations have been informed by the Regional Economic Strategy and an employment land audit and meet the requirements of the Strategic Development Plan.”
5. Amending the first sentence of paragraph B2.2 on page 26 to remove the word ‘ever’.
6. Replacing the second sentence of paragraph B3.1 on page 27 with:
“Generally these must be well related to settlements and the existing natural environment and deliver net economic and social benefits.”
7. Adding the words ‘*and address any issues related to sustainable access.*’ to the end of the third sentence of paragraph B3.1 on page 27.
8. Delete the column entitled ‘Town Centre First Principle Applies’ from the tables shown in Appendix 2: Retail Centres on pages 105 and 106 and add an introductory sentence to read:
“The Town Centre First Principle applies to all ‘principal’ and ‘other’ towns centres identified in the tables below.”
9. Adding Blackdog to the list of Principal Town Centres in the first table shown in Appendix 2: Retail Centres on page 105.
10. Adding the following new second sentence to the second paragraph of the Fraserburgh section in Appendix 3: Regeneration Priority Areas on page 110:
“The Local Partnership also seeks to promote an improved network of walking and cycling routes to improve accessibility, motivate frequent use and improve the health of users.”
11. Adding the following new second sentence to the second paragraph of the Peterhead (and Boddam) section in Appendix 3: Regeneration Priority Areas on page 110:
“The Local Partnership also seeks to promote an improved network of walking and cycling routes to improve accessibility, motivate frequent use and improve the health of users.”
12. On the Shaping Business Development map on page 28, move the ‘tc’ from Newtonhill to Portlethen.

Issue 4	Section 7 – Shaping Development in the Countryside and Appendix 4 Boundaries of the Green Belt and Appendix 5 Coastal Zone	
Development plan reference:	Proposed LDP, Section 7, Page 29-37, Appendix 4 Boundaries of the Green Belt and Appendix 5 Coastal Zone, Page 113-126 and Page 127-164	Reporters: Andrew Sikes and Claire Milne
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Shaping Development in the Countryside Introduction PP0603 Elgin Energy EsCo PP0863 Bennachie Community Council PP0884 Formartine Rural Partnership</p> <p>General PP0421 Coriolis Energy Limited PP0463 Statkraft PP0589 Scottish Renewables PP0597 ESB Asset Development UK PP0640 Renewable Energy Systems Ltd PP0736 RWE Renewables UK PP0863 Bennachie Community Council PP1188 Falck Renewables Wind Ltd PP1222 NHS Grampian</p> <p>Policy R1 Special Rural Areas PP0281 Jenny Stables PP0603 Elgin Energy EsCo PP0607 The Association for the Protection of Rural Scotland PP0716 Scottish Land and Estates PP0751 Elsick Development Company (EDC) PP0822 Scottish Hydro Electric Transmission Plc PP0863 Bennachie Community Council PP0879 The Woodland Trust Scotland PP0886 John Hopkins PP0887 Gwen Pirie PP0942 Kenneth Badenoch PP1024 Echt and Skene Community Council PP1158 Judita Katinaite PP1160 Tine Wanning PP1191 Audrey Wright PP1219 Scottish Environment Protection Agency PP1249 Gladman Developments Ltd PP1267 RSPB Scotland PP1306 Homes for Scotland</p> <p>Appendix 4 Boundaries of the Green Belt PP0478 Glenisla Developments Limited PP0523 Westhill and Elrick Community Council PP0557 Scottish SPCA</p>		

PP0607 The Association for the Protection of Rural Scotland
PP0679 Stewart Milne Homes
PP0684 Stewart Milne Homes
PP0751 Elsick Development Company (EDC)
PP0886 John Hopkins
PP0887 Gwen Pirie
PP0956 David Lawtie
PP1219 Scottish Environment Protection Agency
PP1276 Polmuir Properties (Newtonhill) Limited

Appendix 5 Coastal Zone

PP0454 MAK Properties Aberdeen Ltd
PP0764 Arcus Design Ltd
PP0765 Arcus Design Ltd
PP0871 Ewan Murray
PP1219 Scottish Environment Protection Agency
PP1314 Colin Miller

Policy R2 Development Proposals Elsewhere in the Countryside

PP0034 Richie Barron
PP0035 Richie Barron
PP0052 Alex McLean-Bullen
PP0436 Caledonia Homes
PP0437 Caledonia Homes
PP0601 Learney Estate
PP0603 Elgin Energy EsCo
PP0612 Corsindae Estate
PP0619 Harriot and Sophia Tennant
PP0663 Stewart Milne Homes
PP0716 Scottish Land and Estates
PP0720 Sam Trotman
PP0722 Mr and Mrs Charles Miller
PP0723 Mr and Mrs Charles Miller
PP0790 North Banchory Company
PP0812 Glenisla Developments Limited
PP0821 John Slevin
PP0863 Bennachie Community Council
PP0881 Meldrum Paths Group
PP0891 Colin Macdonald
PP0900 Cabardunn Development Company Limited and Dunecht Estates
PP0901 Cabardunn Development Company Limited and Dunecht Estates
PP1024 Echt and Skene Community Council
PP1219 Scottish Environment Protection Agency
PP1249 Gladman Developments Ltd
PP1286 W. Maitland and Sons
PP1300 NatureScot (Scottish Natural Heritage)
PP1306 Homes for Scotland

Policy R3 Minerals

PP0421 Coriolis Energy Limited
PP0463 Statkraft

PP0578 Scottish Government Planning and Architecture Division
 PP0589 Scottish Renewables
 PP0597 ESB Asset Development UK
 PP0640 Renewable Energy Systems Ltd
 PP0736 RWE Renewables UK
 PP0877 The Woodland Trust Scotland
 PP1219 Scottish Environment Protection Agency
 PP1241 Nestrans
 PP1268 RSPB Scotland
 PP1269 RSPB Scotland
 PP1300 NatureScot (Scottish Natural Heritage)

Policy R4 Hill Tracks

PP0421 Coriolis Energy Limited
 PP0463 Statkraft
 PP0589 Scottish Renewables
 PP0597 ESB Asset Development UK
 PP0640 Renewable Energy Systems Ltd
 PP0659 Paths for All
 PP0736 RWE Renewables UK
 PP1219 Scottish Environment Protection Agency
 PP1270 RSPB Scotland

Shaping Development in the Countryside Policy Map

PP0189 Balgranach Properties
 PP0790 North Banchory Company
 PP0821 John Slevin

Provision of the development plan to which the issue relates:

Policies relating to development in the countryside

Planning authority's summary of the representation(s):

Shaping Development in the Countryside Introduction

Bennachie Community Council (BCC) has expressed support for replacement of the terms 'pressured' and 'intermediate' with the terms 'accessible' and 'remote' as used in the Scottish Government's 6-fold Urban/Rural Classification. No modification sought (PP0863).

A representee believes that the introduction of Section 7 of the Proposed Local Development Plan (PLDP) needs to be more explicit in recognising the locational need for renewable energy in the countryside as a prelude to discussing special rural areas. Concern raised that policies in Section 7, if read in isolation, suggest that renewable energy is not supported in such areas (PP0603).

A representee has highlighted that Section 7 of the PLDP does not mention footpaths, cycleways and active travel networks (PP0884).

General

A number of representees have indicated that they do not believe policies R1 and R2 support development of renewable energies. Representees have requested that these policies should be amended to permit renewable energy development, including in the green belt and coastal zone (PP0421, PP0463, PP0589, PP0597, PP0640, PP0736 and PP1188). Representees have included an Appendix (RD0087.A, RD0092.A and RD0212.A) in their representation which provides further detail to support their position (PP0589, PP0597 and PP1188).

BCC has requested that policies R1 and R2 do not permit development on prime agricultural land (PAL) as Policy PR1 Protecting Important Resources is either omitted or misinterpreted in planning applications and protecting PAL would be strengthened by including this change in countryside development policies (PP0863).

NHS Grampian has stated that any development in the countryside should be easily accessible by public transport and linked to health centres. Any rural development that is not accessible by public transport and remote from health care provision has a detrimental impact on households locating there. It places an additional, unnecessary burden on health and social care services. The cumulative impact of rural development must be considered ensuring it does not adversely affect health and social care services. The representee has included an Appendix (RD0216.A) in their representation which provides further detail to support their position (PP1222).

Policy R1 Special Rural Areas

A representee has suggested that Policy R1 should be amended to meet the housing needs of smaller communities where development may have been historically constrained. Enabling appropriate scale development will actively contribute to sustainable development objectives (PP1249).

Policy R1 should be amended to support small-scale home building. There is a need for a more positive approach to supporting windfall developments, including on greenfield sites. This change could provide important opportunities for SME home builders while ensuring the Council retains control over what is developed through its landscape, amenity and design policies. The representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

A representee has queried the purpose of the designation of the green belt, particularly if its protection is removed so easily. No modification sought (PP0281, PP1158 and PP1160).

Paragraph R1.1

A representee has welcomed the change introduced to paragraph R1.1 to include the term 'development'. However, for clarity, the representee has requested that a text be further modified to remove the term "small-scale" from the first line of paragraph R1.1 (PP0603).

Representees, including Echt and Skene Community Council, have requested that amendment is made to the first sentence of paragraph R1.1 as without this change it could be inferred that small-scale development is restricted to the types set out in R1.2 but larger-scale development is not, which is not believed to be the intent (PP0886, PP0887,

PP0942, PP1024 and PP1191).

Representees have suggested that wording from the LDP 2017 that has been omitted in the PLDP 2020 is essential for the policy to effectively control development in the green belt (PP0886, PP0887, PP0942 and PP1191).

A representee has suggested that paragraph R1.1 should be amended to introduce more positive wording to promote the multiple benefits of the green belt rather than framing it predominantly in terms of negative restrictions (PP0607).

Paragraph R1.2

A representee has requested that paragraph R1.2 includes the same strong wording as paragraph R1.3 but for woodlands. The representee has included an Appendix (RD0162.A) in their representation which provides further detail to support their position (PP0879).

A representee has requested that 'permitted' is replaced by the word 'supported' in the first line of paragraph R1.2 and that text is added to development will be supported subject to other relevant policies (PP01267).

A representee has requested that 'associated with' in the first bullet point is replaced with 'that is required for' to ensure that developments that could be damaging to the green belt are not permitted (PP1267).

A representee has requested that Policy R1 is amended to allow the development of multiple huts, even when not part of a tourism proposal. Reference is made to Scottish Planning Policy (SPP) which suggests that Local Development Plans (LDPs) should set out a spatial strategy which includes policies and proposals for leisure accommodation such as huts. The proposal to include single huts that are not part of a tourism application is welcomed but consideration to this should be expanded to include multiple huts. Given the potential increase in demand for 'staycations' and self-contained self-catering holiday, clear supportive policies should be set out to facilitate the development of a variety of hut developments in Aberdeenshire (PP0716).

A representee has indicated that paragraph R1.2 is unclear in terms of whether 'need' is to be derived from National Planning Framework (NPF) or from other policy documents or strategies. The policy text should be amended to reference renewable energy developments (PP0603).

Clarity is sought on whether the 'national priority' referenced in the third bullet point of paragraph R1.2 includes national developments outlined in NPF3 and subsequent NPFs (PP0822).

BCC has sought clarity regarding what is meant by a 'suitable scale' as referred to in the fourth bullet point in Policy R1. BCC has suggested that the non-domestic nature of development referenced needs to be stated in the policy text rather than as a footnote (PP0863).

Echt and Skene Community Council has requested that amendment is made to include the word "small" in the fourth bullet point of paragraph R1.2 as without it, it is unclear what

scale of development would be deemed suitable. Inclusion of the word would be consistent with the intent of Policy R1.1 (PP1024).

Policy R1.2, bullet point 5 should be removed. If local business opportunities and the population of rural areas is to be revived as is the ambition of the Scottish Government, it will be necessary not to be overly prescriptive about what type of business this might be. Diversification will be important. This change could provide important opportunities for SME home builders while ensuring the Council retains control over what is developed through its landscape, amenity and design policies. The representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

A representee has sought the addition of wording that allows infrastructure interventions in the green belt. As currently proposed, it is unclear whether this would be allowed under bullet point 1 in paragraph R1.2. This addition is necessary to align with SPP paragraph 52 which lists essential infrastructure as an acceptable use in the green belt. The representee has included an Appendix (RD0128.A) in their representation which provides further detail to support their position (PP0751).

Paragraph R1.3

A representee has requested inclusion of the word 'environmental' within paragraph R1.3 (PP0603).

Paragraph R1.5

A representee has suggested adding a new paragraph to Policy R1 to address development for renewable energies in the green belt (PP0603).

SEPA has indicated that they object to paragraph R1.5 if their requested rewording of Policy C4 Flooding regarding redevelopment of existing buildings and their potential vulnerability to flood risk is not undertaken, or paragraph R1.5 is not modified to ensure that development will only be acceptable where there is no increase in vulnerability to flood risk, and that any conversion or new development must be in line and in accordance with SEPA Flood Risk and Land Use Vulnerability Guidance as referenced by SPP. Restoration of/conversion of existing buildings has the potential to introduce increased vulnerable uses to a site particularly in terms of overnight accommodation, so a need to reference this issue is necessary (RD0214.A) (PP1219).

Appendix 4 Boundaries of the Green Belt

SEPA has confirmed that they have no issues with Appendix 4 (RD0214.A). No modification sought (PP1219).

Consideration should be given to widening the green belt in key locations to provide more robust protection from development (PP0607).

A significant number of representees have sought the removal of sites OP1 and OP2 as identified in the Potterton Settlement Statement and reinstatement of the green belt designation at this location. (Note: given the scale of matters related to the proposed OP1 and OP2 sites at Potterton, including consideration of the green belt, representee

comments have been addressed through Schedule 4 Issue 26: Potterton).

A representee has requested that the green belt is extended towards Belhelvie (PP0886 and PP0887).

Westhill and Elrick Community Council has noted that green belt boundary fails to protect large areas of Westhill both to the west and the north. If the green belt were extended around Westhill it would make sure that any future developments would be directed to the most appropriate location and also protect Westhill, Kirkton of Skene, Garlogie and Wester Ord as distinct and discrete communities (PP0523).

A representee has requested that land subject to bid site KN057 be excluded from the green belt. The representee has included Appendices (RD0113.A and RD0113.B) in their representation which provides further detail to support their position (PP0684).

A representee has requested that land subject to bid site KN082 be excluded from the green belt. The representee has included Appendices (RD0108.A, RD0108.B and RD0108.C) in their representation which provides further detail to support their position (PP0679).

A representee has requested that land subject to bid site KN101 be excluded from the green belt. The representee has included Appendices (RD0234.A and RD0234.B) in their representation which provides further detail to support their position (PP1276).

A representee has requested that land subject to bid site KN124 be excluded from the green belt (PP0956).

A representee has requested that the green belt boundary be amended to exclude land north of Greenlaw Road beyond Chapelton's eastern boundary. The representee has included an Appendix (RD0128.A) in their representation which provides further detail to support their position (PP0751).

A change in the boundary to include a small area of land west of Drum Garden Centre would equate to a more logical and defensible boundary than the current boundary. Changing the boundary to include this land would have no impact on the underlying rationale for the existing green belt. The representees have included a number of Appendices (RD0077.A, RD0077.B, RD0077.C, RD0077.D, RD0077.E, RD0084.A, RD0084.B, RD0084.C, RD0084.D and RD0084.E) in their representation which provides further detail to support their position (PP0478 and PP0557).

Appendix 5 Coastal Zone

SEPA has confirmed that they have no issues with Appendix 5 (RD0214.A). No modification sought (PP1219).

A representee has indicated that the planned review of the coastal zone in 2022 is too far off, and as a result restricting development in the short term in remote and regeneration areas where development should not be constrained in uncertain times. There is a need for greater flexibility within the coastal zone. Coastal zone maps have a simplistic definition of boundaries, from the coastline to the nearest major public road and should be more prescribed due to its restrictions. Countryside policies should be permitted over

these areas for flexibility (PP0765).

A representee has requested that the Waterside Hotel, Peterhead should be excluded from the coastal zone. The representee has included an Appendix (RD0134.A) in their representation which provides further detail to support their position (PP0764).

A representee has requested that the west boundary of the coastal zone be returned to the boundary line in the LDP 2017 in the area north of Balmedie adjacent to Menie. It is also noted that the coastal zone excludes the area of Menie Estate and part of the area of Blairton Farm, however there is no clear reason for this change and as such clarity is sought (PP0871).

A representee requests that land at Burn of Daff, Downies is removed from the coastal zone to allow for new allocation of 10 homes. The representee has included an Appendix (RD0071.A) in their representation which provides further detail to support their position (PP0454).

Map 33 is out of sequence and needs to be placed in its correct geographical position relative to Map 30 (PP1314).

Policy R2 Development Proposals Elsewhere in the Countryside

General

SEPA has confirmed that they have no issues with Policy R2 (RD0214.A). No modification sought (PP1219).

A representee welcomes revision made to the title of Policy R2. No modification sought (PP0603). However, another believes that the tone of the text describing the majority of rural areas as 'Elsewhere' implies that these areas are of lesser worth. The importance of transport infrastructure to these areas and community amenities as hubs of community life should be given more weight in the Plan (PP0720).

Policy R2 is overly restrictive and imposes unreasonable requirements with very little evidence to support the justification (PP1249 and PP1306). Paragraph R2.1 to R2.3 implies that development in the countryside is to be assessed against the requirements and implications as if it were green belt and/or a special landscape area, therefore setting an exceptionally high barrier to new development. This approach essentially limits growth in areas that could potentially accommodate new development, subject to detailed policy considerations (PP1249).

The wording of the policy should be amended so that it affords much greater scope for small-scale development to take place subject to compliance with other policies. Paragraph R2.2 applies the same tests to new development anywhere in the countryside as it would in either the green belt or coastal zone. The extent of restriction in this policy means it functions as a de facto green belt policy. Small-scale development in the countryside is an important source of business for SME builders and also helps support smaller settlements. This blanket restriction on development in the countryside runs counter to the Scottish Government's focus on rural repopulation. It will deny much needed opportunities to SME homebuilders which are facing an already difficult time. It could be argued that an "overly protective and relatively static approach to planning for

rural areas across much of rural Scotland” has been created. The wording of the policy should be amended so that it affords much greater scope for small-scale development to take place subject to compliance with other policies. The representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

A representee has requested the addition of a new policy titled “Sustainable self-build houses” to allow more self-build homes within 500 metres of settlements. This would be in line with Section 8 of the PLDP, which says they will be promoted, and supports Garioch Area Committee agreement on 3 September 2019 that the LDP would encourage this. In addition, self-build homes can go beyond the requirements of Policy C1 Using Resources in Buildings and would encourage the delivery of housing that meets the highest possible standards in terms of sustainability, well-being and design in line with the PLDP’s vision of promoting Aberdeenshire as “an area with a high quality of life ... and help deliver sustainable, low carbon places.” (PP0052).

A representee has requested the addition of a new policy titled “Special needs and age exclusive retirement housing”. The representee states that there is a lack of suitable age exclusive retirement housing in Aberdeenshire to meet the needs of an increasing ageing population. There are some examples of retirement living developments in Aberdeenshire, but these are limited and do not meet underlying need. The importance of easily accessible single storey housing for elderly people close to services was identified as well as Scottish Government reports identifying the importance of elderly people leading independent lives in specialist housing. The representee has included an Appendix (RD0149.A) in their representation which provides further detail to support their position (PP0812).

Redevelopment of Rural Brownfield Sites

Three representees have suggested that the definition of brownfield does not accord with that of SPP and the definition provided in the PLDP is too constraining (PP0722, PP0790 and PP0821). The representees have included an Appendix (RD0141.A and RD0151.A) in their representation which provides further detail to support their position (PP0790 and PP0821).

Echt and Skene Community Council has raised concern that the meaning of brownfield could be misconstrued at present with the potential for a developer to argue that a disused agricultural hardstanding is not subject to the exclusion. They suggest removing the word “being” from the 9th line to clarify that land used for storage purposes is not considered brownfield, whether or not it is still in use (PP1024).

Paragraph R2.4

BCC has welcomed protection for long-term naturalised brownfield sites but believe that the policy requires significant change to make it workable (PP0863).

The promotion of brownfield land is welcomed and in accordance with sustainability principles but many of the additions to the policy are actually contrary to sustainability principles. Any brownfield development will bring environmental improvement and the additional requirement for the improvement to be significant is both subjective and superfluous in paragraph R2.4. The representee has included an Appendix (RD0141.A) in

their representation which provides further detail to support their position (PP0790).

Whilst there is a balance to be struck in allowing biodiversity and helping combat climate change, the proposed approach seems overly restrictive and potentially counter-intuitive to the brownfield first approach. It would be better to consider a naturalised site for development if it could be demonstrated there would be more of a 'biodiversity net gain' when compared to the option for a new site (PP0716).

BCC has suggested that paragraph R2.4 should note that a brownfield site may have wall remnants that could provide valuable habitat for invertebrates, lichens, etc. and should merit, being described as 'naturalised' (PP0863).

BCC has also suggested that the term 'significant use' in footnote 4 for paragraph R2.4 should be defined (PP0863).

BCC has suggested that paragraph R2.4 should be revised to be less subjective and vulnerable to challenge as there are various stages of naturalisation and not all sites will be of significant nature conservation value. BCC add that naturalised brownfield sites are at risk from clearance from developers prior to a planning application because the habitat/biodiversity is not protected by a designation (PP0863).

Paragraph R2.6

Echt and Skene Community Council has suggested including the words 'of brownfield sites' into paragraph R2.6 as without this change the paragraph could be used out of context to justify redevelopment of modern farm buildings or other non-domestic buildings that are specifically excluded from the definition of brownfield in the glossary (PP1024).

BCC has suggested that there is a risk of developers extending the area of a brownfield site onto adjacent land and this scenario could bring the proposed development into conflict with other LDP policies. Revised wording has been provided (PP0863).

Paragraph R2.7

It is believed that paragraph R2.7 is potentially too restrictive. Given the cost of delivery, particularly in challenging times, this approach may be prohibitive. It might be better to suggest that where development is brought forward individually, it should not detract from the collective environment (PP0716).

Echt and Skene Community Council has suggested adding text to clarify that employment proposals for larger brownfield sites should be promoted through an allocation in the LDP (PP1024).

Paragraph R2.8 to R2.9

BCC has suggested that the number of homes allowed under paragraphs R2.8 and R2.9 should be limited to three in all rural locations, otherwise developers will apply for the maximum number of units for a development site, and in remote locations this will encourage the use of private cars which has implications for climate change and safety issues for other road users (PP0863).

A representee has indicated that the policy is excessively onerous considering that development of brownfield sites and rural population are key government aims. The wording of the policy test is unreasonable and should be amended. Proof 'beyond reasonable doubt' is not a phrase which is suited to planning, it is the burden of proof used in criminal law. It is incompatible with the presumption in favour of sustainable development and Scotland's flexible planning system which gives due weight to net economic benefit (SPP, paragraph 29). The reference to "where the Planning Authority is satisfied" leaves too much unsaid. The LDP needs to explain clearly what will satisfy the Planning Authority so communities and prospective applicants have that clarity. Deferring the decision on what is satisfactory until the determination of planning applications is not consistent with a Plan led approach. The PLDP should clearly set out its policy requirements. The risk of suburbanisation does not seem particularly relevant to a policy which in specific circumstances only allows development of up to 7 homes on brownfield sites. The representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

A representee has objected to the 7-home cap. If brownfield sites, which are sustainable become available over the Plan period they should not be required to wait until the next LDP to be considered for development. Long periods of vacancy can add further to the costs of redevelopment and planning policy should avoid inadvertently contributing to this. The representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

Paragraph R2.10

In paragraph R2.10 the clarification of what must be evident on inspection is welcomed but could benefit from expansion. The presence of building work such as foundations, and floor slabs are equally significant. The representees have included an Appendix (RD0141.A and RD0151.A) in their representation which provides further detail to support their position (PP0790 and PP0821).

The introduction of development not requiring to, replicate the same footprint is welcomed in paragraph R2.10. However, the requirement that the development needs to be contained within a defined curtilage is vague and confusing. There needs to be better clarification on what the policy intends. The representees have included an Appendix (RD0141.A and RD0151.A) in their representation which provides further detail to support their position (PP0790 and PP0821).

Paragraph R2.11 to R2.14 (Organic Growth of Settlements)

A representee has suggested that the policy text should be revised to accord with the recommendation set out in the Issues and Actions Paper, that a criteria-based approach should be taken to small-scale organic growth, rather than limiting to a list of settlements outlined in Planning Advice (PP0035).

A representee has requested removal of the first sentence of paragraph R2.11 (PP1306). Another representee has suggested that the addition of 5 homes should be permitted during any Plan period (PP0663). Representees have included an Appendix (RD0102.A and RD0259.A) in their representation which provides further detail to support their position (PP0663 and PP1306).

A representee has indicated that they believe paragraphs R2.11 to R2.14 are overly restrictive and not compatible with the presumption in favour of sustainable development. It should not be the sole responsibility of the Planning Authority to identify a need, an applicant may be capable of demonstrating this need and therefore it can be assessed on that basis (PP1249).

Two representees have requested removal of the phrase 'beyond all reasonable doubt' from paragraph R2.11 (PP1249 and PP1306). One representee has suggested amended wording to give more balanced meaning (PP1249). Another has indicated that the term is not suited to the planning system and is unclear and unworkable (PP1306). The representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

Other representees have also sought clarity. Paragraph R2.12 talks generally about only settlements without an opportunity site being considered under this policy. To simplify the policy, it should state that organic growth is acceptable in all settlements on a site within 200m of the edge of the settlement and no more than 20% growth in the Plan period. The representees have included an Appendix (RD0141.A and RD0151.A) in their representation which provides further detail to support their position (PP0790 and PP0821).

The term 'footpath' to be an inadequate and outdated term, which does not meet the requirement to have a multi-use active travel route available for citizens to travel safely. The LDP requires to be explicit that any new development must be linked by full specification active travel links that are separate from vehicular access and as such provide a safe means of travelling to and from the development by walking, wheeling and cycling (PP0881).

NatureScot has suggested amending the last sentence in paragraph R2.13 to using the phrase "paths and/or active travel routes", rather than only 'footpaths' as that covers a broader spectrum, including segregated cycle lanes on or off road or even quieter roads as active travel routes. The word 'footpath' is not the best choice of word within the Plan as it could be perceived as implying restricted use, although note some Councils use the term "footway" as this is a roads definition for pavements associated directly with a road (RD0255.B) (PP1300).

A representee has sought clarity with regard to the list of settlements where this policy will apply (PP0437). The Plan should identify more settlements where either allocated or organic growth could occur (PP1286). The representee has included an Appendix (RD0241.A) in their representation which provides further detail to support their position (PP1286).

A representee has requested that Bridge of Canny be identified as a settlement suitable for small-scale organic growth. The representee has included an Appendix (RD0141.A) in their representation which provides further detail to support their position (PP0790).

A representee has requested that Birsemore be identified as a settlement suitable for small-scale organic growth. The representee has included Appendices (RD0166.A, RD0166.B, RD0166.C and RD0166.D) in their representation which provides further detail to support their position (PP0900).

A representee has requested that Cluny be identified as a settlement suitable for small-scale organic growth (PP0034).

A representee has requested that Crathes be identified as a settlement suitable for small-scale organic growth. The representee has included an Appendix (RD0141.A) in their representation which provides further detail to support their position (PP0790).

A representee has requested that Inchmarlo be identified as a settlement suitable for small-scale organic growth. The representee has included an Appendix (RD0141.A) in their representation which provides further detail to support their position (PP0790).

A representee has requested that Hirn be identified as a settlement suitable for small-scale organic growth. The representee has included an Appendix (RD0141.A) in their representation which provides further detail to support their position (PP0790).

A representee has requested that Lethenty be identified as a settlement suitable for small-scale organic growth. The representee has included an Appendix (RD0241.A) in their representation which provides further detail to support their position (PP1286).

A representee has requested that Lyne of Skene be identified as a settlement suitable for small-scale organic growth. The representee has included an Appendix (RD0102.A) in their representation which provides further detail to support their position (PP0663).

A representee has requested that Tillybirloch be as a settlement suitable for small-scale organic growth (PP0612).

A representee has requested that Tillyfourie be as a settlement suitable for small-scale organic growth. The representee has included Appendices (RD0121.A, RD0121.B, RD0121.C and RD0121.D) in their representation which provides further detail to support their position (PP0723).

A representee has requested that Wester Beltie be identified as a settlement suitable for small-scale organic growth. The representee has included Appendices (RD0096.A, RD0096.B and RD0096.C) in their representation which provides further detail to support their position (PP0601).

A representee has requested that Wester Ord be identified as a settlement suitable for small scale organic growth. The representee has included an Appendix (RD0151.A) in their representation which provides further detail to support their position (PP0821).

A representee has requested that Woodlands of Durriss not be identified as a settlement suitable for small-scale organic growth. The representee has included Appendices (RD0167.A, RD0167.B and RD0167.C) in their representation which provides further detail to support their position (PP0901).

Paragraph R2.15 (Single Homes Associated with Retirement Succession of an Agricultural Holding)

In paragraph R2.15 it is not understood why this policy is restricted to family succession; many farmers do not have the ability to do that. It is also not appreciated why the retirement house needs to be within or in the immediate vicinity of the main farm hub. This

may not always be the best location in terms of siting and having regards to factors such as servicing, connectivity and environmental impacts. The representee has included an Appendix (RD0141.A) in their representation which provides further detail to support their position (PP0790).

Paragraph R2.16 to R2.17 (Extensions to Clusters/Housing Groups)

BCC believes the term 'cluster' is more firmly defined in terms of cohesiveness of the layout. BCC has suggested this could possibly be achieved using supplementary guidance (PP0863).

The boundary between the Remote Rural Area and Accessible Rural Area should be revised to the current LDP boundary line based on the Housing Market Areas, or alternatively a separate clause allowing more restricted extensions to clusters within the Accessible Rural Area i.e., a maximum of 1 additional house per Plan period to clusters of 5-10 houses or similar (PP0436).

A representee has suggested that the policy provision should be applicable in both the accessible and remote rural areas (PP0790 and PP0821). Another representee has requested that the cluster policy be extended across a wider area and provide a criteria-based policy that identifies where such growth could be considered appropriate (PP1286). The representees have included an Appendix (RD0141.A, RD0151.A and RD0241.A) in their representation which provides further detail to support their position (PP0790, PP0821 and PP1286).

Text defining what is an acceptable cluster is too constraining as it rules out infill development. A cluster might be a group of up to 10 houses whereas a settlement would be any group comprising more than 10 homes. If accepted there is no need for text in R2.17. The representees have included an Appendix (RD0141.A and RD0151.A) in their representation which provides further detail to support their position (PP0790 and PP0821).

Concern has been expressed regarding proposed policy changes which are more permissive than in the LDP 2017. Expanding clusters have an adverse impact on rural settings, in particular if prominent and if have an urban influence. The Alford area should be exempt from the application of the clusters policy, particularly around the Little Endovie cluster (PP0619).

Text should be added to the policy to require that extensions to clusters should not erode the setting of a listed building (PP0619).

In paragraph R2.16 replace 'the extension of' with 'addition of individual houses to' as the actual extension of the group/cluster should not be encouraged. Rather infill should very much be the justification on almost every occasion and not simply 'in most cases' (PP0891).

In paragraph R2.16 replace 'Clusters' with 'Houses in clusters'. The existing wording refers to relationships between groups rather than what is required to constitute a cluster or group (PP0891).

Reduce the scale of development permissible from 3 to 2 homes. A potential 60%

increase to the size of a small group of houses is not justifiable (PP0891).

BCC has suggested that paragraph R2.17 should specify a maximum of one additional home to an existing road frontage during the Plan period, with other cluster/group additions permitted on infill plots. BCC has raised concern that allowing extensions to clusters/housing groups risks contributing to future ribbon development and suggesting revisiting the policy to prevent ribbon development (PP0863).

In paragraph R2.17 delete 'to' between 'not' and 'exceed' for grammatical purposes (PP0891).

In paragraph R2.17 insert, "(which may comprise two or three clusters in close proximity rather than a single larger cluster)" after 'groups' in the third sentence. The policy should prohibit artificial separation of clusters which may not all relate well to each other, but which nonetheless make up a large group to which further additions should not be made. Particularly in the situation where it was arbitrarily determined that my own house and my immediate neighbours were closely related to houses at the far side of two fields but not to a closer group of houses, simply to allow additions to be made to it (PP0891).

In paragraph R2.17 insert ", unless special justification can be provided," as the actual extension of the group/cluster should not be encouraged: rather infill should very much be the justification on almost every occasion and not simply 'in most cases' (PP0891).

In paragraph R2.17 insert at the end of the last sentence, "and the amenity of the existing houses therein". Development should respect the fact that the group is in a supposedly remote country area (PP0891).

Paragraph R2.18 and R2.19 (Employment Proposals)

The limit placed on employment proposals in the accessible area to be on brownfield sites only seems overly restrictive. It is suggested that the constraints in paragraph R2.19 give sufficient flexibility to determine whether employment proposals would be acceptable in both the accessible and remote rural areas (PP0716 and PP0790). The representee has included an Appendix (RD0141.A) in their representation which provides further detail to support their position (PP0790).

In relation to Policy R2.19 the focus here on public transport for remote rural employment proposals is unrealistic (PP0716).

Echt and Skene Community Council has suggested amending the structure of paragraph R2.19 to ensure that the requirements for employment sites to be in keeping with surroundings, demonstrate there are no other suitable sites and be accessible by foot, bicycle and/or public transport should apply in all rural areas outwith settlements, rather than only remote rural areas as it currently suggests (PP1024).

Policy R3 Minerals

General

SEPA has confirmed that they have no issues with Policy R3 (RD0214.A). No modification sought (PP1219).

The requirements should not apply in circumstances where a borrow pit to supply aggregate is proposed as an integral part of another development e.g., wind farm (PP0421, PP0463, PP0589, PP0597, PP0640 and PP0736). Representees have included an Appendix (RD0087.A and RD0092.A) in their representation which provides further detail to support their position (PP0589 and PP0597).

The Scottish Government has indicated that Policy R3 should contain a statement around the maintenance of a minerals landbank, outlining that the Plan has identified at least 10 years of construction aggregate to accord with SPP paragraph 238 (PP0578).

Paragraph R3.1

A representee has requested inclusion of an additional bullet point regarding environmental statements to make it clear that this is part of the minimum requirement to support an application, without it there is ambiguity. Requirement to provide a carbon impact assessment is also required to understand how developments comply with sustainable development goals. Policy should make it clear that there is a presumption against peat extraction – the sentence proposed would give clarity for commercial developers and the public that such developments would not be supported (PP1268).

Paragraph R3.2

A number of representees, including NatureScot (RD0255.B), have suggested amending the first sentence in paragraph R3.2 to align the terminology with the changes effected by The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, noting that the term used is now Environmental Impact Assessment report rather than Environmental Statement (PP0463, PP0640 and PP1300).

The requirement for an environmental statement (now termed an EIA Report) may identify significant environmental effects. However, a significant effect that a renewable energy development may have, does not make the proposal unacceptable in land use or policy terms. Paragraph R3.2 should be amended to allow for renewable energy developments to be acceptable even if there is a significant environmental effect (PP0421, PP0463, PP0597 and PP0640). The representee has included an Appendix (RD0092.A) in their representation which provides further detail to support their position (PP0597).

NatureScot has suggested amending footnote 10 in paragraph R3.2, which relates to “disturbance of carbon rich soils” to reflect the correct definition of carbon rich soils in the Carbon rich soils, deep peat and priority peatland habitat mapping: Consultation analysis report published by Scottish Natural Heritage in 2016 (RD0255.B) (PP1300).

NatureScot has queried whether the Council wishes to reflect the same focus upon Classes 1 and 2 in paragraph R3.2 (i.e., in the bullet point) or retain the wider scope, noting the Council’s policy at C3.1. NatureScot has stated that the 2016 SNH map does not provide information on the significance of any possible impacts on development but was to enable Planning Authorities to map carbon rich soils, deep peat and priority peatland habitat in a consistent manner for the preparation of spatial frameworks for onshore wind farms – and meet the requirements of Table 1 in SPP (RD0255.B) (PP1300).

Nestrans has noted that it is expected that transport impacts would require to be fully assessed within any environmental statement. They request that “transport impacts” is added to the bullet point list (RD0227.A) (PP1241).

Paragraph R3.2 should add that the loss of ancient woodland is unacceptable as it is an irreplaceable habitat and the loss of it cannot be mitigated against. The representee has included an Appendix (RD0160.A) in their representation which provides further detail to support their position (PP0877).

Paragraph R3.4

Additional text is required to be added to paragraph R3.4 to clarify that development will not be permitted if it negatively impacts on ancient woodland which is part of the natural heritage and environment. The representee has included an Appendix (RD0160.A) in their representation which provides further detail to support their position (PP0877).

Paragraph R3.5

A representee has noted that in all cases financial guarantees will be required to ensure that the agreed mitigation, site restoration or habitat enhancement is delivered, and the cost does not fall on public authorities. It is suggested that “where appropriate” is removed from the policy text (PP1269).

Policy R4 Hill Tracks

A representee has indicated that they only support development involving hill tracks if it can be justified and satisfactorily integrated in the landscape respecting existing and historic pathways. No modification sought (PP0659).

A representee believes that the current wording does not make it clear if the policy relates to hill tracks or development involving hill tracks. It should be made clear that it is the need for the hill track itself which needs to be justified, rather than wider aspects of a development which may be acceptable. It is suggested that reference to species should be included in the last sentence to emphasise the need to minimise impacts on both habitat and particular species. The Mitigation Hierarchy – to avoid, minimise and as a last resort compensate for the impacts of development – needs to be followed, and this includes avoiding and minimising impacts on species (PP1270).

A typographical error is noted in paragraph R4.1 which should read, “carbon rich soils” rather than “carbon risk soils” (RD0214.A) (PP1219 and PP1270).

Onshore wind farms can involve extensive networks of tracks associated with construction and maintenance. Clarity is required to state that Policy R4 does not apply to renewable energy proposals (PP0421, PP0463, PP0589, PP0597, PP0640 and PP0736). Representees have included an Appendix (RD0087.A and RD0092.A) in their representation which provides further detail to support their position (PP0589 and PP0597).

Shaping Development in the Countryside Policy Map

The boundary between the remote and accessible rural areas in the policy map is not

clear. The representees have included an Appendix (RD0023.A, RD0023.B, RD0141.A and RD0151.A) in their representation which provides further detail to support their position (PP0189, PP0790 and PP0821).

Modifications sought by those submitting representations:

Shaping Development in the Countryside Introduction

Modify the PLDP to add a new paragraph in the policy introduction to read, “In addition to housing and business, the countryside is an essential host to renewable energy developments to tackle climate change and deliver rural diversification. While specialist policies later in this Plan detail how any such proposals should be considered, the overall principle of renewable energy is supported in the countryside, subject to meeting site-specific qualifying criteria.” (PP0603).

Modify the PLDP to place a greater emphasis on promoting footpaths, cycleways and active travel networks both within communities and their vicinities and between adjacent communities (PP0884).

General

Modify the PLDP to amend policies R1 and R2 to permit renewable energy development in the green belt and coastal zone (PP0421, PP0463, PP0589, PP0597, PP0640, PP0736 and PP1188).

Modify the PLDP to amend policies R1 and R2 to indicated that development proposal on PAL will not be permitted (PP0863).

Modify the PLDP to amend Policy R2 to highlight the need for development in rural areas to be easily accessible by public transport and linked to health centres (PP1222).

Policy R1 Special Rural Areas

Modify the PLDP to amend Policy R1 to include a criteria that allows consideration for development that contributes to meeting a shortfall in the housing land supply and that can meet the needs of smaller communities where development and economic growth may have been historically constrained (PP1249).

Modify the PLDP to amend Policy R1 to promote a positive approach towards small-scale development (PP1306).

Paragraph R1.1

Modify the PLDP to amend paragraph R1.1 to read, “Opportunities for development will be restricted in the green belt and coastal zone to reflect the special nature of these areas.” (PP0603).

Modify the PLDP to amend paragraph R1.1 to read, “Opportunities for development will be restricted in the green belt and coastal zone to small-scale development which reflects the special nature of these areas.” (PP0886, PP0887, PP0942, PP1024 and PP1191).

Modify the PLDP to add text to paragraph R1.1 to read, “We will only allow development if it is essential and cannot be located elsewhere.” (PP0886, PP0887, PP0942 and PP1191).

Modify the PLDP to amend paragraph R1.1 to promote the positive benefits of the green belt (PP0607).

Paragraph R1.2

Modify the PLDP to amend paragraph R1.2 to include strong wording in relation to woodlands, similar to that included in paragraph R1.3 (PP0879).

Modify the PLDP to amend paragraph R1.2 to read, “In the green belt the following developments are supported, provided they comply with other relevant policies and do not have an adverse impact on biodiversity and the natural environment.” (PP1267).

Modify the PLDP to amend the first bullet point of paragraph R1.2 to read, “development that is required for agriculture...” (PP1267).

Modify the PLDP to allow the development of multiple huts without the need to be part of a tourism proposal (PP0716).

Modify the PLDP to amend the third bullet point of paragraph R1.2 to read, “development identified as a national priority in the National Planning Framework or serving an established need (such as appropriately sited renewable energy installations), where no other suitable site is available.” (PP0603).

Modify the PLDP to amend the third bullet point of paragraph R1.2 to clarify that “national priority” is intended to include national developments outlined in NPF3 (PP0822).

Modify the PLDP to remove footnote 2 and amend the fourth bullet point of paragraph R1.2 to read, “intensification of an established non-domestic use subject to the new development being of a suitable form and of a scale that may be contained entirely within the existing curtilage.” (PP0863).

Modify the PLDP to amend the fourth bullet point of paragraph R1.2 to read, “intensification of an established use subject to the new development being of a suitable small-scale and form.” (PP1024).

Modify the PLDP to remove the fifth bullet point of paragraph R1.2 (PP1306).

Modify the PLDP to add a new bullet point to read, “infrastructure, landscape, drainage and other ancillary works essential to the delivery of adjoining development.” (PP0751).

Paragraph R1.3

Modify the PLDP to amend paragraph R1.3 to read, “In the coastal zone development must require a coastal location or there must be clear social, economic, environmental or community benefits arising.” (PP0603).

Paragraph R1.5

Modify the PLDP to add a new bullet point under paragraph R1.5 to read, “non-permanent renewable energy development such as ground mounted solar PV schemes, where it can be designed in such a way that biodiversity will be enhanced, and the landscape impact is minimal or can be mitigated. A statement may be required setting out the reasons why a green belt location is optimal for the project. Any such proposal will also need to demonstrate that it accords with the overriding objectives of the green belt.” (PP0603).

Modify the PLDP to amend paragraph R1.5 to outline that development will only be acceptable where there is no increase in vulnerability to flood risk, and that any conversion or new development must be in line accordance with SEPA Flood Risk and Land Use Vulnerability Guidance as referenced by SPP (PP1219).

Appendix 4 Boundaries of the Green Belt

Modify the PLDP to widen the green belt in key locations (PP0607).

Modify the PLDP to reinstate the green belt designation on land subject to proposed sites OP1 and OP2 at Potterton (see Schedule 4 Issue 26: Potterton).

Modify the PLDP to extend the green belt towards Belhelvie (PP0886 and PP0887).

Modify the PLDP to extend the green belt to protect Westhill, Kirkton of Skene, Garlogie and Wester Ord (PP0523).

Modify the PLDP to exclude land subject to bid site KN057 from the green belt (PP0684).

Modify the PLDP to exclude land subject to bid site KN082 from the green belt (PP0679).

Modify the PLDP to exclude land subject to bid site KN101 from the green belt (PP1276).

Modify the PLDP to exclude land subject to bid site KN124 from the green belt (PP0956).

Modify the PLDP to exclude land to the north of Greenlaw Road, Chapelton from the green belt (PP0751).

Modify the PLDP to exclude land west of the Mains of Drum Garden Centre from the green belt (PP0478 and PP0557).

Appendix 5 Coastal Zone

Modify the PLDP to undertake a review of the coastal zone prior to adoption of the Plan (PP0765).

Modify the PLDP to remove land at the Waterside Hotel, Peterhead from the coastal zone (PP0764).

Modify the PLDP to reinstate the coastal zone designation at Blairton Farm (PP0871).

Modify the PLDP to remove land at Burn of Daff, Downies from the coastal zone (PP0454).

Modify the PLDP to move Map 33 to its correct geographical position and follow Map 30 (PP1314).

Policy R2 Development Proposals Elsewhere in the Countryside

General

Modify the PLDP to replace the title of Policy R2 to replace the word “elsewhere” to a term that gives value to rural areas (PP0720).

Modify the PLDP to amend paragraphs R2.1 to R2.3 to consider development that meets an identified need and does not assess it against the same policy restrictions as it would green belt and/or special landscape areas (PP1249).

Modify the PLDP to amend Policy R2 so that it affords much greater scope for small-scale development to take place subject to compliance with other policies (PP1306).

Modify the PLDP to amend Policy R2 to add the following paragraph, “Sustainable self-build houses – In order to promote self-build houses, and also to encourage the delivery of housing that meets the highest possible standards in terms of sustainability, well-being and design, we will support the development of self-build opportunities close to settlements (within 500m of a settlement boundary) where these demonstrate exemplary design or sustainability credentials, for example through meeting the passivhaus standard, the WELL standard, or achieving a BREAM rating of excellence or above.” (PP0052).

Modify the PLDP to amend Policy R2 to add the following paragraph, “Special needs and age exclusive retirement housing – The development of new homes, in order to meet defined housing needs not presently being met on allocated sites or elsewhere in settlements may be supported in accessible locations within the defined countryside subject to the need for the development being established, the scale/nature of the development being compatible with both the subject site and the surrounding area, and required infrastructure/services being available/able to be made available. Provision for age exclusive retirement housing (60+), with or without additional support services, may be supported but only where the form of the housing proposed is specifically designed for retirement living and the age exclusive restriction is binding for future occupation.” (PP0812).

Redevelopment of Rural Brownfield Sites

Modify the PLDP to align the glossary definition of brownfield development/land/sites with SPP (PP0722, PP0790 and PP0821).

Modify the PLDP to remove “being” from the 9th line of the glossary definition of brownfield development/land/sites (PP1024).

Paragraph R2.4

Modify the PLDP to remove the word “significant” from paragraph R2.4 (PP0790).

Modify the PLDP to amend paragraph R2.4 to state that a naturalised site will not be

available for redevelopment where the biodiversity net gain is higher in its naturalised state, than can be derived from being redeveloped (PP0716).

Modify the PLDP to extend the definition of “naturalised” to include wall remnants (PP0863).

Modify the PLDP to define what is meant by “significant” in the footnote associated with paragraph R2.4 (PP0863).

Modify the PLDP to make paragraph R2.4 less subjective and vulnerable to challenge (PP0863).

Paragraph R2.6

Modify the PLDP to amend paragraph R2.6 to read, “We will permit small-scale development of brownfield sites that involves the conversion or replacement of redundant or derelict non-domestic building(s) or the redevelopment of vacant land.” (PP1024).

Modify the PLDP to add text at the end of paragraph R2.6 to read, “Development permitted under this policy should not extend beyond any part of the original curtilage boundary.” (PP0863).

Paragraph R2.7

Modify the PLDP to make paragraph R2.7 less restrictive (PP0716).

Modify the PLDP to add text at the end of paragraph R2.7 to read, “Employment proposals for larger brownfield sites should be promoted through allocation of an opportunity site in the Local Development Plan.” (PP1024).

Paragraph R2.8 to R2.9

Modify the PLDP to remove paragraphs R2.8 and R2.9 (PP0863).

Modify the PLDP to amend paragraph R2.8 to read, “Proposals for more than three new homes on larger rural brownfield sites will only be permitted where a larger development can be accommodated on the site where the scale of development proposed will not cause adverse social or environmental impacts.” (PP1306).

Modify the PLDP to amend paragraph R2.9 to read, “It is anticipated this policy will be primarily apply to smaller windfall sites of less than 12 homes. Sites capable of accommodating 8 or more homes should be promoted through allocation of an opportunity site in the Local Development Plan. However, we recognise that in some cases larger brownfield sites may become available for development in between reviews of the LDP, these will be considered on their own merits.” (PP1306).

Paragraph R2.10

Modify the PLDP to expand what should be visible upon inspection e.g., presence of building work such as foundations, and floor slabs are equally significant (PP0790).

Modify the PLDP to clarify what is intended by a “defined curtilage” (PP0790 and PP0821).

Paragraph R2.11 to R2.14 (Organic Growth of Settlements)

Modify the PLDP to amend paragraphs R2.11 to R2.14 to clarify that a criteria-based approach is to be taken to the small-scale organic growth of settlements in rural areas outwith the green belt and coastal zone (PP0035).

Modify the PLDP to remove the first sentence of paragraph R2.11 (PP1306).

Modify the PLDP to allow 5 homes to be permitted as organic growth during the Plan period (PP0663).

Modify the PLDP to amend paragraph R2.11 to read, "...a particular need for development has been established by the Planning Authority and/or applicant." (PP1249).

Modify the PLDP amend paragraph R2.11 to read, "Proposals should be considered against development plan policies and adverse impacts balanced with benefits to establish the suitability of development, allowing for organic growth." (PP1249).

Modify the PLDP to remove the term "beyond all reasonable doubt" from paragraph R2.11 (PP1306).

Modify the PLDP to amend paragraph R2.12 to permit organic growth in all settlements, not just those without an opportunity site for housing (PP0790 and PP0821).

Modify the PLDP to amend paragraph R2.13 to refer to "active travel links" rather than "footpath connections" (PP0881).

Modify the PLDP to amend paragraph R2.13 to refer to "path and/or active travel route" rather than "footpath" (PP1300).

Modify the PLDP to include a list of settlements where this policy will apply (PP0437).

Modify the PLDP to identify more settlements where either allocated or organic growth could occur (PP1286).

Modify the PLDP to include Bridge of Canny as a settlement suitable for small-scale organic growth (PP0790).

Modify the PLDP to include Birsemore as a settlement suitable for small-scale organic growth (PP0900).

Modify the PLDP to include Cluny as a settlement suitable for small-scale organic growth (PP0034).

Modify the PLDP to include Crathes as a settlement suitable for small-scale organic growth (PP0790).

Modify the PLDP to include Inchmarlo as a settlement suitable for small-scale organic growth (PP0790).

Modify the PLDP to include Hirn as a settlement suitable for small-scale organic growth (PP0790).

Modify the PLDP to include Lethenty as a settlement suitable for small-scale organic growth (PP1286).

Modify the PLDP to include Lyne of Skene as a settlement suitable for small-scale organic growth (PP0663).

Modify the PLDP to include Tillybirloch as a settlement suitable for small-scale organic growth (PP0612).

Modify the PLDP to include Tillyfourie as a settlement suitable for small scale organic growth (PP0723).

Modify the PLDP to include Wester Beltie as a settlement suitable for small-scale organic growth (PP0601).

Modify the PLDP to include Wester Ord as a settlement suitable for small scale organic growth (PP0821).

Modify the PLDP to ensure Woodlands of Durriss is not identified as a settlement suitable for small-scale organic growth (PP0901).

Paragraph R2.15 (Single Homes Associated with Retirement Succession of an Agricultural Holding)

Modify the PLDP to remove the restriction that houses permitted under this policy are not restricted to a family member (PP0790).

Modify the PLDP to remove the requirement for houses permitted under this policy does not need to be sited within or in the immediate vicinity of the main farm hub (PP0790).

Paragraph R2.16 to R2.17 (Extensions to Clusters/Housing Groups)

Modify the PLDP to more firmly define the term “cluster” in regard to cohesiveness (PP0863).

Modify the PLDP to align the Remote/Accessible Rural Area boundary with the current LDP boundary line or allow a more restricted cluster extension within the Accessible Rural Area e.g., 1 additional house per Plan period (PP0436).

Modify the PLDP to amend the PLDP to allow extensions to clusters in the accessible rural areas (PP0790 and PP0821).

Modify the PLDP to amend the PLDP to extend the area where the clusters policy will apply (PP1286).

Modify the PLDP to amend the PLDP to amend the definition of a cluster to a group of up to 10 homes (PP0790 and PP0821).

- Modify the PLDP to exclude application of the clusters policy in the Alford area (PP0619).
- Modify the PLDP to add text to explicitly state that extension to clusters should not erode the setting of a listed building (PP0619).
- Modify the PLDP to amend paragraph R2.16 to substitute replace “the extension of” with “addition of individual houses to” (PP0891).
- Modify the PLDP to amend paragraph R2.16 to replace “Clusters” with “Houses in clusters” (PP0891).
- Modify the PLDP to amend paragraph R2.17 to reduce the ~~saeeel~~ scale of development permissible from 3 to 2 homes (PP0891).
- Modify the PLDP to revise paragraph R2.17 to prevent future ribbon development by specifying a maximum of one additional home to an existing road frontage during the Plan period, with other cluster/group additions permitted only on infill plots (PP0863).
- Modify the PLDP to amend paragraph R2.17 delete “to” between “not” and “exceed” (PP0891).
- Modify the PLDP to amend R2.17 to add, “(which may comprise two or three clusters in close proximity rather than a single larger cluster)” after “groups” in the third sentence (PP0891).
- Modify the PLDP to amend paragraph R2.17 to add, “unless special justification can be provided.” (PP0891).
- Modify the PLDP to amend paragraph R2.17 to insert at the end of the last sentence, “and the amenity of the existing houses therein.” (PP0891).
- Paragraph R2.18 and R2.19 (Employment Proposals)
- Modify the PLDP to amend paragraph R2.18 to remove the restriction that development should take place on brownfield sites (PP0716 and PP0790).
- Modify the PLDP to amend paragraph R2.19 to remove the requirement in respect of public transport (PP0716).
- Modify the PLDP to insert a paragraph break following the first sentence of paragraph R2.19 (PP1024).
- Policy R3 Minerals**
- General
- Modify the PLDP to clarify that Policy R3 would not apply in circumstances where a borrow pit to supply aggregate is proposed as an integral part of another development e.g., wind farm (PP0421, PP0463, PP0589, PP0597, PP0640 and PP0736).
- Modify the PLDP to ensure that Policy R3 contains a statement around the maintenance

of a minerals landbank, outlining that the Plan has identified at least 10 years of construction aggregate (PP0578).

Paragraph R3.1

Modify the PLDP to include an additional bullet point to state that an environmental statement [Environmental Impact Assessment] is required to support a planning application (PP1268).

Modify the PLDP to include an additional bullet point to state that a carbon impact assessment is required to support a planning application (PP1268).

Modify the PLDP to state there is a presumption against peat extraction (PP1268).

Paragraph R3.2

Modify the PLDP to replace the term “Environmental Statement” with Environmental Impact Assessment Report” (PP0463, PP0640 and PP1300).

Modify the PLDP to amend paragraph R3.2 to allow for renewable energy developments to be acceptable even if there is a significant environmental effect (PP0421, PP0463, PP0597 and PP0640).

Modify the PLDP to amend footnote 10 in paragraph R3.2 to read “Carbon rich soil is any soil with a surface organic layer (the O horizon as defined in the Scottish soil classification). In this context, it includes surface layers often referred to as peaty soil and peat soil.” (PP1300).

Modify the PLDP to consider whether “disturbance of carbon rich soils” should focus on Class 1 and 2 peat or retain the current wider scope on SPP, soils (PP1300).

Modify the PLDP to add “transport impacts” to the bullet point list in paragraph R3.2 (PP1241).

Modify the PLDP to add to paragraph R3.2 to recognise that the loss of ancient woodland is unacceptable as an irreplaceable habitat and as such its loss cannot be mitigated against (PP0877).

Paragraph R3.4

Modify the PLDP to add to paragraph R3.4 to clarify that development will not be permitted if it negatively impacts on ancient woodland (PP0877).

Paragraph R3.5

Modify the PLDP to remove “where appropriate” from the opening of paragraph R3.5 (PP1269).

Policy R4 Hill Tracks

Modify the PLDP to amend paragraph R4.1 to read, “We will only allow hill track

development if the need for the track can be justified, satisfactorily integrated in the landscape and it respects existing and historic pathways. Hill tracks will only be permitted if they minimise environmental impacts, such as soil erosion, impacts on habitats and species, water bodies, and on carbon rich soils and a satisfactory maintenance programme has been agreed with the Planning Authority.” (PP1270).

Modify the PLDP to correct a typographical error paragraph R4.1 which should read, “carbon rich soils” rather than “carbon risk soils” (PP1219 and PP1270).

Modify the PLDP to clarify that Policy R4 does not apply to renewable energy proposals (PP0421, PP0463, PP0589, PP0597, PP0640 and PP0736).

Shaping Development in the Countryside Policy Map

Modify the PLDP to clearly identify the boundary between the remote and accessible rural areas (PP0189), perhaps through a larger scale map (PP0790 and PP0821).

Summary of responses (including reasons) by planning authority:

Shaping Development in the Countryside Introduction

The Council welcome comment made by BCC. No change is required.

The Council does not agree with the inclusion of additional text as proposed by a representee. All policies of the Plan apply in the determination of planning applications, where relevant. The primary policy against which proposals involving renewable energy technologies will be determined is Policy C2 Renewable Energy. The Council do not see a need to include policy text referring to renewable energy proposals in Section 7. No change is required.

Section 4 of the PLDP identifies that, “To make efficient use of the transport network, reduce the need to travel and promote walking, cycling, and public transport” is a key objective of the Plan (AD0041.A, page 15, paragraph 4.7). In addition, proposed Policy P1 Layout, Siting and Design requires development designs to be “well connected” promoting active travel (AD0041.A, page 48, paragraph P1.5). The Council do not see a need to repeat this in Section 7. No change is required.

General

As noted above, the primary policy against which proposals involving renewable energy technologies will be determined is Policy C2 Renewable Energy. Proposed paragraph R1.2 is written to accord with paragraph 52 and paragraphs 88 to 91 of SPP (AD0012). SPP does not indicate that onshore renewable energy projects should be permitted in the green belt or coastal zone. Each planning application is determined on its own merits including those proposing renewable energy developments in the coastal zone or green belt. No change is required.

The Council does not agree with BCC that additional text is required in policies R1 and R2 to state that development on PAL will not be permitted. All policies of the Plan apply in the determination of planning applications. Development proposed on land identified as being PAL, will require to be determined against Policy PR1 Protecting Important Resources,

namely paragraph PR1.5 which outlines the circumstances whereby the loss of PAL will be accepted (AD0041.A). The Council do not see a need to repeat this in Section 7. No change is required.

The Council fully acknowledges the comment made by NHS Grampian in terms of the impact that development in the countryside has on health and social care services. As outlined in our response to similar comments made in response to the MIR, the Council appreciates that not all rural areas outwith settlements across Aberdeenshire are readily accessible by public transport. The Council has significant concerns that adding such a requirement as sought by NHS Grampian would reduce the opportunities for housing proposals to come forward in much of rural Aberdeenshire and be counter to SPP. Given the geographical context of Aberdeenshire, balancing this with the aim of supporting rural communities, and the fact that much of Aberdeenshire's public transport relies on privately operated services, it would not be considered appropriate to impose such a requirement on rural development proposals (AD0040.A, page 61). No change is required.

SPP outlines that the purpose of the green belt is to ensure that development is directed to the right locations. For most settlements a green belt is not necessary. Green belts can be designated to support a Plan's spatial strategy by directing development to the most appropriate locations, as mentioned above, and supporting regeneration; protecting and enhancing the character, landscape setting and identity of the settlement; and protecting and providing access to open space (paragraph 49). Amendments to the green belt boundary have rarely been made since the current boundary was identified in preparing the 2012 LDP. Minor amendments have been proposed to account for the spatial strategy and recommendations coming through the MIR Issues and Actions papers in relation to settlements as agreed by Area Committees and ISC in Autumn 2019. The Council has committed to undertaking a full review of the green belt in 2022 to inform a mid-term review of the LDP. This was agreed by Area Committees and ISC (AD0040.A, pages 68 and 70 to 72). No change is required.

Policy R1 Special Rural Areas

The Council does not agree that additional text should be added to allow for development that contributes to meeting a shortfall in the housing land supply. For clarity, the Council confirm that the 5-year effective housing land supply requirement can be met (see Schedule 4 Issue 5: Section 8 – Shaping Homes and Housing – Policy H1 Housing Land and Appendix 6 Housing Land Allocations). No change is required.

The introduction to Section 7 outlines that the Council wish to create a welcoming approach to development in the countryside. By its very nature, Policy R1 is a protective policy, however it is positive in its approach to the types of development that could take place in the green belt and coastal zone, in keeping with paragraph 52 and paragraphs 88 to 91 of SPP (AD0012). No change is required.

Paragraph R1.1

The Council disagrees with the removal of 'small-scale' from the policy text. The MIR (AD0038.A, pages 13 and 14) recognised that the wording used in the LDP 2017 omitted reference to the scale of development that is deemed appropriate in the green belt and coastal zone. The MIR also confirmed that the definition of 'small-scale' would be reviewed (AD0038.A, page 15). These changes were agreed by Area Committees during

Special Meetings conducted in August and September 2019 (AD0040.A). No change is required.

The Council agrees with the suggested amendment provided by Echt and Skene Community Council and others. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not agree that additional text should be added to state that development in the green belt and coastal zone will only be permitted where it is essential and cannot be located elsewhere. The Council believe that the provisions set out in the policy make it entirely clear what types of development will be permitted in these areas. No change is required.

By its very nature, Policy R1 is a protective policy and as such development in the green belt is restricted. Paragraphs R1.1. and R1.2 have been written in accordance with paragraph 52 and paragraphs 88 to 91 of SPP (AD0012). The reasons to designate a green belt are outlined in paragraph 49 of SPP (AD0012). The Council do not see a need to repeat this in the policy text. No change is required.

Paragraph R1.2

The Council are unclear exactly what the representee is seeking in terms of strengthening paragraph R1.2 in relation to woodlands. Both paragraphs R1.2 and R1.3 have been written in accordance with paragraph 52 and paragraphs 88 to 91 of SPP (AD0012). Notwithstanding this, all policies of the Plan apply in the determination of planning applications, including Policy PR1 Protecting Important Resources, paragraphs P1.7 and PR1.8. No change is required.

The Council does not agree with replacing the word 'permitted' with 'supported'. The word 'permitted' is used frequently throughout the PLDP to indicate which development proposals would and would not be supported in policy terms. The Council do not see a distinction in policy terms between the meaning of both words however for consistency the Council would rather retain use of the word 'permitted'. No change is required.

As outlined in Section 1 (paragraph 1.5) of the PLDP, and as already noted above, all policies of the Plan apply in the determination of planning applications (AD0041.A). This includes policies contained within Policy E1 Natural Heritage. The Council do not see a need to repeat this in paragraph R1.2. No change is required.

The Council does not agree with replacing the words 'associated with' with 'that is required for' on the basis that the term 'associated with' is consistent with the wording used in SPP (AD0012, paragraph 52). No change is required.

The Council notes that there was limited response on the matter of hutting to the MIR. The only comment made in respect to the development of huts in Aberdeenshire, expressed support for the Council's view that Aberdeenshire has no significant association with hutting (AD0040.A, page 164). This position was reflected in the recommendations made by Officers that were subsequently considered by Area Committees and the Council's Infrastructure Services Committee. No change is required.

The term 'national priority' has been used in policy relating to green belt and coastal zone

in previous LDPs (2012 and 2017) without any significant misinterpretation. However, the Council recognises that this is not a term specifically referenced in NPF3 with any regularity. 'National priority' is used once in NPF3 in relation to the Central Scotland Green Network which is not of relevance to the Aberdeenshire LDP (AD0004, page 64). Notwithstanding this, NPF3 clearly sets out a number of priorities and actions throughout the document. In addition, the Council notes that SPP paragraph 52 uses the term 'national requirement' (AD0012). For clarity and consistency, if the Reporter is minded, to make an amendment, then the Council recommend that the third bullet point could be modified to read, "development identified as a national requirement, such as a national development or a priority as outlined in the National Planning Framework..."

The Council do not agree that there is a need to remove footnote 2 in favour of elaborating on the text used in the fourth bullet point. The purpose of the footnote is to provide additional information that aids in the interpretation of the policy text and directs users to further guidance, for example. The wording used in the fourth bullet point is consistent with that used in SPP (AD0012, paragraph 52). No change is required.

The Council does not agree that the term 'small-scale' requires to be added to the fourth bullet point. The scale of development permitted under Policy R1 is already clearly stated under paragraph R1.1. There is no need to repeat this in paragraph R1.2. No change is required.

The Council does not agree that the fifth bullet point should be removed. Flexibility, beyond what is outlined in SPP is provided by the fifth bullet point to meet a specific need that has been identified in the Aberdeenshire area. To remove this statement would mean that accommodation for a worker in a primary industry could not be permitted. The Council wish to retain the flexibility afforded by this statement. No change is required.

The Council does not agree that there is a need to include an additional bullet point as suggested by a representee. It is not clear what value the inclusion of this text would provide to the policy text. The Council does, however, agree that paragraph R1.2 omits reference to essential infrastructure being permitted in the green belt as per SPP (AD0012, paragraph 52). If the Reporter is minded, to make an amendment, then the Council recommend that paragraph R1.2 could be modified to include a new bullet point between bullet points three and four to read, "essential infrastructure such as digital communications infrastructure and electricity grid connections".

Paragraph R1.3

The Council agrees with the representee's comment and sees merit in adding 'environmental' to the policy text. The Council confirms that it intends to address the representee's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Paragraph R1.5

The Council does not agree that additional text should be added to refer to non-permanent renewable energy developments. The PLDP includes a policy, Policy C2 Renewable Energy, that already applies to development proposals involving renewable energy technologies. This level of duplication is not required in paragraph R1.5. No change is required.

The matter raised by SEPA is acknowledged and responded to in Schedule 4 Issue 11: Section 13 – Climate Change. No change is required.

Appendix 4 Boundaries of the Green Belt

Comments from SEPA are noted. No change is required.

The Council acknowledges that several respondents seek amendments to either include or exclude land from the green belt. The green belt was a main issue in the MIR. The MIR indicated that as part of pre-MIR engagement with stakeholders, that there was a general feeling that the green belt may need to be reviewed, particularly to account for completion of the Aberdeen Western Peripheral Route. The Issues and Actions papers resulting from the MIR consultation, recognised a need for a review to be undertaken but that resources were not available to undertake a comprehensive review of the green belt prior to publication of the PLDP. Delaying a review of the green belt was not considered to be detrimental to the Spatial Strategy of the PLDP, nor was the existing extent of the green belt considered to fail to align with the objectives of SPP as demonstrated through the Report of Examination for the PLDP 2016 (AD0040.A, page 62 and AD0036, page 59, paragraph 8).

The MIR Issues and Actions papers outlines that only minor changes to the green belt boundary should be made ahead of publication of the PLDP. This was intended to account for any recommendations arising from Issues and Actions papers related to settlements that required amendment to settlement green belt boundaries to be made. This included amendment made to the green belt to account for proposed opportunity sites (OP1 and OP2) at Potterton. This was agreed by Area Committees and ISC (AD0040.A, pages 68 and 70 to 72). Matters related to the proposed OP1 and OP2 sites at Potterton are addressed through Schedule 4 Issue 26: Potterton. The green belt should only be reinstated at this location should the Reporter be minded to, recommend amendment or removal of the proposed sites as a consequence of examining Schedule 4 Issue 26: Potterton.

Through the Issues and Actions papers, commitment was also given to reviewing the green belt in 2022 to inform a mid-term review of the LDP. This was agreed by Area Committees and ISC (AD0040.A, pages 68 and 70 to 72).

Consideration of the need to widen the green belt in key locations and extend the green belt at Belhelvie, Westhill, Kirkton of Skene, Garlogie and Wester Ord will all be addressed through the wider green belt review the Council have committed to undertaking as noted above.

Likewise, areas currently identified as green belt that representees would like to see removed including land subject to development bids in the Kincardine and Mearns area as well as land around Chapelton and Mains of Drum Garden Centre.

The Council believes that the most appropriate time to undertake a full review of the green belt is following publication of NPF4.

In conclusion, no change is required to the boundaries of the green belt.

Appendix 5 Coastal Zone

Comments from SEPA are noted. No change is required.

The Council acknowledges that several respondents seek amendments to either include or exclude land from the coastal zone. The coastal zone was a main issue in the MIR which recognised that a review of its boundary was now overdue (AD0038.A, page 14). The Issues and Actions paper outlined that the existing extent of the coastal zone remains robust and that there had been no material changes since the examination of the current LDP 2017 to alter this position. In making recommendations, the Council have committed to undertaking a full review of the coastal zone. This was agreed by Area Committees (with the exception of the Banff and Buchan Area Committee) and subsequently considered by ISC who agreed with the Officer's recommendation (AD040.A, pages 68 and 70 to 72). The Council believe that the most appropriate time to undertake a full review of the green belt is following publication of NPF4. No change is required.

The Council does not believe there are any errors in the mapping of the coastal zone. The key map is consistent with the detailed maps, including map 30 to 33. The order of the maps does not affect the user's ability to view the boundary or interpret the policy text. No change is required.

Policy R2 Development Proposals Elsewhere in the Countryside

Comments from SEPA are noted. No change is required

The term 'elsewhere' is used in the title of Policy R2 is to indicate that the policy applies to areas outwith the 'special rural areas' i.e., the green belt and coastal zone. It is not intended to suggest that the area outwith the green belt and coastal zone are of lesser worth, but that a more flexible approach to development can be promoted in the parts of Aberdeenshire not identified as green belt or coastal zone. The Council does not believe that the title requires to be amended. No change is required.

The Council believes that paragraphs R2.1 to R2.3 are clear as to the forms of development considered to be appropriate in the countryside. As per the existing LDP policy, the types of development identified as being appropriate in the green belt are also permitted in the wider rural area. The wording of paragraph R2.1 avoids unnecessary duplication of proposed paragraph R1.2. Paragraph R2.3 indicates the Council's measured approach to development in the countryside by introducing a number of other types of development that could be permitted. Policy R2 is supportive of the vision of NPF3 seeking to create a successful, sustainable place through promoting opportunities in rural areas (AD0004, page 1). Policy R2 is supportive of the principles of SPP. SPP has notably moved from advocating a 'positive approach' (AD0077, paragraph 92) to development in the countryside to a position that encourages appropriate development to reflect the sense of place associated with our rural communities and to address specific challenges these places can face (AD0012, paragraph 75, bullet point 2). No change is required.

The Council believes it is appropriate to promote development that is of a small-scale nature in rural areas in order to prevent suburbanisation of the countryside. There are specific circumstances, that are outlined in the PLDP where development of a greater scale may be permitted. No change is required.

The Council does not agree with the suggestion that a specific policy promoting self-build should be included within the Policy R2. Self-build opportunities already exist within the context of the proposed policies. The representee is essentially seeking relaxation of the organic growth policy to allow development within 500m of all settlements rather than 200m of identified settlements. No change is required.

The Council does not agree with the suggestion that a specific policy promoting special needs and age exclusive retirement housing should be included within Policy R2. The PLDP already includes a policy that supports non-mainstream housing proposals for those with disabilities or specialise housing for the elderly (see Policy H3 Special Needs Housing). Paragraph H2.3 also outlines circumstances where self-contained continuing care retirement communities will be permitted. The Council believes that special needs and retirement housing should generally be situated within or in the immediate proximity to settlements, where services and facilities are readily available to support residents of such developments. No change is required.

Redevelopment of Rural Brownfield Sites

The definition of brownfield land in the SPP only states that “The term may cover vacant or derelict land...”, which allows for some flexibility in its interpretation (AD0012, page 71). The Aberdeen City and Shire Strategic Development Plan 2020 excludes “private or public gardens, sports pitches, woodlands or open spaces used for leisure and recreation purposes” and the “grounds of redundant institutions” from its definition of brownfield land (AD0016, page 50). Overall, the uses excluded from the PLDP’s definition of brownfield land are considered appropriate and allows for the right development in the right place. No change is required.

The Council confirms that it intends to address the Echt and Skene Community Council’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

In addition to matters raised by representees, the Council is aware that the Town and Country Planning (General Permitted Development and Use Classes) (Scotland) Amendment Order 2020 will, from 1 April 2021, introduce much wider permitted development rights in respect of the conversion of agricultural and forestry buildings to residential and commercial uses. Due to the timing of the publication of the Order and the submission of the PLDP to Scottish Ministers for examination, the Council has been unable to fully consider any potential implications resulting from the Order in respect of the published content of the PLDP, nor has this been raised directly in representations on the PLDP. If in examining matters raised under this policy provision, the Reporter is minded, to make an amendment to the PLDP as a result of the introduction of the new permitted development rights, then the Council would be happy to enter a dialogue in this regard.

Paragraph R2.4

The Council’s acknowledges BCC’s concern surrounding this policy section. Individual comments received by BCC are addressed in turn below.

The Council agrees with the representee’s comment and sees merit in removing ‘significant’ from the policy text. The Council confirms that it intends to address the

representee's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Paragraph R2.4 is clear that sites that have become naturalised will not be available for redevelopment as a brownfield site. There is no need to introduce any ambiguity to this position. No change is required.

The Council sees merit in the modification sought by BCC to provide clarity. If the Reporter is minded, to make an amendment, then the Council recommend that the Glossary definition of 'naturalised' could be modified to read, "Naturalised: Vacant or derelict land where there is no clear indication of what the previous use of the land was. The land, including any remnants of previous development, has reverted to a natural state or the site appears to have blended back through a degree of vegetation into the surrounding landscape...".

The Council does not agree that the term 'significant use' used in footnote 4 requires to be defined. As alluded to by BCC, naturalised sites provide valuable habitat for invertebrates, lichens, etc, for example. There is no need to elaborate on the contribution that naturalised land can have in nature conservation. No change is required.

The Council appreciates the sentiment behind BCC's comment however the Planning and Environment Service has no authority over any site clearance work undertaken by prospective applicants prior to the submission of a planning application, unless of course this constitutes unauthorised works that would otherwise require planning permission. This is not a matter that can be controlled via planning policy. No change is required.

Paragraph R2.6

The Council confirms that it intends to address Echt and Skene Community Council's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not agree with the change sought by BCC. Paragraph R2.10 already states that development must be contained within a defined curtilage. This applies to all brownfield proposals. No change is required.

Paragraph R2.7

The objective behind paragraph R2.7 is to make the redevelopment of larger brownfield sites less restrictive. The matter of rural brownfield development was a main issue in the MIR (AD0038.A, page 17, Issue 9). The preferred option promoted by Officers was to introduce an element of flexibility to the policy to allow larger brownfield sites to come forward in a planned approach, rather than the piecemeal approach that was being seen where sites were being divided up to come forward incrementally as small-scale development. There were mixed opinions received in response to the MIR, however, on balance it was believed that the preferred approach should be adopted, subject to addressing concerns raised at that time (AD0040.A). It is not anticipated that this policy will be used as a matter of course and only where development of up to 7 homes can be justified. No change is required.

The Council does not support the modification sought by Echt and Skene Community

Council. Employment proposals are promoted on brownfield sites, particularly in the accessible rural area. The scale of development that could be permitted on a larger brownfield site would be determined in accordance with relevant policies of the Plan. No change is required.

Paragraph R2.8 to R2.9

The concerns raised by BCC are recognised. However, this matter was discussed as part of the MIR, as discussed above, and it was agreed that an element of flexibility should be introduced to the policy to allow for a planned approach to be adopted for larger brownfield sites. As previously stated, it is expected that this policy will not be frequently used. Any potential for overdevelopment will be managed through application of Policy P1 Layout, Siting and Design. No change is required.

The Council sees some merit in the modification proposed to paragraph R2.8. However, it would wish to retain part of the original text. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph R2.8 could be modified to include a new bullet point between bullet points three and four to read, "Proposals for more than three new homes on larger rural brownfield sites will only be permitted where a larger development can be accommodated and the scale of development proposed will not cause adverse social or environmental impacts, including suburbanisation of the countryside."

The Council does not agree with the proposed rewording of paragraph R2.9. The proposed wording of paragraph R2.9 makes it clear that sites will be capped at 7 homes and that sites capable of accommodating a greater scale of development should pursue a land allocation in the LDP. Caution has been exercised in preparing the policy text which is believed to strike a balance and provide certainty to communities living in the countryside over the scale of development that could come forward during the Plan period. No change is required.

Paragraph R2.10

The Council does not agree that paragraph R2.10 requires to be expanded upon. The text is clear that at a very minimum, there should be some evidence that a building occupied the site. This will be a matter for physical inspection and will be considered on a case-by-case basis. No change is required.

The PLDP Glossary contains a definition for the term 'curtilage'. The Council considers this to be sufficient. No change is required.

Paragraph R2.11 to R2.14 (Organic Growth of Settlements)

The Council confirms that a criteria-based approach is to be applied to identify settlements considered to be suitable for organic growth. This was the matter identified as a Main Issue in the MIR (AD0038.A, page 17, Issue 8). In considering comments received, Officers recommended moving towards a criteria-based approach for this policy provision. The criteria were agreed through consideration of the Issues and Actions papers (AD0040.A, pages 69-70). It was also agreed that Planning Advice would be prepared to aid interpretation and in which a list of "identified settlements" would be contained. Paragraphs R2.11 to R2.14 are in full alignment with the recommendation contained within

the Issues and Actions papers. No change is required.

The Council does not agree with increasing the scale of development that can be permitted as organic growth. Paragraph R2.13 outlines that the capacity for growth is limited to 20% of the size of the settlement, up to a maximum of 10 homes during the Plan period. This was agreed through consideration of the Issues and Actions Papers arising from the MIR consultation (AD0040.A, page 69). Proposals are restricted to up to 3 homes i.e., small-scale development to ensure that development comes forward in an incremental and organic way as is the intention of the policy. Landowners/ developers with aspirations to develop land adjacent to and in very close proximity to existing settlements should seek an allocation through the Plan-making process rather than using the organic growth policy as a means to achieve a larger scale development. No change is required.

The Council does not agree with amending paragraph R1.11 to state that need can be established by the Planning Authority and/or the applicant. As outlined, the Council intends to use a criteria-based approach to identify settlements suitable for organic growth. A list of settlements deemed to be suitable will be contained in Planning Advice, as alluded to in the PLDP. This Planning Advice will be subject to scrutiny and consultation. As such there is no need to introduce confusion to the policy or dilute the role of Planning Advice in this instance. No change is required.

The Council sees some merit in the modification proposed to paragraph R2.11 in so far as to make the last sentence more succinct. The Council disagrees with the suggestion that the principle of organic growth being permitted should take precedence over consideration of other relevant policies as the current wording provides clarity as the weight that should be given to relevant policies. If the Reporter is minded, to make an amendment, then the Council recommend that the final sentence of paragraph R2.11 could be modified to read, "Organic growth will not be permitted where development would cause an adverse impact that cannot be suitably mitigated [insert footnote to read, "Such as consideration of other relevant policies under Natural Heritage and Landscape and Protecting Resources"]." The Council believe that the suggested revision to text would also satisfy the changes sought by the other representee commenting on this section of the PLDP.

The Council does not believe that organic growth is necessarily appropriate in all settlements. There are many reasons why a settlement might not be suitable for this type of development proposal. This has been captured in the criteria that is to be applied to identify settlements where organic growth might be permitted (see Issues and Actions papers (AD0040.A, page 69-70)). Such an amendment would result in significant numbers of houses coming forward in an unplanned manner. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications. The Council believe that the revised text provided by NatureScot would also satisfy the change sought by the other representee commenting on this section of the PLDP.

In previous LDP's the Council has included an Appendix that lists settlements considered to be suitable for organic growth. The Appendix forming part of the LDP is fixed for the Plan period, even though it is possible that the capacity for growth may indeed be fulfilled. In order to provide clarity and to introduce a degree of flexibility during the Plan period, the Council has indicated in paragraph R2.14 of the PLDP, that the list of settlements will be

included as part of Planning Advice. Planning Advice is to be prepared by the Council in due course with a list of “identified settlements” to be created using the criteria agreed by the Elected Members in considering the Issues and Actions papers. Preparation of the Planning Advice will take into account all settlements in Aberdeenshire, including those identified by representees in response to the PLDP namely, Bridge of Canny, Birsemore, Cluny, Crathes, Inchmarlo, Hirn, Lethenty, Lyne of Skene, Tillybirloch, Tillyfourie, Wester Ord and Woodlands of Durris). No change is required.

Paragraph R2.15 (Single Homes Associated with Retirement Succession of an Agricultural Holding)

As outlined in the Issues and Actions papers (AD0040.A, page 66) legislation exists that outlines who can succeed to an agricultural holding in Scotland. It is noted that there is no explicit requirement stated in paragraph R2.15 that succession need to be by family members. However, in the interest of consistency with current legislation it is considered appropriate to restrict the policy to allow for the erection of a new house on a viable farm unit where the applicant is retiring and a successor (a ‘near relative’ as defined by the agricultural holdings Acts applicable to Scotland) is taking over the running of the farm enterprise. In terms of applying the policy, this criteria should be applied regardless of the farm being tenanted or owner-occupied. Proposals coming forward that seeks development of a single house where succession of the farm holding is not by a near relative, such proposals will be considered on their own merits. No change is required.

It is expected that houses approved under this policy will be situated within or in close proximity to the main farm hub. The reasons for this are twofold. The main reason is that the purpose of this policy is that the siting of the new house should be such that it maintains a presence on the farm unit. In most cases the new house will be located within walking distance of the main farm hub with siting of any new house remotely being discouraged. This also keeps the policy consistent with that of essential workers in a primary industry (see PLDP paragraph R1.2). The second reason is that SPP states that the use of occupancy restrictions should be avoided (AD0012, paragraph 81). By ensuring that proposals are situated in close proximity to the farm hub reduces, somewhat, the likelihood that houses approved under this policy provision will be sold on the open market, given its close connection with the farming hub. The policy provision is intended to be used where all other opportunities to provide for the accommodation needs of the retiring farmer on the farm should be explored and dismissed. Single homes are intended to be one per farm enterprise. This could be stipulated more clearly in the policy text. As such, if the Reporter is minded, to make an amendment, then the Council recommend that a footnote be inserted after “single homes” to state that “One house per farm enterprise will be permitted” under this policy provision.

Paragraph R2.16 to R2.17 (Extensions to Clusters/Housing Groups)

The Council believes that paragraph R2.16 is sufficiently clear as to what a cluster/ housing group should be for the purposes of applying the policy provision. We do not see a need to introduce Planning Advice for this policy. No change is required.

For the purposes of policies under the Shaping Development the Countryside policies, the Council has sought to use the Scottish Government’s 6-fold Urban/Rural Classification rather than the Housing Market Areas. This matter was discussed as a Main Issue in the MIR (AD0038.A, page 16, Issue 7). This change was generally supported by those

responding to the MIR (AD0040.A, page 55). In accordance with SPP, paragraph 83, the Council does not believe that extensions to clusters in the accessible rural area should be permitted, even at a reduced scale (AD0012). No change is required.

In order to distinguish between a cluster and a settlement, the Council does not believe that any change needs to be made to paragraph R.16 in respect to text detailing what the size of the existing cluster should be. No change is required.

Alford lies just within the remote rural area. The clusters policy would be applicable to housing groups to the north, south and west of the settlement, but not the settlement of Alford itself. Given the remote and accessible rural areas have been determined using an external data source i.e., the Scottish Government's 6-fold Urban/Rural Classification, we do not see a need to amend the boundary. No change is required.

All policies of the Plan apply in the determination of planning applications, where relevant. Any adverse impact arising from proposed development, such as impact on the setting of a listed building would be considered in terms of compliance of the proposal against Policy H1 Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites (including other historic buildings) (paragraph HE1.1). The Council do not see a need to repeat this in paragraphs R2.16 or R2.17. No change is required.

The Council understands the reasoning behind the suggested amendments to R2.16 and believes that there would be merit in making a minor adjustment to this paragraph to provide clarity. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph R2.16 could be modified to read, "In remote rural areas only we will also allow development associated with existing clusters or housing groups...Plan is adopted. The existing properties within the cluster or housing group should be well related to each other...cluster or group, or the development should contribute towards establishing cohesiveness of the existing group i.e., through infill development."

The Council does not believe that there is a need to reduce the scale of development from 3 homes to 1 or 2 homes during the Plan period. The PLDP text indicates that 3 homes are the maximum scale of development that could be permitted during the Plan period. In all cases, prospective applicants will have to demonstrate compliance with paragraphs R2.16 and R2.17, as well as, all other relevant policies including, but not limited to, Policy P1 Layout, Siting and Design, E2 Landscape and RD2 Providing Suitable Services. Each planning application is determined on its own merits. No change is required.

The Council agrees that paragraph R2.17 should be modified to read, "The size of a cluster must not exceed...". The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council sees some merit in amending the remaining sentences of paragraph R2.17, however, does not agree with all of the modifications sought by the representee to ensure that the policy provision does not become unworkable and too restrictive. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph R2.17 could be modified to read, "...Larger clusters or housing groups of greater than 15 homes must not be sub-divided. This includes clusters/ housing groups that may comprise two or three individual clusters/ groups situated in close proximity i.e., sharing the same access road. All proposals must...".

Paragraph R2.18 and R2.19 (Employment Proposals)

Paragraph 40 of SPP outlines that to promote a sustainable pattern of development, that development should be situated within or adjacent to settlements (AD0012). Paragraph 40 also highlights that the re-use or re-development of brownfield land should be considered before new development takes place on greenfield sites. The Council believes that existing employment sites (BUS sites) or new sites identified as part of the Plan-making process (opportunity sites for employment uses) should be utilised. There are sufficient employment land opportunities in the accessible rural area associated with settlements without the need to promote further opportunities in the wider countryside. As such, employment uses in the accessible rural area have been restricted to brownfield sites. No change is required.

The Council believes that employment proposals in the remote rural areas should be accessible via different modes of transport in order to prevent unsustainable transport modes such as reliance on private car. No change is required.

The Council confirms that it intends to address Echt and Skene Community Council's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Policy R3 Minerals

General

All policies of the Plan apply in the determination of planning applications, where relevant. Policy R3 would be applicable in determining applications involving renewable energy technologies where borrow pits to provide aggregate are required to facilitate delivery the wider development proposal. No change is required.

The Council confirms that it intends to address Scottish Government's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Paragraph R3.1

Whilst it is stated in paragraph R3.2 that in all cases an Environmental Impact Assessment (previously referred to as an Environmental Statement) is required, but for the avoidance of doubt, the Council agrees that this requirement should be listed in paragraph R3.1. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

At this time, the Council does not believe it appropriate to introduce a requirement for applicants to provide a carbon impact assessment. This is a matter that should be further explored through a future Plan review and following publication of NPF4. No change is required.

Consideration of peat and other carbon rich soils are addressed in paragraph R2.3 and Policy PR1 Protecting Importance Resources. All policies of the Plan apply in the determination of planning applications, where relevant. There is no need to repeat this in paragraph R3.1. No change is required.

Paragraph R3.2

The Council confirms that it intends to address representees comments, including from NatureScot, through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not agree that as a matter of course renewable energy developments should be permitted where a significant environmental effect from development is established. Each planning application is determined on its own merits. In such circumstances it would be appropriate to look at other material considerations to establish whether the benefits associated with the proposal override the significant environmental effect as a departure to the LDP. In terms of the PLDP, no change is required.

The Council confirms that it intends to address representees NatureScot's comment, through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address representees Nestrans comment, through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

All policies of the Plan apply in the determination of planning applications, where relevant, including Policy E1 Natural Heritage, paragraph E1.4, and Policy E3 Forestry and Woodland, paragraph E3.3, in respect to consideration of ancient woodland. There is no need to repeat this in paragraph R3.2. No change is required.

Paragraph R3.4

As noted above, all policies of the Plan apply in the determination of planning applications, where relevant, including Policy E1 Natural Heritage, paragraph E1.4, and Policy E3 Forestry and Woodland, paragraph E3.3, in respect to consideration of ancient woodland. There is no need to repeat this in paragraph R3.4. No change is required.

Paragraph R3.5

The Council does not agree that 'where appropriate' should be removed from the first sentence of paragraph R3.5. This wording provides flexibility for the Council to negotiate with relevant parties in agreeing what financial guarantees or legal agreement is appropriate to address sites restoration and aftercare. This will be considered on a case-by-case basis. No change is required.

Policy R4 Hill Tracks

The Council agrees with the minor changes sought by representees to clarify that the policy relates to the development of hill tracks, need to minimise impacts on species and address a typo in paragraph R4.1. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

All policies of the Plan apply in the determination of planning applications, where relevant. Policy R4 would be applicable in determining applications involving renewable energy technologies where the development of hill tracks is required to facilitate delivery of the wider development proposal e.g., to provide access for developments involving wind turbines. No change is required.

Shaping Development in the Countryside Policy Map

The Council acknowledges that the policy map at size A4 is not of sufficient scale to fully distinguish the boundary between the remote and accessible rural areas. The Council did not see a need to include detailed maps as part of the PLDP in the same way as the Council have showed the green belt and coastal zone, for example. Notwithstanding this, an interactive, map based, version of the PLDP, was also available for inspection via the Council's website. This facility enables users of the Plan to "zoom" into the maps to view the detailed boundaries of sites and areas identified such as the rural and accessible rural areas. The Council anticipates making such a resource available upon adoption of the next LDP. No change is required.

Reporter's conclusions:

Preliminary matters

1. Our examination of the proposed plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the provisions of the proposed plan, or which simply make comments that do not seek modifications to the proposed plan. Therefore, unless these relate to an issue which is unresolved, they are not addressed in our conclusions.
2. The examination of matters raised in representations in respect of renewable energy development in the countryside has been undertaken by a reporter who has had no recent involvement in applications for this type of development in Aberdeenshire. The relevant representations are; PP0421, PP0463, PP0589, PP0597, PP0603, PP0640, PP0736 and PP1188.
3. Site-specific matters raised in representations regarding the green belt boundary at Potterton are addressed in Issue 26 (Potterton). Conclusions on policy considerations in general are set out below.

Introduction to Section 7

4. With regard to the introductory paragraph, I consider that it would be helpful to the reader to know that how people travel to access employment, goods and services is an important consideration in the creation of sustainable communities. While the council points to other parts of the proposed plan that set out its aspirations and requirements in this regard, minor modifications to the introductory paragraph to highlight that development in the countryside must be well-connected and make efficient use of public transport and active travel routes, would satisfy the concern raised by the Formartine Rural Partnership. I recommend modifications below.
5. Section 7 of the proposed plan sets out the broad policy approach that is to apply within the countryside including the green belt and coastal zone. The terms of the policies are not directly intended for renewable energy proposals, however, the council has indicated that they would be applied in certain circumstances. For a renewable energy proposal located within the countryside, the green belt and the coastal zone, the policies within this section are intended to be read alongside other relevant policies of the plan, including policy C2: Renewable Energy.

6. A representee has raised a concern that policies in Section 7, if read in isolation, suggest that renewable energy is not supported in the green belt, coastal zone and countryside. In response to a further information request (FIR022), the council indicates that a direction to the climate change policies could be added to the introduction of Section 7. It suggests the following wording: "Some development proposals, such as extracting minerals, need a rural location or can have a significant effect on our landscape, and as such we design policies to tackle these concerns. We consider our policy on wind turbines under the 'Climate Change' section."

7. I conclude that the policies in section 7 are likely to be applicable to renewable energy developments, but alongside other relevant policies, in particular those in section 13 Climate Change. I agree with the council's suggestion to add some text to the introductory paragraph of section 7 as this would ensure users of the plan are aware of the relevant policies in section 13. I do not consider that more detail is required, as suggested in responses from others. I recommend a modification based on the council's wording, but with some minor changes, including to refer to 'renewable energy developments' rather than just 'wind turbines'.

General matters (Renewable Energy)

8. A general point is raised in the representations that policies R1 (Special Rural Areas) and R2 (Development Proposals Elsewhere in the Countryside), should be amended to specifically identify renewable energy proposals as acceptable land uses in these areas.

9. Policy R1 recognises the special nature of the green belt and coastal zone. The green belt is mainly designated around Aberdeen City and defined in the strategic development plan, as an area of countryside where strict planning controls are in place to protect landscape setting, maintain the identity of a place and provide land for recreation. Within the proposed plan, development is restricted in both of these areas to that which is small-scale and meets the types of developments described (in the green belt), or has a clear social, economic or community benefit or locational need (in the coastal zone).

10. Policy R2 allows for a wider range of development opportunities elsewhere in the countryside, providing they are small-scale and consistent with the types of developments listed as suitable in the green belt, or provide certain opportunities for housing and employment.

11. The council states that Scottish Planning Policy does not indicate that onshore renewable energy projects should be permitted in the green belt or coastal zone. I am not aware that Scottish Planning Policy indicates any specific types of locations where such developments should take place. Nevertheless, it allows plans to describe the types and scales of development which would be appropriate in the green belt (paragraph 52), and to identify areas of largely developed coast that are a major focus of economic or recreational activity that are likely to be suitable for further development; areas subject to significant constraints; and largely unspoiled areas of the coast that are generally unsuitable for development (paragraph 89).

12. In the context of the proposed policy framework described above, it is likely that any renewable energy proposal in the green belt would require to be assessed under policy R1. Due to the special characteristics that have led to the designation, the council concludes that there are no appropriate sites for renewable energy technologies in the

green belt. In support of its position, reference is made to Table 1: Spatial Frameworks in Scottish Planning Policy and the areas of significant protection up to two kilometres around identified settlements. Whilst I note the council's position, individual wind farm proposals may be appropriate in Group 2 'areas of significant protection', where any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.

13. I acknowledge that there might be circumstances where certain renewable energy development could be consistent with the objectives of the green belt. However, the strict planning controls established by the strategic development plan apply equally to any ensuing local development plan policy. In paragraph R1.2, renewable energy is not listed as a type of development that would be permitted in the green belt. Modifications are recommended below (paragraph 18) which would ensure consistent terminology with paragraph 52 of Scottish Planning Policy. Other than this, I find that paragraph R1.2 is broadly consistent with Scottish Planning Policy. Given the strategic policy background set out above, I support the types and scales of development which the council considers would be appropriate within the green belt.

14. I note that paragraph 4.1 in the proposed plan states that 'one policy cannot be applied at the expense of another'. Given the terms of policy C2: Renewable Energy, the approval of wind energy development in the green belt would not be ruled out where consistent with the Spatial Framework for Wind Energy, and where it meets the other terms of the policy. Paragraph 4.1 of the proposed plan recognises that proposals may give rise to potentially conflicting policy considerations and advises that "the vision of the plan should be used to guide granting of planning permission where conflicts arise". Within this context, I do not consider that any specific cross referencing is necessary to establish the policy framework for this to happen.

15. With regard to coastal zones, the council accepts that an argument could be successfully made that a particular renewable energy development might require a coastal location or would provide clear community benefit, and thus meet the terms of policy R1. Given that these statements are already set out within paragraph R1.3, I see no need to amend Policy R1 to specifically refer to such potential. I note also the recommended addition of 'environmental' benefit (at paragraph 27 below) as a factor that could be put forward in the consideration of such development in coastal zones.

16. The council comments that paragraph R2.3 has no exception within it to prohibit other forms of development from being considered. I accept that it is not reasonable to expect all the potential uses in the countryside to be covered by policy R2, and that (according to paragraph R2.1) the primary consideration in the assessment of development proposals in the countryside would be siting and design, not location. Policy C2 would also be a consideration for renewable energy proposals. Again, within the context of paragraph 4.1 of the proposed plan, I see no need to amend policy R2 to address the potential for renewable energy development in the countryside.

Policy R1: Special Rural Areas

17. In response to representations, the council proposes a non-notifiable modification to the first sentence of paragraph R1.1 to clarify that development in the green belt and coastal zone will be restricted to that which is small-scale. A separate representation seeks the removal of the term 'small-scale', as it implies that only small-scale (rather than large-scale) development will be restricted in the green belt and coastal zones. On these

matters, I agree that the first sentence of the paragraph lacks clarity. I also agree that that term 'small-scale' should be removed from the sentence, as some forms of development referred to in policy R1 will be larger than small-scale, for example, certain types of essential infrastructure and/or development identified as a national requirement (as noted in footnote 1) on sites greater than 0.5 hectare. The criteria against which development in the green belt and coastal zone will be assessed, including considerations of scale and form, is set out where necessary in paragraphs R1.2 to R1.5 and accompanying footnotes. I recommend a modification to paragraph R1.1 below.

Paragraph R1.2: Green Belt

18. In terms of the green belt, I find that paragraph R1.2 is broadly consistent with Scottish Planning Policy, paragraph 52. As required, it describes the types and scales of development that would be appropriate within the green belt. However, as noted in representations, it fails to mention essential infrastructure and, in places, uses terminology inconsistent with that found in Scottish Planning Policy. I recommend modifications to address these matters below.

19. A number of representees suggest that the plan should retain the wording of the equivalent policy in the existing local development plan (also R1); believing it to exercise greater control over development in the green belt. However, apart from reference to community infrastructure, I find that the proposed plan addresses all matters considered by the existing plan, albeit they have been reordered and appear under different policy headings throughout Section 7. No modification is required.

20. Homes for Scotland and Gladman consider the terms of policy R1 too restrictive and seek modifications that would allow small-scale housing and housing to meet a shortfall in the effective housing land supply to be developed in the defined green belt and coastal zone, respectively. We have concluded in Issue 5 that there is no requirement for the plan to include a policy to address a shortfall in the housing land supply. While policy R1 does not in itself preclude development in the green belt or coastal zone, it sets out the types and scales of development permissible and the circumstances in which the council would support development. Subject to the recommended modifications below, I consider these to be consistent with Scottish Planning Policy. The criteria for assessing the acceptability of proposals on land other than that allocated for development is set out in policy R2 (Development Proposals Elsewhere in the Countryside) and Section 9 (Shaping Places) of the proposed plan. Accordingly, I do not consider Section 7 of the proposed plan should be modified in response to the representations.

21. In response to other matters, the preamble to Appendix 4 (green belt boundaries) adequately sets out the purpose of the green belt; essentially it is a means to direct development to the most appropriate locations. I do not agree that the policy requires to be modified to express the wider social and environmental benefits of green belt designation, as suggested by the Association for the Protection of Rural Scotland. The policy's support for development associated with woodland and forestry is also appropriately expressed and does not require to be modified, as suggested by The Woodland Trust Scotland. Nor do I consider that the words 'permitted' should be replaced with 'supported' or 'associated' replaced with 'required', as suggested by RSPB Scotland. The term 'permitted' is used throughout the proposed plan and is commonly used in other plans, and 'associated' is used in Scottish Planning Policy. On RSPB Scotland's wider point, as the council notes, the proposed plan requires to be read as a whole. As such, I do not consider it necessary to repeat other policy considerations

pertinent to the assessment of proposals located within the green belt.

22. The proposed plan's position on the development of huts for leisure accommodation in the green belt is clearly expressed in the second bullet point of paragraph R1.2; it prohibits the development of single huts not associated with a tourist proposal. In its representation, Scottish Land and Estates appears to have misread the statement as offering support for such development and urges the council to extend its support for development incorporating multiple huts. However, in the interests of avoiding sporadic unsupported development throughout the green belt, I consider the council's position entirely reasonable and do not agree that the proposed plan should be modified as sought. We deal with representations in respect of tourist facilities in Issue 3 (Shaping Business Development) of this report.

23. The suggestion by Elgin Energy EsCo to add a reference to 'appropriately sited renewable energy installations' is not supported by the council on the basis that if a proposal is a national priority or satisfies an established need to be in the green belt then it would meet the terms of the policy. I agree with this general premise (noting the recommended modifications to this bullet point addressed in paragraph 18 above) and do not consider that any modifications are necessary in response to this representation.

24. The fourth bullet point of paragraph R1.2 supports the intensification of established uses in the green belt, subject to development being of an appropriate scale and form. An accompanying footnote adds, such development will generally be an extension of an existing non-domestic building or ancillary use rather than its replacement. The footnote also directs the reader to relevant development management advice found elsewhere in the proposed plan. The Bennachie Community Council believes that the information contained in the footnote should be incorporated into the policy advice to more clearly define the type and form of development that would be acceptable in the green belt. I consider that such a modification would make the policy unnecessarily cumbersome, particularly as the relevant parts of the proposed plan to be considered are clearly noted in the footnote. No modifications are required.

25. As with other matters addressed in paragraph R1.2, I find that the policy provides high level advice on the types and scales of development considered appropriate in the green belt and directs the reader, where necessary, to more detailed advice found elsewhere in the plan. Furthermore, as noted by the council, the wording of the fourth bullet point is consistent with paragraph 52 in Scottish Planning Policy. With regard to the introduction of the word 'small', as suggested by the Echt and Skene Community Council and others, I do not consider it necessary to add a further qualification to the statement; the use of the phrase 'suitable scale and form' is sufficient to convey to the reader the position of the council.

26. A representation seeks the removal of the fifth bullet point from paragraph R1.2; believing it overly prescriptive about the type of businesses that might benefit from its support. It adds, the council would nevertheless retain control over what is developed through its landscape, amenity and design policies. Firstly on this matter, I find that should new residential accommodation be considered necessary to support an existing primary industry in the green belt, for example, agriculture, it would be supported by paragraph R1.2. However, the wording of the fifth bullet point provides further information on the particular circumstances in which the council considers that residential accommodation would be appropriate. I do not consider the removal of the fifth bullet

point would be justified on the basis that accommodation associated with other occupations should also be supported. No modification is required.

Paragraph R1.3

27. In response to a representation, the council proposes to add the word 'environmental' to the list of considerations that may justify development within the coastal zone as a non-notifiable modification. I agree that effects of development on the environment is an important consideration and recommend a modification below.

Paragraph R1.5

28. A representation seeks an additional bullet point which would allow non-permanent renewable energy development in the green belt and coastal zone. I agree with the council that this amendment is not necessary as any such development would be considered under the criteria in R1.2, paragraph R1.3 and policy C2 (Renewable Energy). As I have already indicated, the scenario in which a proposal is contrary to one policy but accords with another is addressed in paragraph 4.1 of the proposed plan. In the context provided by Circular 6/2013, I do not consider that the plan is insufficient or inappropriate in how it deals with this matter. No modification is required.

Appendix 4: Boundaries of the Green Belt

29. Representations seeking amendments to the boundaries of the green belt are addressed in the relevant settlement based issues elsewhere in this report, including issues 26 (Potterton); 37 (Westhill) 42 (Drumoak); 44 (Newtonhill); 45 (Portlethen and Portlethen Village); and 47 (Other settlements in Portlethen and Stonehaven Strategic Growth Area).

Appendix 5: Coastal Zone

30. Representations seeking amendments to the boundaries of the coastal zone are similarly addressed in the relevant settlement based issues elsewhere in this report, including issues 18 (Peterhead); 28 (Balmedie); and 47 (Other settlements in Portlethen and Stonehaven Strategic Growth Area).

31. A concern is expressed in a representation that a review of the coastal zone policy areas should have been undertaken as part of the preparation of the proposed plan. While no specific modification is sought, it is suggested that the policy requirements should be relaxed until a review is undertaken. I note that the council accepts that a review of the coastal zone policy areas is due. To this end, it has formally agreed to undertake a review, including a public consultation exercise, in time to inform a mid-term review of the plan. With regard to the application of the policy in the context of the existing plan, this is a matter for the council in its assessment of individual proposals. No modification is required.

32. A representation claims that the sequence of coastal zone maps from Inverbervie to the south is incorrect. I note that the maps are intended to be read from left to right, meaning that the numbering may appear out of step. However, the maps are correct geographically and annotated appropriately on the key map. No modification is required.

Policy R2: Development Proposals Elsewhere in the Countryside

General matters

33. NHS Grampian does not seek a specific modification to policy R2. As such, there is no requirement for me to address the matters raised concerning public transport and access to health and social services. However, the council has explained that the allocation of sites promoted for development in the proposed plan have been subject to formal strategic environmental assessment. It also describes the factors that have influenced its choices. Furthermore, in consultation with NHS Grampian, the settlement statements indicate, where necessary, the need for development proposals to be supported by new or improved health and social care facilities, including sites where developer contributions will be sought. On this basis, I am satisfied that the council has carefully considered this matter and addressed it appropriately.

34. Despite a suggestion that the term 'elsewhere' should be replaced in the title of policy R2 with one that conveys that rural areas that lie beyond the green belt and coastal zone are of value, I agree with the council that the policy is appropriately titled. The title simply indicates that without the need to exercise control over the location of some forms of development, the primary consideration will be to ensure that it is appropriately sited and designed. It does not suggest that the countryside beyond these areas is regarded as being less important. No modification is required.

35. A representation argues that the terms of paragraphs R2.1 to R2.3 are too restrictive and should be amended to consider development that meets an identified need rather than being assessed against the same considerations as apply in the green belt and/or special rural areas. To do so, it adds, sets an exceptionally high barrier to new development. I have considered the terms of policy R2 as a whole and agree with the council that for the following reasons, this is not the case. Firstly, while the policy does not rehearse the terms of policy R1 in full, it makes clear that development proposals which satisfy the requirements of policy R1 will also be acceptable in principle in the countryside beyond the defined green belt and coastal zone. Secondly, it indicates that the siting and design of new development will be the primary consideration in the assessment of proposals, not its location, subject to compliance with other relevant policies. Thirdly, from paragraph R2.3 onwards, it describes development types that may be allowed within prescribed circumstances, including the redevelopment of brownfield land and the small-scale, or organic growth, of settlements. In short, I find policy R2 to be broadly consistent with Scottish Planning Policy and principles that seek to promote rural development. I address modifications sought by others to aspects of policy R2 below.

Redevelopment of rural brownfield sites – paragraphs R2.4 – R2.10

36. I agree that it is for the council to define what it regards as brownfield land for the purposes of the plan. The glossary to the proposed plan notes that, outwith settlements, land and buildings that are vacant, redundant or derelict are considered to be brownfield land. It also lists land uses and types of buildings which are excluded from its definition of brownfield land, including that last used for storage purposes. In a rural context, this includes silage clamps, other specialised agricultural structures, hard-standings and agricultural buildings constructed using modern materials.

37. However, as noted in representations, the council's definition of brownfield land could be interpreted as excluding former non-agricultural storage and distribution uses located in the countryside. Such land, it is claimed, might reasonably be regarded as 'brownfield' and suitable for redevelopment, subject to compliance with other relevant

planning policies. I do not consider that recognising such land as 'brownfield' would undermine the council's approach to development in the countryside, particularly given the considerations set out in policies R1 (Special Rural Areas) and R2 (Development Proposals Elsewhere in the Countryside), including paragraphs R2.4 to R2.10. The development of such land could also deliver environmental and visual improvement in the countryside, as sought by the council. Accordingly, I recommend that the glossary definition of 'brownfield development' is modified to clarify that reference to the exclusion of land used for storage purposes relates to that once associated with agricultural operations.

38. In recommending that the brownfield land definition is modified, I also address the suggested change sought by the Echt and Skene Community Council, which seeks the removal of the word 'being' on the ninth line of text to clarify that land presently used for storage purposes is not considered 'brownfield'. I agree with the representee that land presently being used for storage purposes cannot be regarded as vacant, redundant or derelict and, as such, considered 'brownfield' land. A modification is recommended on this matter.

39. The proposed plan defines 'naturalised' land as being vacant or derelict where there is no indication of its former use. In such circumstances, the proposed plan makes clear that the land should not be regarded as 'brownfield' and available for development in principle. I note that a footnote and glossary definition seek to provide clarity on the meaning of the term. The council's policy position on this matter is considered overly restrictive by some and not restrictive enough by others.

40. I do not consider the council's position unreasonable on this matter; not every vacant site in the countryside is suitable for redevelopment, particularly those that have been vacant for a considerable period of time and mask former uses. Nor does every vacant site have nature conservation interest despite its rewilding. I do, however, agree that the phrase 'significant use in nature conservation' in the footnote is somewhat subjective and should be modified to note that the nature conservation interest of a site should be informed by an ecological survey. I also agree that the glossary definition of 'naturalised' should be modified to address Bennachie Community Council's observation that a naturalised site may nonetheless contain remnants of former buildings, which could provide valuable habitat for invertebrates. In the absence of ecological surveys, I do not agree that such sites should be covered by a nature conservation designations. I recommend modifications to the footnote on page 32 and glossary below in response to representations. It should be noted that the recommended modifications to the glossary set out below are in addition to those recommended in Issue 13 (Glossary).

41. In response to a representation seeking a definition of the term 'significant' in paragraph 2.4, the council proposes a modification to delete the word. As such, the plan would support appropriate development of brownfield land that would deliver environmental and visual improvements, rather than that which would only deliver 'significant' improvements. I agree that the use of the term 'significant' is subjective and unnecessary and I recommend a suitably worded modification below.

Paragraph R2.6

42. Echt and Skene Community Council is concerned that paragraph R2.6 could be read as offering support to the conversion of a wider range of buildings than intended. The council has suggested a modification to the text of paragraph R2.6 to clarify the

circumstances in which it will support the conversion of redundant or derelict buildings on brownfield sites to small-scale residential use. I agree that the additional clarification would be appropriate to explain the council's intentions and recommend a modification below.

43. Bennachie Community Council seeks a further modification to the text to ensure that land adjacent to a brownfield site is not included in a proposal in order to create a larger site that would attract support for small-scale residential development in the countryside. As the council notes, paragraph R2.10 makes clear that while a development proposal does not necessarily need to replicate the existing footprint of the building(s) that once occupied a site, it must be contained within a defined curtilage. Accordingly, I agree with the council that it is not necessary to further modify the text of the paragraph.

Paragraph R2.7

44. Paragraph R2.7 promotes a planned approach to rural brownfield development. As such, it requires comprehensive proposals to come forward for large brownfield sites (sites greater than 0.5 hectares). It advises against the sub-division of such sites and their incremental development. Despite concerns expressed in representations that such an approach is too restrictive and that the development of such sites should first be promoted through an allocation in the development plan, I consider the council's approach to be reasonable. Depending on the characteristics of a site, development proposals could take the form of phased development over time and be guided by a site brief and/or masterplan, which could be subject to public consultation. No modification is required.

Paragraph R2.8 and R2.9

45. Homes for Scotland considers that the policy tests set out in paragraphs R2.8 are unreasonable. It argues that the wording is inappropriate and incompatible with the presumption in favour of sustainable development, as described in Scottish Planning Policy. It also suggests wording that could replace the first sentence of the paragraph to address its concerns. I agree with Homes for Scotland on this matter; the sentence includes a phrase that is inappropriate in a planning context and incompatible with the policy principles set out in Scottish Planning Policy, paragraph 29. I note that the suggested alternative wording is acceptable to the council. I also find the replacement wording to be consistent with Scottish Planning Policy and that it succinctly describes the circumstances in which more than three houses may be acceptable on larger brownfield sites. I recommend a modification below.

46. Homes for Scotland objects to the cap of seven dwellings on larger brownfield sites, while Bennachie Community Council consider that the maximum number of dwellings should be three, as in other rural locations. On this matter, I consider that the imposition of a cap is somewhat arbitrary; if the principle of development is acceptable and would deliver environmental and visual improvements, the capacity of the site should be informed by site characteristics and assessed against relevant development plan/development management considerations. As the council notes, it is a policy that it does not expect to be cited frequently and the provisions of policy P1 (layout, siting and design) would prevent any potential for overdevelopment of a site. Accordingly, I consider that reference to a cap on the level of development should be removed. A modification to this effect is recommended.

47. While it is always open to landowners and developers to formally engage with the

local development plan preparation process to promote sites for development, I consider that it is unreasonable to state that the development of large brownfield sites capable of accommodating eight or more dwellings should only be considered through this process, as implied in paragraph R2.9. The time taken to prepare a local development plan can be lengthy and the council has at its disposal a suite of established policies to assess the acceptability of such proposals through a planning application. In addition, as Homes for Scotland notes, long periods of vacancy can add further costs to the remediation of sites. For these reasons, I consider that the paragraph R2.9 should be modified to acknowledge that sites may come forward outwith the plan process and will be considered on their individual merits.

Paragraph R2.10

48. Paragraph R2.10 provides a range of examples that might indicate that a building once occupied a site. A footnote and an entry in the glossary clearly define the meaning of 'curtilage'. As such, I do not consider that the list of examples requires to be expanded or the meaning of 'curtilage' further explained. No modification required.

Organic growth of settlements – general (paragraphs R2.11 to R2.14)

49. The proposed plan adopts a criteria-based approach to the small-scale, or organic, growth, of settlements. In the absence of a list that identifies settlements which could benefit from the policy, I consider this an entirely appropriate approach. However, as noted by Homes for Scotland and Gladman, the policy includes the clause 'where a particular need for development has been established by the planning authority' which does not appear to be based on any formal assessment of need. Furthermore, the representees add that an assessment of need is not solely a matter for the council. Without a clear explanation of how the planning authority, or any other party, would establish whether there is a need for development, I agree that the phrase should be removed from paragraph R2.11. Also, as I note above, I consider the phrase 'beyond all reasonable doubt' to be inappropriate in a planning context and should also be removed from the paragraph; the paragraph would lose none of its intent as a consequence. The council acknowledges that the wording of the paragraph could be clearer and more succinct. I recommend suitably worded modifications to address these matters below.

50. A considerable number of representations seek the inclusion of settlements in a yet to be prepared planning advice note; the benefit of inclusion being that the small-scale growth of identified settlements could attract the proposed plan's support in principle. A further representation considers that a list of suitable settlements should be included in the proposed plan itself, as is the case with the existing plan. While the council has yet to undertake an assessment, it has confirmed that all settlements in Aberdeenshire will be considered for inclusion in the preparation of the planning advice note, including those identified in representations, namely; Bridge of Canny, Birsemore, Cluny, Crathes, Inchmarlo, Hirn, Lethenty, Lyne of Skene, Tillybirloch, Wester Ord and Woodhouse of Durris. It also confirms that the list will be kept under review during the lifetime of the proposed plan. In light of the council's intention to prepare a planning advice note, no modification is required in response to representations on this matter.

51. It is claimed that the preparation of a list of settlements in which small-scale development would be acceptable in principle runs counter to the decision taken by the council's Infrastructure and Services Committee on this matter. I have reviewed the decision of the committee, as set out in Issues and Actions Paper, and note that the

elected members supported the criteria-based approach to the small-scale growth of settlements *and* the preparation of planning advice to aid the interpretation of the policy and list settlements where 'organic growth' would be acceptable in principle. The proposed plan has been prepared in accord with the decisions of the committee. No modification is required.

52. With regard to the criteria and the suggestion that the scale of development allowed under the policy should be increased, I note that the representation is made in respect of a particular site in Lyne of Skene and not to the policy itself. As such, there is no requirement for me to address this matter under this issue. However, I note that the provisions set out in paragraph R2.13 are more generous than those of the existing plan.

Paragraph R2.12

53. I agree that not all settlements will be able to grow organically, hence the preparation of criteria and planning advice to indicate those with potential to do so. Also, given the nature of organic growth, it cannot take place in settlements where land has been allocated for development. On this basis, I do not consider the terms of the policy overly restrictive nor inconsistent with policy principles of Scottish Planning Policy 2014. No modification is required.

Paragraph R2.13

54. NatureScot and others seek a modification to paragraph R2.13 to replace the phrase 'footpath connections' with "paths and/or active travel routes". The modification sought is the same as that requested in response to Issue 3 (Shaping Business Development). I agree that the suggested phrase is more inclusive and encapsulates a wider range of connections that might formed. I note that the council is content to make the requested change. I recommend a modification below.

Paragraph R2.15

55. A representee considers the terms of the policy too restrictive. However, should its application be broadened, as suggested, I agree with the council that its intent would be undermined and could result in sporadic development in the countryside. As the council notes, development other than that required to accommodate a retiring farmer on an agricultural holding could be considered on its own merits. To add clarity, the council suggests that a footnote could be added to page 34 to clarify that only one dwelling per farm enterprise would be allowed under the policy, which I consider would be helpful. I recommend a modification below.

Extensions to clusters/housing groups - general (paragraphs R2.16 and R2.17)

56. The council explains that the defined 'accessible rural' and 'remote rural area' shown on page 37 is based on the Scottish Government's 6-fold Urban/ Rural Classification (2016). A remote rural area is defined as an area with a population of less than 3,000 people and with a drive time of over 30 minutes to a settlement of 10,000 or more. I agree that use of the classification model ensures a consistent approach to the definition of 'accessible rural' and 'remote rural' areas in Aberdeenshire and is a reasonable basis on which to apply policy in these areas. Accordingly, I do not agree with the suggestion that the boundaries should be re-aligned to effectively remove the 'remote rural area' designation from the proposed plan. Neither do I agree that Alford should be excluded from the 'remote rural area' designation and considered as part of the 'accessible rural

area'; thus allowing for greater development opportunity. Furthermore, as the council notes, the application of a more restrictive approach to new housing development in accessible rural areas is consistent with paragraph 81 of Scottish Planning Policy.

57. I agree that the precise boundaries of the areas shown on the 'development in the countryside' map are difficult to distinguish and I would encourage the council in the preparation of the adopted plan to use a map, or maps, that show the boundaries more clearly. While I accept that an online version of the map exists that allows users to zoom-in to particular areas to establish actual boundaries, not everyone has access to the required technology or the know-how to be examine the proposed plan in this way.

58. The meaning of the terms 'clusters' and 'housing groups' are clearly set out in paragraph R2.16. Furthermore, the glossary contains a definition of 'settlement'. Read together, the distinction between a cluster of properties and a settlement for the purposes of policy application is readily apparent. No modification is required.

59. Paragraph R2.17 allows for a maximum of three houses to be built during the plan period. A footnote explains what this could mean for housing clusters or groups of different sizes. A representee seeks a modification to reduce this number to two, claiming that a potential 60% increase in the size of a small group houses is not justifiable. In effect, this could mean a group of five houses expanding to eight houses. I do not consider such an increase excessive, nor would it be inconsistent with the Scottish Planning Policy, paragraph 83. No modification is required.

60. The council comments that other policies in the plan cover the impact of development on the setting of a listed building. Whilst I agree that this is an important consideration, it would not be appropriate to refer to one particular environmental asset in paragraphs R2.16 and R2.17, when there are many others that could also potentially be affected. Paragraph P1.5 in the proposed plan makes clear that all policies in the plan can apply. No modification is required.

61. Representees suggest a range of changes to paragraphs R2.16 and R2.17, some of which the council is inclined to accept, subject to my consideration. The changes sought include clarification of the terms used, the number of dwellings permitted and the form that new development should take. Changes are also sought to improve the legibility of the paragraphs. The council has provided alternative text that might be incorporated into the proposed plan. Generally, I agree with the council's suggested alternative wording to address the concerns of representees. My recommended modifications below are based on the council's suggested wording, subject to minor grammatical changes.

Employment proposals

62. It is claimed that paragraph R2.18 is too restrictive, insofar as it only applies to brownfield sites in settlements located in accessible rural areas. Representees argue that its application should be broadened to take advantage of economic development opportunities on all sites as they arise, whilst giving priority to brownfield sites.

63. I find that the council's approach to this matter is consistent with Scottish Planning Policy; to encourage the re-use and development of sites within settlements for employment uses, it seeks to limit such development outwith settlements in the accessible rural area to brownfield sites (Scottish Planning Policy, paragraphs 40 and 81 refer). Furthermore, as the council notes, Appendix 1 (Employment Land Allocations), Table 2, indicates that a significant amount of employment land has been allocated to

meet local growth needs throughout Aberdeenshire. In this context, I do not support the suggestion that the application of paragraph R2.18 is broadened to include land other than brownfield sites outwith settlements. No modifications are required.

64. In remote rural areas, small-scale employment proposals are required to be accessible by footway/cycle infrastructure and/or public transport. This approach is consistent with Scottish Planning Policy, paragraph 83. Whilst such requirements could render some proposals unacceptable when assessed against the policies of the plan as a whole, I do not consider them unrealistic, as suggested. As the council notes, it is necessary to ensure that sites are accessible by a range of transport modes in order to reduce reliance on private cars. No modification is required.

65. Echt and Skene Community Council suggests that paragraph R2.19 should be modified to state that its provisions apply in all rural areas. It further suggests that this is best achieved by amending the first sentence and adding a new paragraph immediately after. I agree that the provisions of paragraph R2.19 should apply to all employment proposals promoted in rural areas outwith settlements. I recommend a modification below.

Policy R3 Minerals

General matters

66. I note the concerns raised in the representations that some aspects of Policy R3 may not be appropriate to renewable energy development. I also note, however, that the council expects Policy R3 to be applied (and this would include applying just relevant aspects), only when it is appropriate to do so. Paragraphs R3.1 to R3.5 outline the matters that are likely to be relevant to the consideration of all minerals development. Some of these matters could equally apply, for example, where borrow pits are required to supply aggregate in relation to a wind farm. Therefore I see no justification to modify the policy to specifically exclude borrow pits in these circumstances.

Paragraph 3.1

67. Paragraph R3.1 states that the council will only allow minerals development where sufficient information has been provided to enable the full likely effects of a development to be assessed. It also identifies the information that will be required as a minimum to support an application. Whilst the list is not exhaustive, RSPB Scotland would like to see the requirement for environmental and carbon impact statements added to the list. It also seeks the addition of a sentence to state that new commercial peat extraction sites will not be permitted.

68. I note that paragraph R3.2 states that in all cases an environmental statement will be required to support a minerals application. However, this requirement is not included in the list at paragraph R3.1. The council is content to modify paragraph R3.1 as suggested by adding 'environmental impact assessment' rather than 'environmental statement' to the list; which, as noted by NatureScot, is the term used in the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. I agree that the requirement for an 'environmental impact assessment' should be added to the list, particularly given the range of environmental considerations such assessments generally address, including impacts on carbon rich soils. In the interests of consistency, I also agree that the term 'environmental statement' should be replaced with 'environmental

impact assessment'. I recommend modifications below.

69. The council considers that it would be inappropriate, however, to add 'carbon impact assessment' to the list and suggests that this is a matter best left until the National Planning Framework (NPF4) is published. Notwithstanding the publication date of NPF4, I note that paragraph R3.2 indicates that an environmental statement (modified to read environmental impact assessment) lodged in support of an application is required to consider disturbance of carbon rich soils, among other things. A footnote clarifies the definition of carbon-rich soils (see paragraph 70 below). On the basis that the potential for a minerals development to disturb carbon-rich soils would form part of an environmental impact assessment, I consider that the concerns of RSPB Scotland would be sufficiently addressed by the proposed plan, subject to the modifications recommended below. Accordingly, I agree with the council that it is not necessary to modify paragraph R3.1 further in this regard.

70. As I note above, NatureScot seeks a modification to footnote 10 to align the definition of carbon-rich soil with that used in its 2016 mapping exercise. The council is also content to modify the proposed plan in this regard. In the interests of accuracy and consistency, I agree that the definition should be modified as suggested.

Paragraphs R3.2 – R3.4

71. Paragraph 3.2 requires the environmental statement (environmental impact assessment) that accompanies a minerals development proposal to show acceptable environmental impacts by addressing a number of considerations. The representations highlight that a significant effect in environmental impact assessment terms does not make a proposal unacceptable in land use or policy terms; the decision maker will need to consider the effects as part of the wider planning balance. The council's response appears to agree with this position, acknowledging that in each case it would be appropriate to look at the benefits of a proposal alongside the significant environmental effects.

72. I consider that paragraph R3.2, as worded, does not allow for a balancing of planning considerations, as it requires that an environmental impact assessment demonstrates acceptable environmental impacts in all cases. The representations are not seeking, as a matter of course, that renewable energy developments should be permitted, but that in some circumstances it may be that development would have a significant environmental effect, but overall that this might be acceptable.

73. Modifications are recommended in paragraph 68 above to insert a new bullet point in paragraph R3.1 requiring environmental impact assessment to support applications for minerals development. This would negate the need for a reference to such in paragraph R3.2, and remove any suggestion that a proposal would routinely be regarded as unacceptable if significant environmental effects are concluded. Therefore, I recommend a modification to R3.2 to remove the first sentence.

74. Nestrans considers that the transport impacts of a minerals development also require to be assessed as part of environmental impact assessment and seeks a modification to the bulleted list at paragraph R3.2 to this effect. The council is agreeable to the suggested modification. I also consider that it is reasonable for an applicant to assess the transport impacts of its proposal in an environmental impact assessment. I recommend a

modification below.

75. Similarly, The Woodland Trust Scotland seeks a modification to paragraph R3.2 to indicate that the loss of high quality Ancient Woodland is unacceptable, as it cannot be replaced. In response, the council notes that a planning application would be assessed against the policies of the proposed plan as a whole, including policies E1 (Natural Heritage) and E3 (Forestry and Woodland). As such, it argues that it is not necessary to repeat relevant considerations of section 10 (Natural Heritage and Landscape). I agree with the council on this matter. In addition to the provisions of Section 10 of the proposed plan, the list of considerations that an environmental impact assessment would be required to address includes the effects of minerals development on natural heritage, habitat and biodiversity, landscape and visual impacts. Also, I note that the map on page 78 (safeguarding resources) of the proposed plan identifies areas of Ancient Woodland. I consider that such considerations address the concerns of The Woodland Trust Scotland. My conclusions on this matter apply equally to The Woodland Trust Scotland's comments in respect of paragraph R3.4, which relates to an entirely different matter. No modifications are required.

Paragraph 3.5

76. RSPB Scotland seeks a modification to remove the words 'where appropriate' from the beginning of paragraph R3.5. It adds, in all cases financial guarantees are required to ensure that agreed mitigation, site restoration and habitat enhancement is delivered. Without stated criteria to indicate when it would be appropriate or not to seek a financial guarantee, the council's position on this matter is unclear. The council argues that the proposed wording provides flexibility to address site restoration and aftercare issues on a case-by-case basis.

77. I agree with the council on this matter. The mechanisms promoted by applicants to guarantee the availability of funds to cover costs associated with site restoration and aftercare vary, as do the responses of councils to individual proposals. These are matters discussed in the context of individual planning applications. I consider that it would be inappropriate for the plan to prejudge how such matters should be addressed. It is sufficient for the proposed plan to indicate that financial guarantees may be required. No modification is required.

Paragraph R3.9

78. To accord with paragraph 238 of Scottish Planning Policy, the Scottish Government states that the policy R3 should contain a statement regarding the maintenance of a minerals landbank, indicating that the plan has identified at least ten years of construction aggregate. The council is content to modify the proposed plan in this regard and proposes a modification to paragraph R3.9. I agree that the proposed plan should be modified to accord with Scottish Planning Policy. A modification based on the council's suggested wording is set out below.

Policy R4 Hill tracks

79. Representations seek clarification that policy R4 would not apply to renewable energy developments. I note that onshore wind farms can involve extensive networks of tracks associated with construction and maintenance. As the impacts of such tracks would require to be considered in the assessment of wind farm or other renewable energy

proposals, there is no justification to modify policy R4 to exclude these types of development.

80. Representees seek modifications to paragraph R4.1 to clarify its intended application. The council has suggested changes, which I consider would provide the clarity sought by Paths for All, SEPA and the RSPB Scotland. I recommend a modification below.

Shaping Development in the Countryside Policy Map

81. I address the legibility of the map at paragraph 57 above.

82. The council proposes an amendment to the green belt boundary at Blairs. It intends to do so through a series of non-notifiable modifications to the Shaping Development in the Countryside Policy Map (page 37), Appendix 4 Key Map (page 116) and Appendix 4 Green Belt Map 7 (page 123); each of which show the same settlement/ site at different scales. The proposed amendment is required as a consequence of extending site OP1, Blairs College Estate (PP0445) to include plot 22 lying to the west of Burnside Cottages. This matter is address in Issue 49. In light of the recommendation to amend the boundary of site OP1 at Blairs, I agree that the green boundary should be amended accordingly. I recommend modifications below.

Reporter's recommendations:

Modify the local development plan by:

1. In the introductory paragraph to Section 7 on page 31, replacing the first sentence with: "We want to create a welcoming approach to development in the countryside that meets local needs, encourages prosperous well-connected sustainable communities and businesses, and is accessible by public transport and active travel routes, while protecting and improving the quality of the environment."

2. Adding the following sentences to the end of the introductory paragraph to section 7 on page 31:

"Some development proposals, such as extracting minerals, need a rural location or can have a significant effect on our landscape, and as such we design policies to tackle these concerns. We set out our policy on renewable energy developments under Section 13 Climate Change."

3. Replacing the first sentence of paragraph R1.1 on page 31 with:

"In order to safeguard the special nature of the green belt and coastal zone, development opportunities will be restricted and subject to the considerations set out in paragraphs R1.2 to R1.5."

4. Amending the third bullet of paragraph R1.2 on page 31 to read:

"• development meeting a national requirement or established need, if no other suitable site is available;"

5. Adding the following new sixth bullet point to paragraph R1.2 on page 31:

"• essential infrastructure such as digital communications infrastructure and electricity grid connections."

6. Adding 'environmental' to the first sentence of paragraph R1.3 on page 32 so that the

sentence reads:

“In the coastal zone development must require a coastal location or there must be clear social, economic, environmental or community benefits arising.”

7. Deleting the words ‘a significant’ from the first sentence of paragraph R2.4 on page 32 and adding the word ‘an’ so that the sentence reads:

“Appropriate development will be welcomed on brownfield sites that bring an environmental and visual improvement.”

8. Within the Glossary on page 1173, adding the word ‘agricultural’ and deleting the word ‘being’ from the third sentence (presently the ninth line of text) of the definition of Brownfield Development/ Land/ Sites (under Policy R2) so that the sentence reads:

“Excluded are private and public gardens, domestic garages, sports and recreational grounds, woodlands and amenity open space, agricultural buildings or land used for storage purposes e.g. silage clamps or other specialised agricultural structures, ...”

9. Amending footnote 4 at the bottom of page 32 to read:

“Naturalised land is that which has been previously developed but is no longer regarded as ‘vacant’ due to its nature conservation interests, as demonstrated in an ecology survey.”

10. Within the Glossary on page 1177, adding the words ‘including any remnants of previous development’ to the second sentence of the definition of ‘Naturalised Land’ so that the sentence reads:

“The land, including any remnants of previous development, has reverted to a natural state or the site appears to have blended back through a degree of vegetation into the surrounding landscape.”

11. Replacing paragraph R2.6 on page 32 with:

“We will permit the small-scale development of brownfield sites that involve the conversion or replacement of a redundant or derelict non-domestic building or the redevelopment of vacant land.”

12. Replacing the first sentence of paragraph R2.8 on page 33 with:

“Proposals for more than three new homes on larger rural brownfield sites will only be permitted where a larger development can be accommodated on the site and the scale of development proposed will not cause adverse social or environmental impacts.⁵”

13. Replacing paragraph R2.9 on page 33 with:

“Large brownfield sites capable of accommodating eight or more homes should be promoted through an allocation in the Local Development Plan. However, we recognise that in some cases development opportunities may come forward on large brownfield sites unexpectedly and between reviews of the Local Development Plan. In these circumstances, development proposals will be considered on their individual merits. Development approved under this policy in the remote rural area will be exempt from further development through the housing clusters and groups policy during the plan period.”

14. Replacing paragraph R2.11 on page 33 with:

“We will support small-scale organic growth in identified settlements, subject to criteria listed in paragraph R2.13 below. In all cases, careful consideration of development layout, siting and design will be the primary considerations in determining whether the

growth promoted is acceptable. Organic growth will not be permitted where the development proposed would cause an adverse impact that cannot be suitably mitigated.⁸

15. Adding the following footnote '8' to new paragraph R2.11 on page 33 (amending subsequent footnote numbers accordingly):

"Including considerations set out in other relevant policies in Section 8 (Natural Heritage and Landscape) and Section 10 (Protecting Resources)."

16. Replacing the words 'footpath connections' in the last sentence of paragraph R2.13 on page 34 with the phrase 'paths and/or active travel routes'.

17. With regard to paragraph R2.15, adding the following footnote to page 34 (amending subsequent footnote numbers accordingly):

"One house per farm enterprise will be permitted under this policy."

18. Replacing paragraphs R2.16 and R2.17 on page 34 with:

"R2.16 In remote rural areas only we will also allow development associated with existing clusters or housing groups consisting of 5-14 separate habitable or occupied homes on the date of the Plan's adoption. The existing properties within the cluster or housing group should relate well to each other through their design and layout, for example, by sharing curtilage boundaries. There should be a clear relationship between the cluster/group, or development should contribute towards establishing a cohesiveness among the group, for example, through infill development.

R2.17 Development of a maximum of three homes will be permitted during the plan period. The size of a cluster must not exceed 15 homes⁹. Clusters or housing groups greater than 15 homes must not be sub-divided. This includes clusters/housing groups that may comprise two or three individual clusters/groups situated in close proximity, that is, by sharing the same access road. All proposals must respect the character, layout and building pattern of the cluster or group."

19. Replacing paragraph R2.19 on page 34 with the following two paragraphs (R2.19 and R2.20):

"R2.19 In remote rural areas outwith settlements, small-scale employment proposals will be supported in principle."

"R2.20 Employment proposals outwith settlements in both accessible and remote rural areas should be in keeping with their surroundings and demonstrate that no other suitable site is available. The development must be located on a site that is safe to access via different modes of transport and demonstrate how it could be accessed via footway/ cycle infrastructure and/ or public transport."

20. Adding the following new first bullet point to paragraph R3.1 on page 35:
"environmental impact assessment;"

21. Deleting the first sentence of paragraph R3.2 on page 35 and adding "transport impacts" as an additional bullet point.

22. Replacing footnote 10 on page 35 with:

"Carbon-rich soil is any soil with a surface organic layer (the 'O' horizon as defined by the

Scottish Soil Classification'. In this context, it includes surface layers often referred to as peaty soil and peat soil."

23. Adding the following sentence to the end of paragraph R3.9 on page 36:

"We will seek to maintain a minerals landbank of permitted reserves for construction aggregates of at least 10 years during the plan period, in all market areas through the identification of areas of search."

24. Replacing paragraph R4.1 on page 36 with:

"We will only allow hill track development if the need for the track can be justified, satisfactorily integrated into the landscape and it respects existing and historic pathways. Hill tracks will only be permitted if they minimise environmental impacts, such as soil erosion, impacts on habitats and species, water bodies, and on carbon rich soils and a satisfactory maintenance programme has been agreed with the planning authority."

25. Amending the policy map shown on page 37 to remove plot 22 located to the west of Burnside Cottages, Blair College Estate from the green belt.

26. Amending the key map shown on page 116 of Appendix 4 to remove plot 22 located to the west of Burnside Cottages, Blair College Estate from the green belt.

27. Amending the green belt map 7 shown on page 123 of Appendix 4 to remove plot 22 located to the west of Burnside Cottages, Blair College Estate from the green belt.

Issue 5	Section 8 – Shaping Homes and Housing – Policy H1 Housing Land and Appendix 6 Housing Land Allocations	
Development plan reference:	Proposed LDP, Section 8, Page 39-44, Appendix 6 Housing Land Allocations, Page 165-182	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>General PP0659 Paths for All PP0772 Hallam Land PP1130 Giancarlo Pia PP1197 CALA Homes (North) Ltd PP1217 Hallam Land PP1306 Homes for Scotland PP1347 CALA Homes</p> <p>Policy H1 Housing Land PP0105 Joyce Scott PP0541 Ian Smith PP0558 Asda Stores Limited PP0580 John McIntosh PP0733 Dr Paul Davison PP1061 c a s e CONSULTING Limited PP1113 c a s e CONSULTING Limited PP1209 Hallam Land PP1219 Scottish Environment Protection Agency PP1222 NHS Grampian PP1244 Glenisla Developments Limited PP1348 CALA Homes</p> <p>Appendix 6 Housing Land Allocations – General PP0695 William Wright PP0788 Audrey Wright PP0853 Doreen Cassell PP0886 John Hopkins PP0887 Gwen Pirie PP1022 Deeside Climate Action Network PP1064 c a s e CONSULTING Limited PP1119 c a s e CONSULTING Limited PP1126 CHAP Group (Aberdeen) Ltd PP1132 CALA Homes (North) Limited PP1167 Jenni Clarke PP1286 W. Maitland & Sons PP1287 W. Maitland & Sons PP1296 Barratt North Scotland PP1297 Barratt North Scotland PP1298 Barratt North Scotland PP1306 Homes for Scotland PP1401 Robert Pirie</p>		

Appendix 6 Housing Land Allocations – Differences between the Main Issues Report 2019 and the Proposed Local Development Plan 2020

PP0591 CHAP Homes
PP0593 Graeme Webster
PP0837 Harper and Cochrane
PP1116 c a s e CONSULTING Limited
PP1126 CHAP Group (Aberdeen) Ltd
PP1240 CHAP Group (Aberdeen) Ltd
PP1251 Drum Property Group
PP1285 The Margaret Mitchell Discretionary Trust

Appendix 6 Housing Land Allocations – Increasing site density

PP0326 Fintray Community Council
PP0694 Stewart Milne Homes
PP0892 Ian Ross
PP0944 Bancon Homes
PP1126 CHAP Group (Aberdeen) Ltd
PP1132 CALA Homes (North) Limited
PP1198 Barratt North Scotland
PP1208 Hallam Land
PP1240 CHAP Group (Aberdeen) Ltd
PP1282 Barratt North Scotland
PP1306 Homes for Scotland
PP1349 CALA Homes

Appendix 6 Housing Land Allocations – Effectiveness, Delivery, and Constrained Sites

PP0539 Nigel Bennett
PP0591 CHAP Homes
PP0694 Stewart Milne Homes
PP0837 Harper and Cochrane
PP0892 Ian Ross
PP0944 Bancon Homes
PP1030 c a s e CONSULTING Limited
PP1031 c a s e CONSULTING Limited
PP1033 c a s e CONSULTING Limited
PP1034 c a s e CONSULTING Limited
PP1035 c a s e CONSULTING Limited
PP1036 c a s e CONSULTING Limited
PP1037 c a s e CONSULTING Limited
PP1038 c a s e CONSULTING Limited
PP1040 c a s e CONSULTING Limited
PP1042 c a s e CONSULTING Limited
PP1043 c a s e CONSULTING Limited
PP1044 c a s e CONSULTING Limited
PP1045 c a s e CONSULTING Limited
PP1046 c a s e CONSULTING Limited
PP1047 c a s e CONSULTING Limited
PP1048 c a s e CONSULTING Limited
PP1050 c a s e CONSULTING Limited

PP1051 c a s e CONSULTING Limited
PP1054 c a s e CONSULTING Limited
PP1055 c a s e CONSULTING Limited
PP1056 c a s e CONSULTING Limited
PP1057 c a s e CONSULTING Limited
PP1061 c a s e CONSULTING Limited
PP1062 c a s e CONSULTING Limited
PP1065 c a s e CONSULTING Limited
PP1069 c a s e CONSULTING Limited
PP1070 c a s e CONSULTING Limited
PP1071 c a s e CONSULTING Limited
PP1077 c a s e CONSULTING Limited
PP1078 c a s e CONSULTING Limited
PP1079 c a s e CONSULTING Limited
PP1080 c a s e CONSULTING Limited
PP1081 c a s e CONSULTING Limited
PP1082 c a s e CONSULTING Limited
PP1083 c a s e CONSULTING Limited
PP1084 c a s e CONSULTING Limited
PP1085 c a s e CONSULTING Limited
PP1086 c a s e CONSULTING Limited
PP1087 c a s e CONSULTING Limited
PP1088 c a s e CONSULTING Limited
PP1089 c a s e CONSULTING Limited
PP1090 c a s e CONSULTING Limited
PP1099 c a s e CONSULTING Limited
PP1101 c a s e CONSULTING Limited
PP1102 c a s e CONSULTING Limited
PP1104 c a s e CONSULTING Limited
PP1105 c a s e CONSULTING Limited
PP1106 c a s e CONSULTING Limited
PP1107 c a s e CONSULTING Limited
PP1109 c a s e CONSULTING Limited
PP1110 c a s e CONSULTING Limited
PP1111 c a s e CONSULTING Limited
PP1112 c a s e CONSULTING Limited
PP1113 c a s e CONSULTING Limited
PP1115 c a s e CONSULTING Limited
PP1116 c a s e CONSULTING Limited
PP1120 c a s e CONSULTING Limited
PP1125 Barratt North Scotland
PP1126 CHAP Group (Aberdeen) Ltd
PP1132 CALA Homes (North) Limited
PP1133 CALA Homes (North) Limited
PP1197 CALA Homes (North) Ltd
PP1198 Barratt North Scotland
PP1240 CHAP Group (Aberdeen) Ltd
PP1248 Gladman Developments Ltd
PP1276 Polmuir Properties (Newtonhill) Limited
PP1297 Barratt North Scotland
PP1306 Homes for Scotland

PP1315 Stewart Milne Homes
 PP1316 Stewart Milne Homes
 PP1412 c a s e CONSULTING Limited

Appendix 6 Housing Land Allocations – Strategic Housing Sites

PP0591 CHAP Homes
 PP0593 Graeme Webster
 PP0665 Stewart Milne Homes
 PP0694 Stewart Milne Homes
 PP1239 CHAP Group (Aberdeen) Ltd
 PP1248 Gladman Developments Ltd
 PP1251 Drum Property Group

Appendix 6 Housing Land Allocations – Rebasing of Existing Allocations

PP1052 c a s e CONSULTING Limited
 PP1060 c a s e CONSULTING Limited
 PP1066 c a s e CONSULTING Limited
 PP1073 c a s e CONSULTING Limited
 PP1411 c a s e CONSULTING Limited

Appendix 6 Housing Land Allocations – Strategic Reserve or Future Opportunity Sites

PP0451 Cabardunn Development Company and Dunecht Estates
 PP0501 Cabardunn Development Co Ltd and Dunecht Estates
 PP0591 CHAP Homes
 PP1125 Barratt North Scotland
 PP1251 Drum Property Group
 PP1285 The Margaret Mitchell Discretionary Trust

Provision of the development plan to which the issue relates:

Policy H1 and adequacy of the housing land supply

Planning authority’s summary of the representation(s):

General

An additional sentence should be added to explain that it is important that housing is provided in locations where it is needed, and where people wish to live (PP1217 and PP1347).

New housing developments should take on board sustainability issues, as well as active travel and public transport to avoid new housing developments forcing car dependency (PP0659).

A representee has questioned why did Aberdeen City have the highest decrease in house prices in March 2020? An assessment of the housing demand model in the light of current issues associated with the economy and the economic viability of allocating additional land is required (PP1130).

The summary explanation of the housing numbers has been relegated to Appendix 6 but

should form part of the LDP within Section 8 due to its importance as a fundamental and instructive component of the Plan (PP0772, PP1197 and PP1306). The representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position.

Policy H1 Housing Land

Scottish Environment Protection Agency (SEPA) has no comments on Policy H1 and Appendix 6 (RD0214.A). No modification sought (PP1219).

The policy should be based on a model of renovating existing buildings, or building on previously developed land, to reduce resource use. The criteria for developing on greenfield land should be much tighter, such as if there is a human health need (PP0541).

Housing developments should be required to mitigate against impacts from existing businesses, particularly noise from service yard activity and 24-hour operations (PP0558).

Obsolete office and industrial spaces should be transformed into homes. Developers should be encouraged to consider buying existing housing stock with a view to refurbishing and reselling them (PP0105).

Modify the PLDP to ensure major developments provide services and facilities to support that community. The types of development permitted by paragraph H1.2 should include restaurants, cafes, and other developments providing services to the residents (PP0733).

There is no provision in the Proposed Local Development Plan (PLDP) to support housing suitable for older age groups in private sector housing to address a national problem. There are no specific allocations in the PLDP supporting the delivery of such homes and the private housing market is not delivering these in new development. New market housing in developments is not required to provide homes specifically to address the increasing needs of the growing elderly population. The representee has included an Appendix (RD0228.D) in their representation which provides further detail to support their position. (PP1244).

While there is support in the PLDP for self-build housing, there is no particular policy support or significant allocations for self-build housing in the PLDP and some sites would be appropriate for this kind of development (PP0580). Infrastructure costs will preclude self-build on some sites (PP1061 and PP1113). A representee has included an Appendix (RD00085.A) in their representation which provides further detail to support their position (PP0580).

There has been no assessment on the impact of new development on the existing housing stock, particularly on property values (PP0105). In some locations (Balmedie, Blackdog, Ellon, Inverurie, Chapelton, Banff, Fraserburgh, Banchory, Mintlaw, Peterhead, Turriff and Laurencekirk) there will be significant impacts on health care (PP1222).

The PLDP should give an indication of the circumstances when planning permission can be granted for housing on unallocated sites such as when there is a shortfall in the 5-year housing land supply (PP1209 and PP1348).

Appendix 6 Housing Land Allocations – General

Given the enormous changes in the underlying economy of Aberdeenshire and Aberdeen City that have taken place over the past 2-3 years, the basis of the PLDP is now obsolete, and that housing requirements should not be set for the period 2021-2032 until a proper revision is undertaken based on valid and current data. The numbers in Appendix 6, the Housing Land Allocations are now inappropriate and will result in an oversupply of housing (PP1022).

Windfall sites have been used in the calculation of the effective supply (PP1064 and PP1119).

Appendix 6 is not an accurate summary of supply as shortfalls exist in both Housing market Areas (PP1126). The addition of an additional column to reflect units built by January 2019 would provide a more accurate picture of the number of houses proposed from 2021 onwards. It currently gives a false impression of the scale of proposed development (PP1296, PP1297 and PP1298). There are inconsistencies in the way that completed units have been reported (PP1296). Representees have included an Appendix (RD0251.A, RD0252.A and RD0253.A) in their representation which provides further detail to support their position (PP1296, PP1297 and PP1298).

There are shortcomings in the evidence that the Council has presented in respect of the new housing supply proposed in the PLDP. Further information and justification is needed for all of the components of the housing land supply. It is essential that any sites identified are demonstrably deliverable. The representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

Only sites promoted by developers should be promoted as these sites are more desirable and deliverable. The representee has included an Appendix (RD0198.A) in their representation which provides further detail to support their position (PP1132).

Potterton is not within the Strategic Growth Area (SGA) identified in the Aberdeenshire Local Development Plan (LDP) 2017 and inclusion of these sites within that settlement against the SGA allowances is erroneous (PP0695, PP0788, PP0853, PP0886, PP0887, PP1137 and PP1401).

Not enough housing land has been allocated in a range of locations or scales (PP1286 and PP1287). Representees have included an Appendix (RD0241.A and RD0242.A) in their representation which provides further detail to support their position (PP1286 and PP1287).

A large number of representees requested that additional housing sites should be identified and delivered during the Plan period. These vary from being very general in the location of additional allocations, to being site specific. Where representations have been made, with reference to specific sites or settlements, then the specific matters raised have been dealt with within the appropriate Settlement Statement. On a Plan-wide scale a range of reasons for adding housing land to the allocations in Appendix 6 have been given as follows.

Appendix 6 Housing Land Allocations – Differences between the Main Issues Report 2019 and the Proposed Local Development Plan 2020

A different housing allocation strategy was recommended in the Main Issues Report (MIR) with a greater set of housing allocations and sites were removed (PP0593, PP0837, PP1251 and PP1285). Evidence was not presented to show how supply or targets related to each other, and the PLDP shows a reduction of at least 360 homes compared to that proposed at the MIR (PP0591). The surplus in the PLDP is lower than the surplus in the Main Issues Report following the removal of 360 homes during preparation of the PLDP (PP1126 and PP1240). Representees have included an Appendix (RD0089.A, RD0091.A, RD0155.A, and RD0231.A) in their representation which provides further detail to support their position (PP0591, PP0593, PP0837, and PP1251).

The LDP is not fully aligned with the SDP's ambitions or requirements. The representee has included an Appendix (RD0155.A) in their representation which provides further detail to support their position (PP0837).

Some sites were not included in the Main Issues Report (PP1116).

Appendix 6 Housing Land Allocations – Increasing Site Density

The Council's approach to site capacities is inconsistent (PP1306). The Council have increased the site capacities to avoid underdevelopment (PP0694) and inflated the housing land supply (PP1198). This should not have been done (PP1282). The increase in densities used is illogical and inconsistent and is considered inflated to such a level that the allocations could not be delivered (PP0892 and PP1198). Representees have included an Appendix (RD0116.A, RD0213.A and RD0259) in their representation which provides further detail to support their position (PP0593, PP0694, PP1198, and PP1306).

Increases in density are observed to be greater than the bids submitted (PP0892) and without the request or evidence from the site proposer (PP0944), or market testing (PP0694 and PP1132). Infrastructure may constrain the delivery of more dense developments (PP1132). Representees have included an Appendix (RD0089.A and RD0198.A) in their representation which provides further detail to support their position (PP0694 and PP1132).

Evidence should be provided to indicate how sites have been assessed and evidence provided to justify the increase in density (PP0892 and PP1208). There does not seem to be a reliable evidential basis for the calculation of site capacities (PP1349).

The densities proposed will lead to a shortfall in the housing supply (PP1126). Density assumptions may result in sites not being able to be delivered due to conflicts with the Council's policies on ecological, environmental and landscape considerations. The representee has included an Appendix (RD0089.A) in their representation which provides further detail to support their position (PP0694).

New housing allocations should have been made rather than increasing the density of sites (PP1126 and PP1240).

Housing policy should ensure that any planning applications exceeding the approved number of units are rejected (PP0326).

Appendix 6 Housing Land Allocations – Effectiveness, Delivery, and Constrained Sites

The PLDP does not ensure that existing or newly allocated sites are effective and deliverable over the Plan period (PP1248 and PP1276). The principle of removing sites that have not been delivered should be applied consistently across the Rural Housing Market Area (RHMA) (PP1050). There has to be doubt about the effectiveness of some sites (PP0892). Information provided by developers on effectiveness has been taken on trust (PP1197). Long-term constrained sites should not contribute towards the allowance (PP1048, PP1031, PP1055, PP1062, PP1083, PP1102 and PP1120) and do not promote confidence in the area (PP1315). Constrained sites at the base date of the Plan should not count towards the allocations (PP1062, PP1125, PP1126 and PP1240). All identified allocations must be effective or capable of becoming effective within the relevant Plan period (PP1116). All sites have to be deliverable within the Plan period (PP1126). Representees have included an Appendix (RD0195.A, RD0234. and A RD0263.A) in their representation which provides further detail to support their position (PP1125, PP1276 and PP1315).

Evidence of the effectiveness of sites within the context of the tests contained in PAN 2/2010 (paragraph 55) is needed, particularly for those that are currently constrained (PP1306). Only remaining effective units should be allocated in the 2021 LDP (PP1297). Representees have included an Appendix (RD0252.A and RD0259.A) in their representation which provides further detail to support their position (PP1297 and PP1306).

All ineffective sites should be removed unless there is evidence to the contrary (PP1306 and PP1315). Effectiveness and delivery of identified sites has not been demonstrated (PP1306). It is not reliable or able to be scrutinised (PP1197). No programming of sites has been provided (PP1306). Representees have included an Appendix (RD0259.A and RD0264.A) in their representation which provides further detail to support their position (PP1306 and PP1315).

There are shortcomings in the information the Council has presented, which is needed to understand whether the Plan is providing a 5-year effective housing land supply. (PP1306). A clear understanding of how effectiveness has been assessed is required (PP1132). The assessment of effectiveness is inconsistent with the findings of the Strategic Environmental Assessment recording different assessments and conclusions on adjacent sites that exhibit many of the same characteristics and have the same potential impacts (PP0892). There is no justification or detailed information provided to explain why constrained sites are now considered to be effective, contrary to the position at the agreed 2019 HLA (PP1306). There is no justification given for the deliverability of sites or that sites will become effective (PP0892). Appendix 6 is not clear on the circumstances when existing constrained sites may count towards the allowances (PP1306). Representees have included an Appendix (RD0198.A and RD0259.A) in their representation which provides further detail to support their position (PP1132 and PP1306).

Many sites identified in the Plan are identified as constrained in the 2019 Housing Land Audit. The representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

Marketability constraints are a feature of a number of sites (PP1030, PP1031, PP1033, PP1035, PP1036, PP1038, PP1040, PP1044, PP1047, PP1048, PP1054, PP1055, PP1056, PP1057, PP1070, PP1071, PP1078, PP1079, PP1080, PP1081, PP1084,

PP1086, PP1087, PP1088, PP1089, PP1099, PP1101, PP1102, PP1105, PP1106, PP1107, PP1109, PP1110, PP1112, PP1113, PP1115, PP1120, PP1306 and PP1412) particularly in the RHMA (PP1048 and PP1070). A representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

Lack of developer interest is a constraint on a number of sites (PP1030, PP1031, PP1037, PP1038, PP1040, PP1055, PP1070, PP1077, PP1081 and PP1106).

Infrastructure constraints are a feature of a number of sites (PP1030, PP1031, PP1035, PP1038, PP1042, PP1043, PP1045, PP1046, PP1048, PP1051, PP1057, PP1061, PP1065, PP1070, PP1084, PP1085, PP1086, PP1090, PP1099, PP1104, PP1105, PP1110, PP1111 and PP1306). A representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

Some sites are constrained due to inaction by the developer (PP1061) and low build out rates (PP1080, PP1081 and PP1306). A representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

Some sites are constrained by the owner (PP1034, PP1055, PP1062, PP1069, PP1070, PP1082, PP1083, PP1084, PP1086, PP1090, PP1099, PP1101, PP1105, PP1107, PP1112 and PP1306). A representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).
Some sites are constrained by contamination issues (PP1082 and PP1120).

One site is constrained by market funding (PP1306).

The approach taken is not consistent with Scottish Planning Policy (SPP) or the Aberdeen City and Shire Strategic Development Plan (SDP) Report of Examination 2020. The representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

The implicit assumption in Appendix 6 that constrained sites in the 2019 Housing Land Audit (HLA) are expected to be effective over the LDP period and can count towards allowances appears to be an attempt to revisit matters settled at the SDP Examination. The representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

The inclusion of constrained sites is a unilateral approach which is inconsistent with para. 123 of SPP and para. 45 of PAN 2/2010 (PP1306). The Plan fails to comply with the SDP and SPP on matters of delivery (PP1276). Inclusion of constrained sites is inconsistent with paragraph 5.4 of the PLDP (PP1306). Representees have included an Appendix (RD0234.A and RD0259.A) in their representation which provides further detail to support their position (PP1306 and PP1276).

While constrained sites may become effective, effective sites can also become constrained. The representee has included an Appendix (RD0089) in their representation which provides further detail to support their position (PP0694).

Existing sites are under-delivering (PP0539 and PP0837) and its supporting statement

RD0155.A). Past delivery rates should be used to identify future housing delivery (PP0591). The Plan anticipates build out rates with a short lead in time which will be ambitious to deliver (PP0892). This issue is observed at Chapelton, which contains a significant proportion of the effective housing land supply within the Aberdeen Housing Market Area (AHMA) (PP0944) and has been consistently identified in housing land audits as delivering completions well in excess of actual performance (PP1081). There is over optimism on housing delivery (PP1198). Past delivery through the housing land audits should be used as an indicator to avoid reliance on unrealistic delivery rates (PP0591). Existing sites constrain new allocations (PP1133). Representees have included an Appendix (RD0089.A, RD0199.A, and RD0213.A) in their representation which provides further detail to support their position (PP0591, PP1133 and PP1198).

A review of all sites is necessary to ensure that all sites are effective (PP1248).

Appendix 6 Housing Land Allocations – Strategic Housing Sites

There is a history of under delivery on key strategic sites in the AHMA which puts the land supply in the AHMA at risk (PP0591 and its supporting statement RD0089.A). There is over-reliance on strategic sites as the main housing delivery mechanism (PP0593 and its supporting statement RD0089.A), (PP1248 and PP1251 and its Housing Land Review RD0231.A). Some strategic sites are not fully deliverable within the Plan period (PP0694). Additional land should be brought forward to compensate for big sites at Blackdog, Foveran and Ellon which have not come forward (PP0665). Representees have included an Appendix (RD0089.A and RD0231.A) in their representation which provides further detail to support their position (PP0591 and PP1251).

Large sites should remain a part of the housing strategy. The representee has included an Appendix (RD0089.A) in their representation which provides further detail to support their position (PP0591). Extensions to strategic sites needs to be considered in the context of the timing of earlier phases and, in some cases, they will not deliver within the Plan period (PP0694). The SDP counters overreliance on strategic sites at paragraph 4.15 by identifying the need for further allocations within the Plan period (PP1239).

Appendix 6 Housing Land Allocations – Rebasing of Existing Allocations

Existing effective allocations at the base date of the PLDP should not contribute to the allowances as this constitutes double counting (PP1052, PP1060, PP1066, PP1073 and PP1411).

Appendix 6 Housing Land Allocations – Strategic Reserve or Future Opportunity Sites

“Strategic Reserve” or “Future Opportunity Sites” should be added to the Plan (PP0451 and PP501). This would provide additional flexibility for the Plan (PP1125), particularly if allocated sites fail to deliver (PP0591, PP1251 and PP1285). Representees have included an Appendix (RD0089.A and RD0195.A) in their representation which provides further detail to support their position (PP0591 and PP1125).

Modifications sought by those submitting representations:

General

Modify the PLDP to ensure that new housing developments take on board sustainability issues, and active and public transport (PP0659).

Modify the PLDP to allocate additional sites (PP0772).

Modify the PLDP to make the following revision, "Providing land for housing development in the locations where it is needed and there is demand is a central way in which the Plan will contribute to Aberdeenshire being a successful sustainable place." (PP1217 and PP1347).

Modify the PLDP to reset the Aberdeenshire Council model for housing demand going forward as it clearly does not take into consideration the current economy by not including the decline in the Oil and Gas Industry (PP1130).

Modify the PLDP to reflect that there are serious shortcomings in the information the Council has presented. In order to establish the likely position in respect to the new housing supply proposed in the PLDP, it is essential that the Council provide further information and justification for all the components of that supply, including the following:

- Evidence on effectiveness for all "new" housing land based on the effectiveness criteria contained in PAN 2/2010.
- Evidence of the basis for increasing the density/capacity of existing sites.
- The annual programming of sites. This is necessary to understand whether the Plan is providing a 5-year housing land supply at all times and whether or not the total capacity of the site will deliver within the Plan period.
- The reasons why currently constrained sites are assumed to be capable of becoming effective (PP1306).

Modify the PLDP to make the substantial new allocations of effective land necessary to address the significant shortfalls we have identified in Table 1. These shortfalls could increase subject to review of any more detailed evidence the Council provides on effectiveness (PP1306).

Policy H1 Housing Land

Modify the PLDP to prioritise the development of brownfield sites over the release of greenfield sites (PP0105).

Modify the PLDP to rebase the policy which should be based on a model of renovating existing buildings or building on previously developed land with development on greenfield land restricted to elements, such as if there is a human health need (PP0541).

Modify the PLDP to acknowledge within Section 8 'Shaping Homes and Housing' and policy H1 that cognisance must be given to the Chief Planner's letter dated 16 February 2018 regarding the 'Agent of Change' principle to ensure that any proposed housing is designed to ensure that appropriate mitigation against any impacts from existing businesses (PP0558).

Modify Appendices 6 and 7 in the PLDP to allocate land for new homes serving the self and custom-build market (PP0580).

Modify the PLDP to change Policy H1.2. Housing land to, “We will not allow other types of development on designated housing land unless it is linked to the housing use” to “We will not allow other types of development on designated housing land, other than retail developments including restaurants, cafés, etc. providing services to the residents, unless it is linked to the housing use.” (PP0733).

Modify the Policy H.1 of PLDP to, “The Council, developers, service providers and other partners in housing provision should work together to ensure a continuing supply of effective land and to deliver housing, taking a flexible and realistic approach. If a shortfall in the 5-year effective housing supply emerges, the Council will consider granting planning permission for unallocated housing sites which can be demonstrated to be sustainable.” (PP1209 and PP1348).

Modify the PLDP to make allocations for a retirement (age exclusive) community (PP1244).

There are no relevant modifications on this topic for representations (PP1061, PP1113, PP1219 and PP1222).

Appendix 6 Housing Land Allocations – General

Modify the PLDP to remove Potterton from the Strategic Growth Area allocations as shown in the table (PP0695, PP0788, PP0853, PP0886, PP0887, PP1167 and PP1401).

Modify the PLDP to revise the overall allocations in Appendix 6 to take them substantially downward, taking into account the enormous change in strategic requirement since the publication of the 2014 Strategic Development Plan - the document on which the LDP 2021 is based (PP1022).

Modify the PLDP to remove an allocation and identify an alternative site that is either effective or capable of becoming effective in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of an alternative allocation, relocate allocation to the Local Growth Area of the adjacent Aberdeen HMA where marketability constraints are not an issue (PP1064).

Modify the PLDP to remove an allocation and identify an alternative allocation in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of an alternative allocation, in the Local Growth Area of the adjacent AHMA (PP1119).

Modify the PLDP to remove ineffective sites and make additional land allocations (PP1126).

Modify the PLDP to ensure that sufficient allocations have been made and the additional land allocation made to Appendix 6 Housing Land Allocations and the Proposed Plan, as a whole, is appropriate (PP1132).

Modify the PLDP to make an additional land allocation (PP1286 and PP1287).

Modify the Plan to make an additional allocation (PP1296).

Modify the PLDP to amend Appendix 6 (Housing Land Allocations - page 172) to include a new allocation and to remove units included in the LDP 2021 allocations which are already complete (PP1297 and PP1298).

Modify the PLDP to reflect that there are serious shortcomings in the information the Council has presented. In order to establish the likely position in respect to the new housing supply proposed in the PLDP, it is essential that the Council provide further information and justification for all the components of that supply, including the following:

- Evidence on effectiveness for all “new” housing land based on the effectiveness criteria contained in PAN 2/2010.
- Evidence of the basis for increasing the density/capacity of existing sites.
- The annual programming of sites. This is necessary to understand whether the plan is providing a 5-year housing land supply at all times and whether or not the total capacity of the site will deliver within the Plan period.
- The reasons why currently constrained sites are assumed to be capable of becoming effective (PP1306).

Modify the PLDP to make the substantial new allocations of effective land necessary to address the significant shortfalls we have identified in Table 1. These shortfalls could increase subject to review of any more detailed evidence the Council provides on effectiveness (PP1306).

Appendix 6 Housing Land Allocations – Differences between the Main Issues Report 2019 and the Proposed Local Development Plan 2020

Modify the PLDP to allocate additional housing land as per the requirements of the SDP Reporter’s findings, to reflect the evidence of under-delivery and to make up for the proposed scale of allocations removed at the MIR stage to ensure that they have an appropriate housing land supply to meet requirements (PP0591).

Modify the PLDP to increase the number of housing allocations (PP0593).

Modify the PLDP to account for the SDP increased requirement of 939 homes and allocate additional housing land; Include an allowance to account for the HLA evidence of under-delivery and therefore a predicted delivery shortfall – possibly up to 1,700 homes over the plan’s first 5 years. This could be in the form of additional allocations and future reserved housing sites with an appropriate a draw-down mechanism; and an equivalent of the sites removed from the MIR stages (min. 400) are replaced with new allocations across a range of locations (PP0837).

Modify the PLDP to remove ineffective sites and make additional land allocations (PP1126).

Modify the PLDP to make an additional land allocation (PP1240).

Modify the PLDP to allocate additional housing land as per the requirements of the SDP Reporter’s findings, to reflect the evidence of under-delivery and to make up for the proposed scale of allocations removed at the MIR stage to ensure that they have an appropriate housing land supply to meet requirements (PP1251).

Appendix 6 Housing Land Allocations – Increasing site density

No modification proposed (PP0326).

Modify the PLDP to make new allocations of effective land that will be necessary to make up a shortfall in land supply (PP0694).

Modify the PLDP to allocate additional land for residential development across the Plan area and to compensate for the anticipated shortfall in housing land to be created by the Plan, reassess the sites being proposed for residential development in order to establish which sites which were previously identified as constrained in the 2018 Housing Land Audit are now not considered to be constrained and are therefore counted against the effective housing land supply. The LDP should be updated as required to take account of any increase in housing numbers that would arise as a result of the above proposed modifications (PP0892).

Modify the PLDP to make additional of housing land allocations (PP0944).

Modify the PLDP to make additional housing land allocations (PP1126).

Modify the PLDP to ensure that Appendix 6 Housing Land Allocations and the Proposed Plan, as a whole, have sufficient allocations ensuring the allowances of the Strategic Development Plan are achieved and that these conform to the Spatial Strategy of the Strategic Development Plan Appendix 6 Housing Land Allocations and the Proposed Plan (PP1132).

Modify the PLDP to make additional housing land allocations (PP1198).

Modify Policy H1.3 of the PLDP unless Appendix 7 is evidence based (PP1208 and PP1349).

Modify the PLDP to make an additional land allocation (PP1240).

Modify the PLDP to make an additional land allocation (PP1282).

Modify the PLDP to reflect that there are serious shortcomings in the information the Council has presented. In order to establish the likely position in respect to the new housing supply proposed in the PLDP, it is essential that the Council provide further information and justification for all the components of that supply, including the following:

- Evidence on effectiveness for all “new” housing land based on the effectiveness criteria contained in PAN 2/2010.
- Evidence of the basis for increasing the density/capacity of existing sites.
- The annual programming of sites. This is necessary to understand whether the plan is providing a 5-year housing land supply at all times and whether or not the total capacity of the site will deliver within the Plan period.
- The reasons why currently constrained sites are assumed to be capable of becoming effective (PP1306).

Modify the PLDP to make the substantial new allocations of effective land necessary to address the significant shortfalls we have identified in Table 1. These shortfalls could increase subject to review of any more detailed evidence the Council provides on

effectiveness (PP1306).

Appendix 6 Housing Land Allocations – Effectiveness, Delivery, and Constrained Sites

Modify the Plan to remove a site (PP0539).

Modify the PLDP to allocate additional housing land as per the requirements of the SDP Reporter's findings, to reflect the evidence of under-delivery and to make up for the proposed scale of allocations removed at the MIR stage to ensure that they have an appropriate housing land supply to meet requirements (PP0591).

Modify the PLDP to make new allocations of effective land that will be necessary to make up a shortfall in land supply (PP0694).

Modify the PLDP to account for the SDP increased requirement of 939 homes and allocate additional housing land; Include an allowance to account for the HLA evidence of under-delivery and therefore a predicted delivery shortfall – possibly up to 1,700 homes over the plan's first 5 years. This could be in the form of additional allocations and future reserved housing sites with an appropriate draw-down mechanism; and an equivalent of the sites removed from the MIR stages (min. 400) are replaced with new allocations across a range of locations (PP0837).

Modify the PLDP to allocate additional land for residential development across the Plan area and to compensate for the anticipated shortfall in housing land to be created by the Plan, reassess the allocations being proposed for residential development in order to establish which allocations which were previously identified as constrained in the 2018 Housing Land Audit are now not considered to be constrained and are therefore counted against the effective housing land supply. The LDP should be updated as required to take account of any increase in housing numbers that would arise as a result of the above proposed modifications (PP0892).

Modify the PLDP to increase the number of housing allocations (PP0944).

Modify the PLDP to remove an allocation and make additional allocations in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of a suitable alternative, in the Local Growth Area of the adjacent Aberdeen Housing Market Area where there are no widespread marketability constraints (PP1030).

Modify the PLDP to remove an allocation and make additional allocations in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of a suitable alternative, in the Local Growth Area of the adjacent Aberdeen Housing Market Area where marketability constraints are not an issue (PP1031).

Modify the PLDP to remove a site and make additional site allocations in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of a suitable alternative, in the Local Growth Area of the adjacent Aberdeen Housing Market Area where marketability constraints are not an issue (PP1033).

Modify the PLDP to remove an allocation and make additional site allocations in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of a

suitable alternative, in the Local Growth Area of the adjacent Aberdeen Housing Market Area where marketability constraints are not an issue (PP1034).

Modify the PLDP to remove certain allocations (PP1035, PP1037, PP1047, PP1057, PP1065, PP1077, PP1079, PP1088 and PP1089, PP1099, PP1101, PP1105 and PP1107).

Modify the PLDP to remove an allocation and make additional site allocations in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of a suitable alternative, in the Hatton - Peterhead Strategic Growth Area or any other strategic growth area if marketability constraints are an issue (PP1036).

Modify the PLDP to remove an allocation and identify an alternative new effective allocation in the Huntly to Pitcaple Strategic Growth Area or in any other Strategic Growth Area if marketability constraints preclude that possibility (PP1038).

Modify the PLDP to remove an allocation and identify an alternative and effective allocation in the Local Growth Area of the Rural HMA or, if marketability constraints preclude the identification of such an allocation, in the Local Growth Area of the adjacent Aberdeen HMA where marketability constraints are not prevalent (PP1040).

Modify the Plan to remove an allocation and identify a new site within the Balmedie Primary School catchment area to meet the strategic allowances in the Blackdog to Ellon Strategic Growth Area (PP1042).

Modify the PLDP to remove an allocation and identify a new allocation within the Balmedie Primary School catchment area to meet the strategic allowances in the Blackdog to Ellon Strategic Growth Area (PP1043).

Modify the PLDP to remove an allocation and identify a new allocation for 35 houses in the Formartine part of the Local Growth Area – Aberdeen Housing Market Area (PP1044).

Modify the PLDP to remove an allocation and identify a new allocation with a capacity of 38 houses to meet the strategic allowance in the Formartine part of the Local Growth Area of the Aberdeen Housing Market Area (PP1045).

Modify the PLDP to reduce the capacity of an allocation and identify an additional allocation to meet the strategic allowances in the Formartine part of the Aberdeen HMA (PP1046).

Modify the PLDP to remove an allocation and identify an alternate new effective allocation in the Formartine part of the AHMA (PP1048).

Modify the PLDP to add an allocation and adjust housing allocations schedule accordingly (PP1050).

Modify the PLDP to remove an allocation and identify an alternative effective allocation in the Local Growth Area or, if marketability constraints preclude the identification of such an allocation, in the Local Growth Area of the adjacent Aberdeen HMA (PP1051).

Modify the PLDP to remove an allocation and identify an alternative site that is either

effective or capable of becoming effective in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of an alternative allocation, relocate allocation to the Local Growth Area of the adjacent Aberdeen HMA where marketability constraints are not an issue (PP1055).

Modify the PLDP to remove an allocation and identify an alternative site that is either effective or capable of becoming effective in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of an alternative allocation, relocate allocation to the Local Growth Area of the adjacent Aberdeen HMA where marketability constraints are not an issue (PP1056).

Modify the PLDP to reduce the capacity of an allocation and identify an alternative effective allocation in the Local Growth Area of the Rural HMA or, if marketability constraints preclude the identification of such an alternative allocation, in the Local Growth Area of the adjacent Aberdeen HMA where marketability constraints are not an issue (PP1061).

Modify the PLDP to remove an allocation and identify an alternative allocation, which is not known to be constrained in the Blackdog - Elion Strategic Growth Area (PP1062).

Modify the PLDP to remove an allocation and identify an alternative site that is either effective or capable of becoming effective locally, or in the Local Growth Area of the RHMA, or, if marketability constraints preclude the identification of an alternative allocation, relocate allocation to the Local Growth Area of the adjacent Aberdeen HMA where marketability constraints are not an issue (PP1069).

Modify the PLDP to remove an allocation and identify an alternative allocation that is either effective or capable of becoming effective in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of an alternative allocation, relocate allocation to the Local Growth Area of the adjacent Aberdeen HMA where marketability constraints are not an issue (PP1070).

Modify the PLDP to remove an allocation and identify an alternative and effective allocation in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of an alternative allocation, relocate allocation to the Local Growth Area of the adjacent Aberdeen HMA (PP1071).

Modify the PLDP to reduce the capacity of an allocation (PP1054, PP1079 and PP1080).

Modify the PLDP to reduce the entry for an allocation to accurately reflect the position detailed in the 2019 Housing Land Audit (PP1081).

Modify the PLDP to remove an allocation and identify an alternative effective allocation in the Strategic Growth Areas of the AHMA (PP1082).

Modify the PLDP to remove an allocation and identify a new alternative effective allocation in the Local Growth Area of the Aberdeen Housing Market Area (PP1083).

Modify the PLDP to remove an allocation and identify an alternative allocation that is either effective or capable of becoming effective in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of an alternative allocation, relocate

allocation to the Local Growth Area of the adjacent Aberdeen HMA where marketability constraints are not an issue (PP1084).

Modify the PLDP to remove an allocation and identify an alternative site that is either effective or capable of becoming effective in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of an alternative allocation, relocate the allocation to the Local Growth Area of the adjacent AHMA (PP1085).

Modify the PLDP to include an allocation (PP1087).

Modify the PLDP to remove an allocation and identify a replacement allocation in the Local Growth Area of the Rural HMA that is effective or capable of becoming effective within the Plan period. In the event that marketability issues preclude the identification of a suitable replacement allocation in the Rural HMA identify and allocate a suitable site in the Local Growth Area of the AHMA (PP1086).

Modify the PLDP to remove an allocation and identify an alternative site that is either effective or capable of becoming effective in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of an alternative allocation, relocate the allocation to the Local Growth Area of the adjacent AHMA (PP1090).

Modify the PLDP to remove an allocation and identify an alternative effective allocation in the AHMA to meet the strategic allowances (PP1102).

Modify the PLDP to remove an allocation and reallocate alternative site in the RHMA Local Growth Area or, if that proves impossible in the RHMA because of marketability issues, in the Local Growth Area of the adjacent AHMA where marketability constraints are not an issue (PP1104).

Modify the PLDP to remove an allocation and identify an alternative effective location in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of an alternative allocation, in the Local Growth Area of the adjacent AHMA (PP1106).

Modify the PLDP to remove two allocations, add an alternative allocation in the settlement (PP1109).

Modify the PLDP to remove an allocation and identify an alternative effective allocation in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of an alternative allocation, relocate allocation to the Local Growth Area of the adjacent Aberdeen HMA where no marketability issues exist (PP1110).

Modify the PLDP to reduce the entry for an allocation to accurately reflect the position detailed in the 2019 Housing Land Audit. (PP1111).

Modify the PLDP to remove an allocation and identify an alternative allocation in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of an alternative allocation, in the Local Growth Area of the adjacent AHMA (PP1112).

Modify the PLDP to remove an allocation and identify an alternative allocation in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of an alternative allocation, in the Local Growth Area of the adjacent AHMA where marketability

constraints are virtually unknown (PP1113).

Modify the PLDP to remove an allocation and identify an alternative allocation in the Local Growth Area of the RHMA or, if marketability constraints preclude the identification of an alternative allocation, in the Local Growth Area of the adjacent AHMA (PP1115).

Modify the PLDP to remove an allocation (PP1116).

Modify the PLDP to allocate additional sites following a substantial review of the Council's Housing Land Supply position, which are effective and can be delivered over the lifecycle of the next Plan (PP1125).

Modify the PLDP to ensure that sufficient allocations have been made to Appendix 6 Housing Land Allocations and the Proposed Plan, as a whole, ensuring allowances of the Strategic Development Plan are achieved and that these conform to the Spatial Strategy of the Strategic Development Plan (PP1132).

Modify the PLDP to make an allocation for housing, local retail, and business land. (PP1133).

Modify the PLDP to allocate additional effective sites should further information establish if there is a shortfall in the allocation of effective sites (PP1197).

Modify the PLDP to make additional housing land allocations (PP1198).

Modify the PLDP to make an additional housing land allocation (PP1240 and PP1276).

Modify the PLDP to address the clear shortfall in the housing land supply identified by Homes for Scotland and allocate a range of sites to help address this. There should be a detailed review of the housing sites within the land supply to ensure they are effective or capable of becoming effective. A range of effective smaller housing sites that can be delivered in the Plan period should be allocated, adjacent to settlements that contribute to sustainable development (PP1248).

Modify the PLDP to amend Appendix 6 (Housing Land Allocations - page 172) to include a new allocation and to remove units included in the LDP 2021 allocations which are already complete (PP1297).

Modify the PLDP to reflect that there are serious shortcomings in the information the Council has presented. In order to establish the likely position in respect to the new housing supply proposed in the PLDP, it is essential that the Council provide further information and justification for all the components of that supply, including the following:

- Evidence on effectiveness for all "new" housing land based on the effectiveness criteria contained in PAN 2/2010.
- Evidence of the basis for increasing the density/capacity of existing sites.
- The annual programming of sites. This is necessary to understand whether the plan is providing a 5-year housing land supply at all times and whether or not the total capacity of the site will deliver within the Plan period.
- The reasons why currently constrained sites are assumed to be capable of becoming effective (PP1306).

Modify the PLDP to make the substantial new allocations of effective land necessary to address the significant shortfalls we have identified in Table 1. These shortfalls could increase subject to review of any more detailed evidence the Council provides on effectiveness (PP1306).

Modify the PLDP to make substantial new allocations of effective land necessary to address the significant shortfalls identified (PP1306).

Modify the PLDP to make an additional housing land allocation (PP1315 and PP1316).

Modify the PLDP to remove an allocation and identify an alternative effective allocation elsewhere in the Local Growth Area of the Rural HMA or, if marketability issues preclude the identification of a replacement effective in the Rural HMA, in the adjacent Local Growth Area of the Aberdeen HMA (PP1412).

Appendix 6 Housing Land Allocations – Strategic Housing Sites

Modify the PLDP to allocate additional housing land as per the requirements of the SDP Reporter's findings, to reflect the evidence of under-delivery and to make up for the proposed scale of allocations removed at the MIR stage to ensure that they have an appropriate housing land supply to meet requirements (PP0591).

Modify the PLDP to increase the number of housing allocations (PP0593).

Modify the PLDP to make an additional land allocation (PP0665).

Modify the PLDP to make new allocations of effective land that will be necessary to make up a shortfall in land supply (PP0694).

Modify the PLDP to change the allocation of sites in Kemnay, from business use to an allocation suitable for houses (PP1239).

Modify the PLDP to address the clear shortfall in the housing land supply identified by Homes for Scotland and allocate a range of sites to help address this. There should be a detailed review of the housing sites within the land supply to ensure they are effective or capable of becoming effective. A range of effective smaller housing sites that can be delivered in the Plan period should be allocated, adjacent to settlements that contribute to sustainable development (PP1248).

Modify the PLDP to allocate additional housing land as per the requirements of the SDP Reporter's findings, to reflect the evidence of under-delivery and to make up for the proposed scale of allocations removed at the MIR stage to ensure that they have an appropriate housing land supply to meet requirements. Housing allocations should be made which support the historical settlement pattern and not just be concentrated on main settlements (PP1251).

Appendix 6 Housing Land Allocations – Rebasing of Existing Allocations

Modify the PLDP to correct the entries for an allocation to reflect actual capacity of the site rather than the notional capacity and reduce the allocation to reflect the position detailed in the 2019 Housing Land Audit (PP1052).

Modify the PLDP to amend an allocation (PP1060).

Modify the PLDP to reduce the capacity of an allocation to accurately reflect the position in the 2019 Housing Land Audit (PP1066).

Modify the PLDP to reduce the entry for an allocation to accurately reflect the position detailed in the 2019 Housing Land Audit (PP1073).

Modify the PLDP to reduce the entry for an allocation to accurately reflect the position detailed in the 2019 Housing Land Audit (PP1411).

Appendix 6 Housing Land Allocations – Strategic Housing Sites

Modify the PLDP to identify future housing allocations to be delivered subject to an interim review of the LDP regarding Appendix 6 – Housing Land Allocations. Associated Table 2: Housing Allocations in the Aberdeen Housing Market Area should be updated to include a future allocation at Dunecht (PP0451) and Echt (PP0501).

Modify the PLDP to allocate additional housing land as per the requirements of the SDP Reporter’s findings, to reflect the evidence of under-delivery and to make up for the proposed scale of allocations removed at the MIR stage to ensure that they have an appropriate housing land supply to meet requirements (PP0591).

Modify the PLDP to include further provision at paragraph H1.4 of Policy H1 for the identification of Strategic Reserve housing allocations, thereby allowing for the reintroduction of Future Opportunity ‘FOP’ Sites into the next Plan, as were originally planned for at the Main Issued Report (MIR) stage. The policy wording should highlight the identification of future allocations within Appendix 6 – Housing Land Allocations and Appendix 7 Settlement Statements for the post 2032 Plan Period. It should allow for an early draw down mechanism should there be any identified shortfall in the 5-year housing land supply or other circumstances, such as further stalling of allocated sites and subject to an interim review of the LDP (PP1125).

Modify the PLDP to allocate sites as future ‘reserved’ residential development. The Council should adopt a reserved land approach to ensure that housing land supply can be supplemented should allocated sites fail to deliver. This would provide a safety net for the Shire’s housing land supply, particularly as we enter into 10-year LDPs (PP1285).

Summary of responses (including reasons) by planning authority:

General

The Council does not agree that a statement reinforcing the need for housing allocations to reflect need should be included as it serves no purpose in the Plan. These are matters that were carefully considered in the identification of allocations and could be expected to have been paramount in the determination by developers of where they would wish bids to be approved. The Council remain confident that they have provided opportunities for housing proportionate to need across the region. No change is required.

The Council does not agree that changes are required to reflect sustainability matters

more strongly. The Council remain confident that there are sufficient checks in the Plan, particularly under the Section 9 Shaping Places, Section 12 Protecting Resources and Section 13 Climate Change to ensure that housing developments take on board sustainability issues. Section 14 "The Responsibilities of Developers" policy paragraphs RD1.4 and RD1.5 specifically address issues associated with sustainable travel, while the Spatial Strategy of the PLDP as a whole seeks to reduce the need to travel. No change is required.

The Council does not agree that a new model is needed for assessing housing demand. To adopt a new Housing Needs and Demands Assessment at this point in time would seriously delay the production of the Plan and would make it impossible to be consistent with the SDP. No change is required.

The Council does not agree that it is critical that the housing allocations are detailed in the main text of the Plan rather than in an Appendix, as all parts of the document apply equally. It is not the case that this information and its justification are of significant importance in any avenue other than in the Examination of the PLDP. Once the Plan is adopted there is no need for an explanation of the journey that took us to this point. No change is required.

Policy H1 Housing Land

The Council welcomes that SEPA have no specific comments on either Policy H1 or the content of Appendix 6 of the PLDP. The Council note that they have made comments on specific allocations within the context of the information presented in Appendix 7.

The Council believes that their approach to promoting previously used land is appropriate. As noted in our response to matters raised in Schedule 4 Issue 2: Section 5 – The Spatial Strategy, brownfield sites were considered as a primary source of development land, but this is relatively scarce. A policy based principally on renovating existing buildings and building on previously developed land would not meet the predicted need for housing. Proposed Policy P3 Infill Developments within Settlements and Householder Developments provides a wider framework for the development of vacant land, and the Council do not believe that restricting development on greenfield land only to those with a health need would be equitable. No change is required.

With regard to promoting the reuse of underused sites for housing development this has been addressed in the PLDP. As noted in the paragraph above, the Council have a strong policy on the reuse of vacant land within the PLDP. The Council has encouraged owners of obsolete office and industrial spaces to submit bids to assess whether the sites would be more usefully used for housing. This is the method promoted by Scottish Planning Policy (AD0012, paragraph 103) and the Council agree that in some cases reallocation to an alternative use may be appropriate, considering the potential impacts. No change is required.

The Council notes the request to refer to the need to safeguard the operation of existing developments from new housing developments. The "Agent of Change" principle is well established within development management practice, and the Council does not see a need to rehearse the need for good design adjacent to potentially noisy neighbours within the Local Development Plan. No change is required.

The Council notes the request to extend paragraph H1.2 to specified uses. The policy refers to other types of development being permitted on residential land “if it is linked to the housing use”. The Council believes that this could apply to community facilities, convenience shops, cafes, hairdressers, and hot food takeaways that serve the immediate neighbourhood, but generally only in the case of a large development where they are part of a neighbourhood centre. The Council does not believe that a restaurant fits the description of a “linked” facility given the need for a wider catchment and would seek to have such facilities located in a town centre wherever possible. It is anticipated that clarity on this matter will be provided in Planning Advice “Town Centre Impacts” to be developed before adoption of the Plan. No change is required. It would be improper to require community uses on housing sites as the scale of the development may not lend itself to sustaining such a use, and there could be issues generated by competition with town centres and other neighbourhood centres. This matter is best appraised as part of a masterplan and where appropriate supported by this policy.

The Council is fully aware of the increase in the ageing population and the need to meet their accommodation needs. However, the Council does not believe that there is a mandate to restrict the development of housing sites to just this sector of the population. All housing sites could be developed to house older age groups. Housebuilders themselves are aware of this potential market through the Housing Need and Demand Assessment 2017 (AD0025) and the Local Housing Strategy 2018-2023 (AD0155) and, in line with the need to provide social integration, the Council are already seeing development sites being brought forward where a component of the homes will be attractive in size and layout to this sector. In addition, paragraph P1.5 requires all new developments to be adaptable to the changing circumstances of occupants. The only exception to this approach is our support for bids for continuing care communities, where an element of personal care is provided by core facilities with occupants living in relative independence in supported accommodation. Finally, it is clear that some development sites may be inappropriate for accommodating an older household due to distance from key services or public transport links, making a universal obligation undesirable. No change is required.

In the same way as housing for older people, the Council believes that whether to promote self-build housing is a decision for the developer and does not require a restrictive designation. In some settlements self-build of properties in the wider countryside (under the Policy R2 in the LDP2017) is having a significant and detrimental impact on our ability to sustain small settlements, particularly in the areas classed as “Remote Rural Areas” or on the periphery of the “Accessible Area”. In some of these settlements the Council promote self-build as a means to help unlock the allocated sites identified in the settlements, and meet needs, in locations unattractive to volume house builders. The Housing Land Audit 2019 shows that developments of less than 5 homes are making a significant contribution to housing supply in the RHMA (AD0022, page 16 Table 9 Completions on Small Sites 2014-2018). The Council are aware of the infrastructure costs that might have to be met by the developer in enabling development on their allocated site within a settlement, even for self-build, but have been promoting it in rural communities as a long-term investment, where the plot value of a small number of homes may be able to fund the infrastructure to maximise profits on the remaining sites. No change is required.

The Council does not agree that preserving property values should be an aim of the housing section of the Plan. Preserving property values is not an outcome sought by SPP in pursuit of the Scottish Government Purpose, “To focus government and public services

on creating a more successful country, with opportunities for all to flourish, through increasing sustainable economic growth” (AD0012, Pages 5-8). Development can have the effect of raising property prices through the provision of additional facilities as well as depressing property values. One of the expectations that Ministers have of the Planning and Environment Service is that it should maximise benefits and balance competing interests and inevitably there will be those who benefit and those who do not. No change is required.

The Council acknowledges that health care impacts will result from the household growth planned. NHS Grampian have been closely involved in the preparation of the PLDP and are correct to say that there will be localised impacts on healthcare provision in a selected number of locations. Discussion has taken place, at length, with NHS Grampian as to whether there is a “low-impact” solution, but the scale of growth obliged by the SDP leads to the conclusion that impacts are going to be inevitable if the anticipated growth occurs. Already NHS Grampian are working with the Planning Authority to identify appropriate land for new healthcare facilities if, and when, they are required to serve many of the communities cited in the representation. No change is required.

The Council does not agree with the request for a mechanism in the Plan to justify granting of planning permission on unallocated sites should there be a failure in maintaining a five-year effective land supply. Given that within the PLDP the Council have made generous allocations over a thirteen-year period, to serve needs to 2032, we see no need to incorporate a mechanism to release additional land as insurance against a failure to meet the five-year housing land supply target. The following table justifies this position.

Table 1 Comparison of the total housing land supply against the 2020 SDP Housing Land Requirement

	Five-year effective supply 2019	Post five-year effective supply 2019	PLDP Allocations	Total Supply	Housing Land Requirement 2020-2032	Surplus
Source	1	2	3	4	5	6
Aberdeenshire part of the Aberdeen HMA	4,394	7,344	3,145	14,883	10,296	4,587
Rural HMA	3,507	3,163	2,619	9,289	6,864	2,425
Aberdeenshire Total	7,901	10,507	5,764	24,172	17,160	7,012

1. From Aberdeen City and Shire Housing Land Audit 2019 (AD0022, Table 7: Five Year Effective Housing Land Supply 2018 and 2019 and Table 9: Completions on Small Sites 2014-2018

2. From Aberdeen City and Shire Housing Land Audit 2019 (AD0022, Table 8: Effective Units Programmed Beyond Year 5 in 2018 and 2019)

3. PLDP Contribution to the Allowance within Appendix 6 Table 1

4. *Sum of Five Year Effective + Post Five Year Effective + PLDP Allocations*
5. *From Aberdeen City and Shire Strategic Development Plan 2020 (AD0016, page 19 Table 2: Housing Land Requirement by Housing Market Area, Local Authority and Tenure Mix)*
6. *Total Supply minus Housing Land Requirement*

Table 1 shows that the total supply is well in excess of the SDP Housing Land Requirement. for the period up to 2032 in both housing market areas.

While there is still some uncertainty over a legal obligation to review the Local Development Plan within a specific time frame, the need to move to a modernised Plan as quickly as possible after the publishing of the associated secondary legislation governing implementation of the Planning (Scotland) Act 2019 leads to a conclusion that a mid-term review of the Plan will be undertaken well before there is any risk to the current or post-five-years effective land supply. In addition, many development sites, both existing and proposed, are constrained by “marketability” constraints, and it could be expected that these sites will become effective if the housing land supply drops, or demand increases across the region. In the context of SPP they are also “expected to become effective” as there are no other over-riding reasons why development could not take place (AD0016 paragraph 119). No change is required.

Appendix 6 Housing Land Allocations – General

Comments are made to this section of the PLDP concerning the potentially fundamental changes that the economy is now going through, and the impact of this on the need for additional housing land is echoed within representations on Housing and Business land in Schedule 4 Issue 2: Section 5 – The Spatial Strategy. Again, the Council would suggest that we acknowledge these risks, and identified them in the MIR. As explained in our response to those comments, the Council has to accord with SDP strategy and have cognisance of the regional Economic Strategy’s endeavour for long-term prosperity. The PLDP seeks to present an optimistic approach to avoid constraining development in the context of an economic downturn. No change is required.

The Council does not agree that fundamental changes are required to this Appendix or that shortcomings in the information that we have presented are meaningful or significant. Appendix 6 represents a summary of the allocations made and detailed individually in Appendix 7 and information taken from the Housing Land Audit 2019. It is not designed to provide a detailed summary of total land supply as that is the function of the annual Housing Land Audit, which gives considerably more information, on a site-by-site basis on the status and programming of the Established Housing Land Supply. The use of the Housing Land Audit 2019 as a base for the PLDP, was agreed with the development industry and this is confirmed in the Minute of the Strategic Development Planning Authority meeting of 26 June 2020 (AD0026 Item 2, Minute of the Previous Meeting of 26 June 2020, Strategic Development Planning Authority, 23 September 2020). The tables in Appendix 6 already contain a column “built by 2019”, and further information on completions (i.e., What has been completed during 2019) was not agreed with the development industry until publication of the 2020 Housing Land Audit in December 2020. Appendix 6 in tables 1 and 2, within the columns headed “Allowances 2020-2032”, is clear on the scale of new allocations being made and what contributes towards meeting the allocations as agreed in the SDP. No change is required.

The Council does not agree that there is an obligation that the Local Development Plan has to demonstrate that all sites are deliverable. As has been stated in the PLDP at

paragraph 5.3, the power to make sites deliverable lies with the development industry, not the Planning Authority. The Council can seek bids from developers of the land they would wish to take forward and expect that these developers have accurately assessed deliverability for themselves before submitting the bid. Specific questions are asked on the Aberdeenshire Council Bid Assessment Template to confirm that there are no legal constraints, no ownership constraints, in what period the developer expects to build the homes, whether there are known infrastructure constraints, and finally whether the residual value of the site has been considered and the site is viable (AD0097). Where information is available it is verified in the Aberdeenshire Council Bid Assessment Guidance (AD0098). Residual value calculations are not requested from developers, as the Council has to trust our fellow professionals' judgements on this matter. Such information is likely to be highly confidential. No change is required.

Part of the bid process also asks if the site is under option to a developer, but the Council do not agree that this is the only measure that should be used. It is perfectly competent for a landowner to consider development of a site, and seek professional advice on constraints, deliverability, and likely residual value, without reference to a mainstream housebuilder. This is particularly relevant in the Rural Housing Market area where many sites are delivered by small contractors and developers rather than the volume housebuilders who are more dominant in the Aberdeen Housing Market Area. No change is required.

The argument that allocations in Potterton should not be within the Aberdeen to Peterhead SGA are fully outlined under Schedule 4 Issue 2: Section 5 – The Spatial Strategy. It is sufficient to repeat here that the identification of sites within the SGA's is a competent action for the Local Development Plan considering the description given in the SDP (AD0016, paragraph 3.9), and that, should the strategic allocations in the settlement be delivered, then redefinition of the settlement within the SGA may be appropriate. No change is required.

The Council has considered whether allocations made in the LDP2017 are constrained to an extent that they cannot be expected to become effective under the appropriate market conditions (and should therefore not be included in Appendix 7 Settlement Statements of the PLDP, and subsequently accounted for in Appendix 6 Housing land Allocations), within the analysis of individual bids for individual settlements. Arguments of site constraint are particular to the settlement in question and it would be inappropriate to consider those matters in a broad appendix. However, three reasons are collectively given that argue that, generally, the allocations made in the LDP are incompetent, and should be replaced by new allocations which are demonstrably deliverable. These are:

- Inconsistency with the MIR;
- Increasing the density of sites from a nominal 22 homes per hectare to 25 homes per hectare in the AHMA; and
- Effectiveness of sites, and in particular marketability, lack of developer interest; inaction by developers or low build out rates; infrastructure constraints, ownership constraints; contamination; and deficit funding.

Throughout these discussions there is a misunderstanding between the role of the Housing Land Audit to identify effective sites, and of the PLDP to record these and add sites which can be expected to be effective through allocation in the development plan.

Appendix 6 Housing Land Allocations – Differences between the Main Issues Report 2019 and the Proposed Local Development Plan 2020

There is no conflict with the MIR. The PLDP Housing Allowances had not been confirmed by the Examination into the SDP at the Main Issues Report stage. It was always expected that some of the sites preferred in the MIR Appendices would not be taken forward into the PLDP as a result of the consultation process. Identification of sites as an Officer's preference should not have been misunderstood as a guarantee that a site will subsequently be allocated in the Plan. This is a reasonable approach, and no change is required.

The inclusion of windfall sites in the effective land supply in the HLA is normal practice and is referred to in PAN 2/2010 – Affordable Housing and Housing Land Audits (AD0006, paragraph 51).

Some sites allocated in the PLDP were not identified in the MIR, but these were either sites which already had planning permission or resulted from the consultation on the MIR proposals. The content of the MIR and the results of that consultation cannot be taken as a reason to augment the housing land allocations. No change is required.

Appendix 6 Housing Land Allocations – Increasing site density

The Council does not agree that increasing the nominal density of sites from 25 homes per hectare compared to the previous standard of 22 homes per hectare is unreasonable, and that additional sites will need to be allocated due to the inability to deliver at this density. The Council do not agree that the change in density is illogical when it is specifically identified in SPP that there is a need to make efficient use of land (AD0012, paragraph 2), and we are seeking to move the planning agenda forward in Aberdeenshire by promoting forms of development that contribute to sustainable development. Making better use of our land is a key part of that debate. In identifying the contribution of allocations to the allowances the Council has not sought to reflect the higher target in SDP for 30 homes per hectare within SGA (AD0016, page 27). It is clear from the SDP that this is a general target that the Council have to take account of, but this density may not be appropriate for all settlements in the SGA's. Adopting this figure would result in larger allocations in the SGA's and substantial revision of the new housing land allocations. The increase to 25 homes per hectare reflects an approach that seeks greater efficiency in the use of land, and to be more realistic in reflecting what would actually be built on sites, a matter of great concern to a number of communities. No change is required.

Housing density was identified as Main Issue 10 in the Main Issues Report 2019 (AD0038.A, page 20). The Council remains of the view that these are not absolute capacities for individual allocations and that the development industry will be free to propose higher, or lower, numbers of homes according to the characteristics of the sites. The Council did not use the densities given by those promoting bids, on the basis that developers might promote the underdevelopment of sites to achieve allocations, only to raise the density to maximise return once the principle of development had been established. This is a relatively common observation and occurs even after planning permissions have been granted (for variations to sub-divide plots, for example). No change is required.

Inconsistencies observed in our approach to density are explained by our use of the

approved densities of sites where planning permission had been approved and development had started or were the subject of an agreed masterplan (as it would have been unreasonable to count these at a higher density when they were, in fact, being delivered). However, sites with planning permission, and on which development had not yet started were assumed to be either stalled sites, on which the existing consent would lapse soon after the LDP 2021 was approved, or on sites which no meaningful start had been made, and on which the developer still had an opportunity to seek modification to the consent to reflect the higher density. Not approaching this issue in this way could have resulted in sites being promoted that reflected a different position on the need for efficiency of land use. No change is required.

The Council does not agree with suggestions that a density increase of 3 homes per hectare is inflated to such a level that the allocations could not be delivered, or that infrastructure may constrain the delivery of more dense sites, and that there will be a shortfall in the Effective Land Supply. These arguments are not defensible. The scale of the increase of the allocations is not so great that it would result in significant deliverability issues and, in any case, there is flexibility in the system to allow a developer to build more, or less, homes to overcome any physical or infrastructure constraints that become apparent with such a small increase in density. No evidence has been furnished in the submissions that the small increase in density proposed in the allocations will prejudice other policy objectives. Increasing density to an additional 3 homes per hectare can be achieved by innovative design solutions that still protect the natural heritage and built heritage resources identified in the Plan. No change is required.

Density assessments of each site would not be appropriate given the variability in individual sites. To do so would be very difficult and improper, given that it will ultimately be the decision of the developer to determine the scale that they will wish to build to, and the style of development that they wish to create. The allocations made have a degree of flexibility and may increase or decrease as detailed investigations of each site are undertaken in preparation for the submission of a planning application. The allocation figures are nominal and do not bind the developer to build exactly that number of homes, and so the broad-brush approach used is reasonable. Use of the allocations as a ceiling would be inappropriate, provided the allocations adhere to the terms of the policies of the PLDP. No change is required.

Appendix 6 Housing Land Allocations – Effectiveness, Delivery, and Constrained Sites

The Council does not agree that all sites within the PLDP require to be effective on the date of adoption of the Plan. Clearly, looking 13 years into the future it is almost impossible to guarantee that every site considered is free from constraint for the whole of the Plan period, and can be delivered on the day the Plan is adopted. Sites within the Plan are, at least, “expected to become effective” in accordance with SPP (AD0012, paragraph 119). The Council agrees that constrained sites can become effective and that effective sites can become constrained, and this supports our approach to the Plan for the whole of the established housing land supply rather than just that element that is identified in the Housing Land Audit as effective on the 1 January 2019. The Council does not agree that a further review of all sites is necessary to ensure all sites are effective, as that is clearly not the obligation placed upon us by SPP. The Council notes that the SDP at paragraph 4.18 clearly identifies that allocations should consider using constrained supply in the first instance. The Council concludes from assessing the submissions on this topic

that no changes are required.

The Council is confident that their approach to effectiveness meets the expectations of the Scottish Government. There is no obligation within SPP to ensure that all sites are effective at the point of Plan adoption. PAN 2/2010 – Affordable Housing and Housing Land Audits sets out a set of criteria for use in calculating whether there is an effective five-year housing land supply in the context of the Housing Land Audit (AD0006., paragraphs 45-62), but the test for the LDP is less onerous. SPP identifies that “the planning system should identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times”. It goes further, to state that “the housing land requirement can be met from a number of sources, most notably sites from the established supply which are effective or expected to become effective in the Plan period, sites with planning permission, proposed new land allocations, and in some cases a proportion of windfall development”. Finally, it states that “local development plans in city regions should allocate a range of sites which are effective or expected to become effective in the Plan period to meet the housing land requirement of the Strategic Development Plan up to year 10 from the expected year of adoption”. (AD0012 Paragraphs 110, 111 and 119). No change is required.

In relation to the effectiveness of allocations which have been in the Plan for a long time, the Council does not agree that they should be removed only for that reason. Proposals dating from previous Plans have been removed from the PLDP when it has been made clear that there are material matters that result in our having no confidence that they can be “expected to become effective”. The Council does not accept that this relates to marketability or ownership constraints, as these do not prevent sites from being delivered as needed and they would expect such sites to become effective in appropriate market conditions. Likewise, the Council has not removed any sites identified in the LDP 2017, as these sites are still very much “live” and could easily be promoted for development before the LDP 2021 is adopted. They are not “long-term” constrained sites. In some instances, historical development allocations have been retained as there is an identified need within the settlement, but there are very few opportunities surrounding the settlement where such allocations could be made. These sites represent the best locations for new development, in the absence of possible alternatives (for example, in Banff). These allocations are generally “marketability” constrained at the current time, but otherwise there is nothing stopping them from being developed, even if in a phased manner over the life of the Plan that reflects developer’s lack of confidence in the local housing market. Given the scale of the assumed marketability constraint in some parts of Aberdeenshire it is very difficult to see a position where alternative allocations in these settlements would not also immediately be added to the “marketability constrained” pool. Allocating alternative sites that are also constrained would not promote confidence in the area and removes the expectation from the community that the settlement will grow in a particular direction. No change is required.

The Council does not agree that constrained allocations should be removed from the Plan. Arguments made by respondents that constrained sites should be removed from the Plan depend largely on the nature of the constraints identified in the Aberdeen City and Shire Housing Land Audit 2019. The Council present no evidence on why sites which definitely cannot be delivered have been removed, because they now no longer feature in the Plan. All other sites are expected to become effective under appropriate market conditions, but the Council has to recognise that adding further allocations, leading to oversaturation of

the housing land supply market will have a significant impact on delivery as both housebuilders and infrastructure providers become spread too thin to aid in the opening of new sites. Information on how effectiveness has been assessed is included in the Housing Land Audit, on which the Plan is based, and does not need to be repeated in the PLDP. As noted above the agreed Aberdeen City and Shire Housing Land Audit 2019 already demonstrates that a five-year effective land supply can be maintained for the majority of the Plan period, even without additional allocations. In itself this addresses representation to the PLDP seeking evidence of the effectiveness of allocated sites. The Aberdeen City and Shire Housing Land Audit 2019 is the document where discussion and agreement is reached with the development industry on the effectiveness and delivery of identified sites, and where this information, and programming assumptions can be scrutinised to assess whether an effective five-year housing land supply is being maintained. Inclusion of sites in the PLDP does not mean that an existing constraint has been lifted, but that it is expected that the constraint will be removed in the life of the Plan, given appropriate market conditions. No change is required.

The Council notes the comments regarding inconsistencies between the assessment of site effectiveness and the ability to deliver across the Plan area with the contents of the Environmental Report of the Strategic Environmental Assessment. Unfortunately, no specific evidence has been provided of where this anomaly was identified, and so it is difficult for us to comment further. No change is required.

The constraint of “marketability” is cited extensively as a constraint that requires unspecified new allocations to be added to the Plan. One of those representees (PP1306) has identified marketability constraints as the reason why 21 (of 37) site allocations should be removed from the Plan. As argued above marketability is not an absolute constraint and, in essence, marketability constrained sites may, in part, reflect a lack of commercial interest, rather than a lack of need for the development to sustain the community and accommodate local growth. The Scottish Government consulted on changes to SPP in July 2020 and would appear to share this view, proposing that land that is technically suitable for housing could still form part of the 5-year effective land supply, regardless of changes to programming or subjective views on marketability in a changing context. Following consultation on this draft document they concluded in Scottish Planning Policy - Finalised Amendments: December 2020 that, “We were also concerned about the exclusion of sites on the basis of marketability, and its impact on the ability of Authorities to maintain a supply of effective housing land.” (AD0013, chapter 3, page 13, key points). Marketability cannot be considered to be an absolute reason why sites should not be included in the Plan, and no change is required.

The Council does not agree that impacts on effectiveness from lack of developer interest, inaction by a developer or low build out rates for a particular site are sound reasons why sites should be removed. Fundamentally this is an extension of the “marketability” constraint and requires to be considered within the same context. In a situation where there really was a shortage of effective housing land it could be expected that developers would have an interest in those sites currently being promoted by agents and landowners as willing sellers or would increase build out rates to meet market demand. No change is required.

Infrastructure constraints are identified in a number of submissions as to why sites should be removed. The Council does not agree that reconsideration of this constraint should be undertaken. These commonly relate to lack of waste water provision and local roads

matters. Infrastructure constraints are very closely linked to marketability. If the developer perceives there is sufficient market demand to make development profitable then most infrastructure constraints are easily overcome. Waste water infrastructure constraints are not to be unexpected given the scale of growth seen in Aberdeenshire in recent decades, but it is accepted practice that improvements to waste water treatment facilities to accommodate new development is an obligation placed on Scottish Water, but one they will only progress if a site is within the Local Development Plan and has planning permission. Both connection to a waste water system and local road improvements are costs which the development industry is expected to account for in assessing the likely residual value of their development, and before placing a bid to the Plan. The Aberdeenshire Council bid form specifically prompts developers to have these early discussions (as an example, AD0119, page 9). No change is required.

With regard to ownership constraints, the Council takes the submission of a bid for housing land to be a clear expression of a willingness of the submitter to develop the land. All sites allocated since LDP 2012 have been identified through a bid process. For those allocations that predate the LDP 2012 the Council contacted the owners of the land to confirm that they would still wish their sites to be considered for inclusion in the PLDP and identified to them that any changes they would like us to consider should be the subject to a new development bid. No change is required.

Contamination issues were specifically assessed in reviewing the bids and with reference to a dataset of historical information maintained by Aberdeenshire's Environmental Health Service. Bid sites known to be contaminated were dismissed and have not been included in the Plan. The few sites the Council identified where there was a risk of contamination have had this potential constraint identified, but as the contamination has not been proven to be present, they were not removed. No change is required.

The deficit funding constraint may be relevant to the housing land audit process and the calculation of an effective five-year effective land supply but is a constraint the Council can expect to be overcome as funding programmes are updated and confirmed, particularly when the site questioned is being taken forward by Aberdeenshire Council. No change is required.

The Council do not agree that the inclusion of constrained sites in the PLDP allocations is inconsistent with SPP (which in-fact provides no methodology for assessing deliverability) nor with the SDP Examination Report (which in itself is not a statement of policy but a report to the Scottish Ministers on representations received to the proposed Aberdeen City and Shire Strategic Development Plan). A representee (PP1306) quote references to deliverability contained in SPP, but misrepresents that document. The "Sharp focus" for delivery identified by SPP is within the context of "allocated sites embedded in action programmes" (AD0012 paragraph 110). In any case the SDP is clear at that the current constrained supply should be used in identifying new allocations. (AD0016, paragraph 4.18). No change is required.

The Council does not agree that the PLDP is inconsistent with SPP, or PAN 2/2010, or is internally inconsistent on matters of constraint. The SDP relates to working with housing and infrastructure providers to prepare an annual Housing Land Audit to manage the housing land supply within the context of maintaining a five-year effective land supply, and is not attributable to the development plan, which is dealt with in detail in the preceding section (AD0016 paragraphs 123 and then paragraphs 113 to 122). Likewise, PAN

2/2010 – Affordable Housing and Housing Land Audits is a general statement on the function of HLAs and emphasises the link between the two documents (AD0006, para 45). The housing land allocations are not incompetent due to following a unilateral approach; the Council has been clear of their intentions throughout the Plan making process and provided a clear indication of their preferred approach both before and within the MIR, and in line with the approved SDP. There is nothing in the Plan that is inconsistent with paragraph 5.4 of the PLDP. The Council has only included long-term constrained sites if they now have confidence in the sites coming forward because of the extensive constraint checking undertaken on-site bids, and early work undertaken to ensure that sites currently in the Plan were still in the hands of a willing owner. No change is required.

The Council does not agree that under-delivery of existing sites, whether on “strategic sites” or not, is a reason to augment the housing land supply. Delivery rates have a direct correlation with demand for housing, and are market driven. Adding additional allocations would not improve the delivery of existing sites. Criticising delivery rates associated with one development site cannot support the allocation of more land, especially when the development site is an effective site, and being built out. The Council do not agree that the whole period of the Plan only provides a short lead in time for new developments to come forward and contribute to the effective supply. Again, speed of delivery is a matter that is usually in the hands of the developer, not the Planning Authority. No change is required.

The Council does not agree that additional land should be allocated to compensate specifically for under-delivery on strategic sites. Aberdeen City and Shire Strategic Development Plan considers this issue prior to detailing the allocations to be made in the local plans (AD0016, paragraph 4.15). The Council has made allocations on a range of sites, bearing in mind that the SDP notes that allocations should not inhibit the delivery of current strategic sites (AD0016, paragraph 4.19). Calls for more land to be allocated would prejudice that principle. No change is required.

The Council does not agree that accounting for the whole of the established land supply derived from the Aberdeen City and Shire Housing Land Audit 2019 constitutes “double counting”. The Council fail to see how any particular allocation could be counted twice in the Tables in Appendix 6. Such an error would be immediately obvious. No change is required.

Appendix 6 Housing Land Allocations – Strategic Housing Sites

Under-delivery of key strategic sites can occur for a variety of reasons, but the Council’s approach has been governed by their status in the Aberdeen City and Shire Housing Land Audit 2019. These sites remain effective and should there be a shortage in the housing land supply there is no reason why they could not be delivered more quickly, or by multiple developers if the site is beyond the capacity of just one. Commercial sharing of large strategic sites has been a common feature in the past. No change is required.

Reliance on large sites is a matter of history. Previously, the strategy of the LDP 2012, and the LDP 2017, was based upon the delivery of a number of large sites (AD0031.A, Schedule 1: New Housing Land Allocations and AD0034.D). This was justified by the need for significant infrastructure investments and the economies of scale required to deliver them. This circumstance is not unusual or inappropriate and still applies for the PLDP. The requirements for infrastructure delivery to accommodate larger scale growth commonly necessitate a masterplanned approach and the provision of sufficient developer

contributions to address identified constraints. Larger sites by their nature may have longer lead-in times. Many of the allocations in the PLDP which now assist in delivering an effective five-year housing land supply relate to these previously allocated sites. At Paragraph 4.15 the SDP anticipated any risk to the housing land supply from the failure of strategic sites to come forward and did make additional allocations to safeguard against such an event, despite concluding that due to the scale of the housing land available it was possible that no further housing land allocations could be made. No change is required.

Large sites at Blackdog, Foveran and Ellon have been delayed by infrastructure constraints, which are likely to be overcome shortly. New sites identified to compensate for these are likely to experience similar delays. No change is required.

Appendix 6 Housing Land Allocations – Rebasing of Existing Allocations

The second paragraph of Appendix 6 Housing land allocations is clear on the source of those sites which contribute to the allowance within the PLDP. This shows that no existing effective sites identified in the HLA 2019 have been included in the contributions, except for circumstances where extensions to existing sites, or increases in density have resulted in an increase in numbers. There is no double counting. No change is required.

Appendix 6 Housing Land Allocations – Strategic Reserve or Future Opportunity Sites

The Council does not believe there is a need for Future Opportunity Sites to be identified in the Plan. Given that the SDP identifies that there is no requirement to include “Strategic Reserve” in the Local Development Plan Aberdeenshire Council has chosen not to do so (AD0016 paragraph 4.20). As argued in Schedule 4 Issue 2: Section 5 – The Spatial Strategy the large pool of housing land available, with the scope for a mid-term review of the Plan to populate the period up to 2037, significant questions over how the deliverability of land allocations 13 years in the future could realistically be assessed and tying Aberdeenshire Council into a situation where significant changes in policy direction cannot be made makes this a reasonable decision. No change is required.

Reporter’s conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

General

2. I agree with the council that there is no need to add a sentence specifically on suitable locations for housing development. This matter is already covered in the spatial strategy section of the proposed plan. Paragraph 30 of Scottish Planning Policy sets out a list of considerations which development plans should address in relation to sustainable development. The intended outcomes set out in section 4 of the proposed plan include

the promotion of sustainable mixed communities, walking, cycling and public transport. The strategic environmental assessment of new housing allocations also takes account of a range of environmental matters, including sustainable travel. No modification is required.

3. I have addressed matters relating to the effects of changes in economic conditions on housing demand in Issue 2 (spatial strategy). Furthermore, as the housing land allowances to be met in the plan are established in the strategic development plan, there is no scope to reset these or the model used to calculate housing demand through this examination. No modification is required.

Policy H1 Housing Land

4. The council has explained its approach to promoting previously used land. As indicated under issue 2, I am satisfied that the council has considered the potential for brownfield sites to contribute to the housing allowances, in line with Scottish Planning Policy and the strategic development plan. I have recommended a modification to paragraph 5.10 in the proposed plan to provide clarification. No modification to section 8 of the proposed plan is required.

5. I find that consideration of the need for mitigation of noise from adjacent business uses would be addressed through policy P1 (Layout Siting and Design), in particular paragraph 1.5 and in the successful placemaking design guidance in Appendix 8. No modification is required.

6. The representation seeking a change to paragraph H1.2 wishes an exception to be made for retail developments including restaurants, cafes etc. I note that some housing allocations include a requirement to provide neighbourhood shopping facilities. However, in general, proposals for retail and other frequently visited uses would require to be assessed in relation to policy B1 (Town Centre Development). Whilst small scale proposals may be acceptable in residential areas and consistent with the intended outcome of the proposed plan “to promote sustainable mixed communities”, it would not be appropriate to suggest such uses would always be acceptable. No change to paragraph H1.2 is required.

7. I agree with the council that the strategic development plan does not require sites to be specifically identified for a particular type of housing development, such as housing for older people or self/custom build properties. I am satisfied that the plan allocates a range of housing sites in terms of size, character and location which provides the opportunity for different types of housing development and delivery models. Representations in relation to specific proposals are addressed in the schedule 4 for the relevant settlement statement. No modifications are recommended.

8. I do not consider that the impact of development on property values is a relevant matter for the local development plan. No modification is required.

9. Some representees have suggested that the plan should include a policy to indicate the circumstances when planning permission can be granted on unallocated sites, such as to address any potential shortfall in the 5-year effective housing supply. The council is concerned that making specific provision for additional housing land to come forward, in the event of a shortfall, would lead to uncertainty and undermine the integrity of the

housing land audit process. The council is satisfied that this matter is sufficiently addressed in paragraphs 33 and 125 in Scottish Planning Policy.

10. Paragraph 125 of Scottish Planning Policy states “where a shortfall in the 5-year effective housing land supply emerges, development plan policies for the supply of housing land will not be considered up-to-date, and paragraphs 32-35 will be relevant.” Paragraph 33 indicates that in such circumstances, “the presumption in favour of development that contributes to sustainable development will be a significant material consideration”.

11. I am aware that some other local development plans across Scotland include a criteria based policy to be used when a five year effective land supply cannot be demonstrated. The council has not provided any evidence to back up its concerns that adopting such an approach would cause uncertainty or undermine the housing land audit process. I consider it more likely that the absence of a criteria based policy would result in uncertainty. Furthermore, the need to maintain a five year effective housing land supply exists, regardless of whether such a policy is provided in the local development plan. Its inclusion would therefore be unlikely to have any bearing on the audit process.

12. The council has prepared a table to compare the total housing supply against the strategic housing land requirement for the period 2020 to 2032. It indicates that there is a surplus of land for over 7,000 homes across the local development plan area. I sought the views of other relevant parties on this table through further information request FIR001. Homes for Scotland’s response highlights that not all of the “post five year effective supply” would contribute towards the strategic housing land requirement up to 2032. It has submitted a table which provides examples of sites which are identified as effective in 2019, but would still be under construction after 2032. I consider that the table provided by the council is misleading in this regard, as it does not take account of the expected completion rates from existing sites. Furthermore, this table does not provide any information on the programming of sites, relevant to the requirement to maintain a five year effective land supply.

13. I cover the issue of the methodology for calculating the five year effective land supply in the section below on effectiveness, delivery and constrained sites. However, in relation to the need for a policy to address a shortfall in the five year effective supply, I conclude that there is no basis within Scottish Planning Policy or the strategic development plan for me to require such an approach to be taken in this plan. The introductory text to section 8 on page 41 of the proposed plan demonstrates an awareness of the need “to make sure there is a continuing five-year effective housing land supply”. The proposed plan provides a range of allocations, some of which would be expected to contribute immediately to the five year effective supply and others, whilst currently constrained, would become effective during the plan period.

14. I agree with the council that current national policy, in the form of Scottish Planning Policy 2014, sets out the considerations to be taken into account, if there is a shortfall in the five year effective housing land supply. Whilst I am aware that national policy is under review through the preparation of National Planning Framework 4, it would be premature to take account of any draft changes at this time. I conclude that no modification is required on this matter.

Appendix 6 Housing Land Allocations – General

15. The context for the housing allocations in the proposed plan is provided by the approved strategic development plan. The Aberdeen City and Shire Strategic Development Plan 2020 identifies the housing land requirement for the period 2016 to 2040. It requires this local development plan to identify sufficient housing land for the period 2020 to 2032 to meet allowances of 3065 homes in the Aberdeenshire part of the Aberdeen Housing Market Area and 2042 homes in the Rural Housing Market Area.

16. The majority of representations to this section of the plan are seeking additional or alternative housing allocations. Homes for Scotland and other representees consider that further information is required to justify the sites identified to contribute to the strategic development plan housing allowances in the period up to 2032. A number of representations include tables setting out opinions and/or queries regarding the deliverability of individual allocations.

17. Paragraph 4.18 in the strategic development plan states that the local development plan “must identify allocations for the period 2020 to 2032 which are deliverable within the timeframe of this period”. Information on the allocations identified to meet the strategic development plan allowances is provided in Appendix 6 of the proposed plan.

18. I find that Appendix 6 in the proposed plan does not show clearly which allocations contribute to the strategic development allowances or provide sufficient explanation in relation to these allocations. I consider that a housing background paper would have been helpful to explain the council’s approach to the identification of sites to meet the strategic development allowances and the reasons why the council considers that each allocation would be deliverable within the timeframe 2020 to 2032. This could have helped provide the transparency and level of understanding sought by representees. However, from the various sources of information submitted to the examination, including the two further information requests on housing matters (FIR001 and FIR008), I am satisfied that I have sufficient evidence to address the matters raised in unresolved representations.

19. Table 1 in the proposed plan provides a summary of the housing land allocations which contribute to the strategic development plan allowances for the Aberdeen Housing Market Area and the Rural Housing Market Area. Table 2 (Housing Allocations in the Aberdeen Housing Market Area) and Table 3 (Housing Allocations in the Rural Housing Market Area) include the sites which contribute to the strategic development plan allowances. However, these are interspersed with existing sites, which makes it difficult for the reader to identify the sites which are contributing to the strategic development plan allowances. Whilst I accept that, differentiating between existing sites and sites which contribute towards the strategic development plan allowances will become less relevant once the plan is adopted, this information is necessary to demonstrate that the plan is meeting the requirements of the strategic development plan.

20. In response to further information request FIR008, the council has suggested that the information contained in tables 2 and 3 in Appendix 6 of the proposed plan is presented in four tables. This would allow the sites which are identified as contributing towards the strategic development plan allowances for the Aberdeen and Rural Housing Market Areas to be shown separately from other housing sites in each area. I agree that this would be helpful and recommend a modification based on the council’s suggestion. The wording of

the introductory paragraphs in Appendix 6 also requires to be amended to provide an explanation of the information provided in the revised tables. These changes are included in the revised version of Appendix 6, provided at the end of this report and referred to in the recommended modifications below.

21. It is apparent, from the representations made to the proposed plan that the information provided in the final column “LDP Total Housing Land Supply” of tables 1 - 3 is causing confusion. The figures equate to the anticipated number of homes to be delivered on housing allocations contained in the plan (taken from the final column in tables 2 and 3). These totals include homes that are expected to be built after 2032 and are therefore not directly comparable to the housing land requirements set out in the strategic development plan. Furthermore, I note that some of the totals for individual allocations include homes which were already built by January 2019 but others don't; an inconsistency which has been picked up by some representees.

22. In the absence of any explanation in the proposed plan, I find that the figures in the final columns of tables 1 - 3 provide a misleading representation of the housing land supply. I consider that a footnote is required to explain that these figures may include homes built before 2019 and/or homes that are not anticipated to be built until after 2032. Given that the figures in the final column of the tables do not always equate to the “remainder to be built” on the site, it is recommended that this clause is removed from the third paragraph of appendix 6. This change is included in the revised version of Appendix 6, provided at the end of this report and referred to in the recommended modifications below.

23. Representations in relation to the allocations included in these tables and whether the capacity provided in these sites is sufficient to meet the strategic development plan allowances are addressed in the sections below.

24. Consistent with my conclusions in issue 2, I consider that the housing allocations in Potterton should be moved from the ‘strategic growth area’ column to the ‘local growth AHMA’ column in the tables in the Appendix 6. This change is included in the revised version of Appendix 6, provided at the end of this report and referred to in the recommended modifications below.

25. Representations regarding the implications of changes to the economy for the strategic development plan housing requirements are also addressed in issue 2. No changes are required.

26. The council has indicated that the use of the 2019 housing land audit as the base for the proposed local development plan was agreed with the development industry. No representees have requested that the 2020 housing land audit (or the more recently published 2021 audit) be used instead.

27. The housing supply targets, housing land requirements and allowances are set in the strategic development plan and I do not consider there is any scope to revisit these through this examination. However, representations have raised a question regarding the need to address any shortfall in completions when compared with the housing land requirement for the period 2016 – 2019. I note that in setting the allowances shown in table 3 of the strategic development plan, completions in the period 2016 - 2018 were taken into account. I agree with the council that addressing any shortfall in completions in

these years would result in double-counting.

28. As the strategic development plan is based on the 2019 housing land audit, it was not able to reflect actual completions in 2019. Instead predicted completions for 2019 were taken into account. The 2019 housing land audit predicts 496 completions in the Aberdeenshire part of the Aberdeen Housing Market Area and 515 in the Rural Housing Market Area. The equivalent table in the 2020 audit shows that in 2019 there were 623 completions in the Aberdeenshire part of the Aberdeen Housing Market Area and 469 completions in the Rural Housing Market Area. I therefore conclude that there was no shortfall in completions in 2019 in the Aberdeenshire part of the Aberdeen Housing Market Area, but there was a shortfall of 46 completions in the Rural Housing Market Area compared to the predicted figures.

29. This comparison of predicted and actual completions for 2019 serves to demonstrate that fluctuations in future programming are likely. For 2019 more output than estimated was achieved in the Aberdeenshire part of the Aberdeen Housing Market Area, whilst slightly less was achieved in the Rural Housing Market Area. These fluctuations may even out over time and will be subject to future monitoring through the annual housing land audit. In any event, flexibility (generosity) is built into the land supply to address such issues, as explained in paragraph 4.11 of the strategic development plan. Furthermore, Table 1 in Appendix 6 in the proposed plan (and Table 3 in the revised version of Appendix 6) shows a surplus allocation in the Rural Housing Market Area. No modification is required to address this matter.

30. The agreed 2019 housing land audit forms the base supply for the strategic development plan and the proposed plan. Unless evidence has been submitted to suggest a material change in circumstances since the 2019 audit was agreed, I do not consider it necessary to question the contribution that effective sites make towards meeting the housing land requirement in the period up to 2032. Where such evidence has been presented, these matters are addressed in the schedule 4 for the site in question. I note that in setting the strategic development allowances, consideration has been given to the agreed and extrapolated completion rates for existing sites. Where more up to date information on the allocations which contribute to the strategic development allowances is available, from the 2020 housing land audit or other evidence submitted to the examination, I have taken this into account.

31. Appendix 6 in the proposed plan indicates that the sites identified as contributing towards the strategic development plan allowances fall into one of four categories. Representees have indicated that these definitions are unclear and have suggested alternative categories. Whilst I can see merit in the suggested alternatives, I am not persuaded that there is a need to change the categories identified by the council, as these descriptions do not directly affect the allocations or their ability to meet the strategic development plan allowances. No modification is required.

32. Representations in relation to the allocations and the implications of any recommended modifications in relation to the strategic development plan allowances are covered in the following sections

[Appendix 6 Housing Land Allocations – Differences between the Main Issues Report 2019 and the Proposed Local Development Plan 2020](#)

33. Some representations seek additional housing allocations on the basis that the strategy of the plan has changed since the Main Issues Report stage and/or has not addressed the increased housing requirement identified through the strategic development plan examination.

34. The Main Issues Report represents the formal consultation stage in the preparation of the plan and provides the opportunity to seek views on preferred options and potential alternatives. It does not represent the council's settled view and changes are to be expected following consideration of comments submitted at the Main Issues Report stage. This may include the allocation of housing sites not identified as officers' preferences in the Main Issues Report or the removal of preferred sites. I note that the Issues and Actions Paper provides an explanation of the council's reasoning on these matters. No modification is required.

35. The local development plan has to be consistent with the approved strategic development plan. There is no requirement to allocate additional housing land to specifically reflect changes made following the strategic development plan examination. Provided the strategic development plan allowances are met, the fact that the surplus is less than at Main Issues Report stage would not in itself justify additional allocations. No modification is required.

Appendix 6 Housing Land Allocations – Increasing site density

36. One of the methods used by the council to meet the strategic development plan allowances has been to increase the indicative capacity of some sites. Concerns have been raised in relation to the contribution that increased site densities make to the strategic development plan allowances and, in particular, the lack of evidence to justify these increases. The council has indicated that it has increased the indicative density of sites in the Aberdeen Housing Market Area from 22 homes per hectare to 25 homes per hectare. It has explained that the increased densities have only been applied to sites which do not have a planning permission which is likely to be implemented or an agreed master plan. For sites which are identified as effective in the 2019 housing land audit, only the additional capacity is counted towards meeting the strategic development plan allowances.

37. Paragraph H1.3 in the proposed plan makes clear that the capacities of sites shown in appendices 6 and 7 are indicative only. Some allocations may deliver more homes than predicted, others may deliver less. I find that the council's approach to increased densities is in line with paragraph 4.8 of the strategic development plan which states that "land brought forward for housing must be used efficiently". Whilst the figure used in the proposed plan is less than the strategic development plan target of 'no less than 30 dwellings per hectare' in strategic growth areas, the council has explained that a figure of 25 is considered to be a realistic means of achieving greater efficiency. I do not consider there is any justification to reduce the density further, unless there are particular site specific reasons indicated in representations to individual allocations.

38. A representee is concerned that the increased capacities may conflict with council policies on ecological, environmental and landscape considerations. However, the relevant sites (with the increased capacities) have been subject to strategic environmental assessment, prior to inclusion in the proposed plan. Furthermore, planning applications would require to be assessed in relation to the relevant policies in the plan, which would

allow more detailed consideration of any ecological, environmental or landscape impacts. I conclude that no modification is required to the general approach taken by the council in relation to increasing the site density of some allocations and identifying these increases as contributing towards the strategic development plan allowances

39. However, representations have raised particular questions regarding five of the allocations which fall into this category - Kintore OP1; Blackburn OP1; Oldmeldrum OP1; Oldmeldrum OP4; Stonehaven OP3. In order to address these matters, I required further information from the council and landowner/developer on some of the sites (FIR008).

40. Kintore OP1 (Kintore East) site is an existing allocation, with a capacity of 600 homes in the 2019 housing land audit. The proposal to increase the allocation by 400 would take the overall capacity of the site to 1000 homes. The 2020 audit shows the completion of 30 homes in 2022, followed by an annual completion rate of 60 homes. At this predicted rate, the existing allocation would not be completed until half way through 2032. This raises questions regarding delivery timescales for the additional 400 homes, which are identified as contributing towards the strategic development plan allowance.

41. However, the council and the Kintore Consortium have indicated that the average completion rate identified in the 2020 housing land audit for the Kintore East site is conservative and have provided examples of other multi developer sites which have achieved around 100 completions per year. The Kintore Consortium, which comprises three housebuilders, considers that a more realistic programming for this site would be 100 homes per year, assuming a start date and delivery of an initial 60 homes in 2023. It indicates that these figures were agreed at a meeting in relation to the 2021 housing land audit on 16 November 2021.

42. The council and developers are in agreement that the anticipated completion rates for Kintore East should be increased. I also consider that, with three developers on site, there is an increased likelihood that the site will be built-out faster. I recognise that there may well be fluctuations in completion rates over the plan period. However, based on the information before me, I consider it reasonable to conclude that the Kintore East site would be deliverable in the plan period. No modification is required.

43. Matters relating to the deliverability of allocations OP1 at Blackburn, OP1 and OP4 at Oldmeldrum and OP3 at Stonehaven are addressed in the schedule 4s for the relevant settlement and any recommended modifications noted in the table below.

Site (Number of homes contributing to allowances in proposed plan)	Comments	Recommendation
Kintore OP1 (400)	See above	No modification required.
Blackburn OP1 (190)	Addressed in Issue 32	No modification required.
Oldmeldrum OP1 (38)	Addressed in Issue 24	Remove the site from those which contribute to the strategic development plan allowance for the Aberdeen Housing Market Area. (-38).
Oldmeldrum OP4 (33)	Addressed in Issue 24	Reduce the contribution made to the strategic development

		plan allowance for the Aberdeen Housing Market Area from 33 to 27 (-6).
Stonehaven OP3 (48)	Addressed in Issue 46	Remove the site from those which contribute to the strategic development plan allowance for the Aberdeen Housing Market Area. (-48).

44. These changes are included in the revised version of Appendix 6, provided at the end of this report and referred to in my recommended modifications. The implications for the overall housing provision are addressed below. No other modifications are required in relation to sites with increased densities.

Appendix 6 Housing Land Allocations – Effectiveness, Delivery and Constrained Sites

Effectiveness and Delivery

45. As I have already indicated, paragraph 4.18 in the strategic development plan requires the plan to “identify allocations for the period 2020 to 2032 which are deliverable within the timeframe of this period”. I note that this wording is different from paragraph 119 in Scottish Planning Policy which states that “local development plans in city regions should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected year of adoption.” It goes on to say that “planning authorities should be confident that land can be brought forward for development within the plan period.”

46. I conclude from this slightly different wording that the strategic development plan puts emphasis on the 2020-2032 allowances to address concerns regarding slower phased delivery on the existing strategic allocations. There is no definition in the strategic development plan of the term “deliverable” or what constitutes a deliverable site. However, PAN 2/2010 provides guidance on the effectiveness of sites and programming considerations.

47. A number of representees have asked for evidence regarding the effectiveness and deliverability of the sites identified to meet the strategic development plan allowances. Whilst, there is no requirement for all identified sites to be effective at the start of the plan period or promoted by a developer, it is necessary to consider whether these sites are likely to become effective during the plan period. Furthermore, in order to meet the requirements of the strategic development plan, I consider that there should be a reasonable expectation that homes on the identified sites can be delivered by 2032. I therefore disagree with the council’s view that the local development plan is not required to demonstrate that the identified sites are deliverable.

48. In relation to the deliverability of the allocations identified to meet the strategic development plan allowances, matters relating to when a site is expected to become effective and anticipated programming are relevant considerations. For larger sites, or those which are not expected to be started until an existing site is completed or an infrastructure constraint is resolved, these matters may mean that all or part of the site would not be deliverable by 2032.

49. In addition to the housing allowances for the period 2020 – 2032, the strategic development plan also sets a target for local development plans to maintain a five year supply of effective land for housing at all times. This target is consistent with paragraph 119 of Scottish Planning Policy. Once the local development plan is adopted, it is the monitoring of the five year effective land supply which will be used to determine whether there are sufficient sites available to meet the housing land requirement.

50. The proposed plan states (on page 41) that the council “will monitor the maintenance of a five year effective land supply using the housing land audit”. Based on the figures in the 2020 housing land audit, the council indicates that there is a 7.1 years’ effective supply in the Aberdeen Housing Market Area, 5.4 years in the Rural Housing Market Area and 6.9 years across the Aberdeenshire area. However, these calculations are based on the figures from the 2014 strategic development plan and are therefore not directly relevant to the proposed plan.

51. A number of representees have expressed concern that insufficient land has been allocated to maintain an effective five year supply and that, in the absence of programming information for the additional allocations, it is not possible to properly assess whether the proposed plan is providing a five year effective supply.

52. Paragraph 123 of Scottish Planning Policy requires planning authorities to actively manage the housing land supply and prepare annual housing land audits. The annual audit provides a monitoring tool to demonstrate whether or not a five year effective land supply is being maintained. There is no requirement in Scottish Planning Policy or the strategic development plan to show a five year effective supply for the whole plan period up to 2032 at this time.

53. In line with Scottish Planning Policy, the focus of this local development plan is to ensure that there is sufficient land, which is effective or expected to become effective, to meet the housing land requirement up to year 10 from the year of adoption. However, I note from table 3 in the strategic development plan that existing housing sites already make provision for an ongoing supply post 2032. Furthermore, I am aware of the changing national planning context and the strong likelihood of a new local development plan process in the next five year period, which may have implications for how the effective housing land supply is measured.

54. However, in order to address matters raised in representations I consider it necessary to understand whether there is currently a five year supply of effective housing land. The 2019 and 2020 housing land audits do not provide programming information on the allocations identified to meet the strategic development plan allowances and the council has indicated that it cannot provide evidence to the examination on the programming of these allocations. Without this information, reaching a conclusion on whether there are sufficient housing allocations in the proposed plan to maintain an effective five year supply is potentially challenging.

55. There are a number of different methods of calculating the extent of the effective housing land supply - using the housing supply target or housing land requirement figures; and using what is commonly referred to as the ‘average method’ or the ‘residual method’. I sought the views of the council and relevant parties on this matter through two further information requests (FIR001 and FIR008). The council initially indicated that its preferred

approach is to use the ‘average method’ and the housing supply target figure, which is the methodology identified in the Heads of Planning Scotland “Planning Performance Framework”.

56. A number of representees disagree with this methodology and have indicated that an approach using the housing land requirement figure would be consistent with the Court of Session judgment in Gladman v Scottish Ministers [2020] CSIH 28 and the strategic development plan examination. In response to FIR008, the council agreed that the decision in the Gladman case is relevant to consideration of the adequacy of the land supply in the proposed plan and, as such, the land supply should be measured against the housing land requirement rather than the housing supply target.

57. On this basis, the following sections explain the implications of calculating the extent of the five year effective supply using the housing land requirement figures from table 2 in the strategic development plan and both the ‘residual method’ and ‘average method’.

58. A response to further information request FIR001 submitted by Ryden consultants calculates the extent of the effective land supply for various geographical areas using the ‘residual method’. The calculations are based on the effective supply figure from the 2020 housing land audit (7,413), the housing land requirement figures from table 2 in the 2020 strategic development plan, and take account of completions in the period 2016 - 2019. The effective supply figure includes contributions from windfall sites, which I agree with the council is consistent with Planning Advice Note 2/2010.

59. The 2020 strategic development plan does not require the local development plan to maintain a five year effective land supply for each housing market area. It is the extent of the five year effective land supply for the local development plan area as a whole that requires to be assessed. The table below demonstrates 5.55 years’ effective housing land supply for the local development plan area.

Residual Method using Housing Land Requirement

A	2016 - 2019 Housing Land Requirement	4290
B	2016 - 2019 Completions	4094
C	Surplus/Shortfall (B - A)	-196
D	2020 - 2032 Housing Land Requirement	17160
E	2020 - 32 Housing Land Requirement with shortfall added (D - C)	17356
F	Remaining years in Plan Period	13
G	5 Year Requirement E x (5/F)	6675
H	5 Year Supply	7413 (surplus of 738 homes)
I	Years' Supply 5 x (H/G)	5.55 years

60. The equivalent calculation, using the ‘average method’, is set out in the table below. It shows 5.9 years’ effective land supply.

Average Method using Housing Land Requirement

A	2016 - 2019 Housing Land Requirement	4290
B	2020 - 2032 Housing Land Requirement	17160

C	2016 – 2032 Housing Land Requirement (A+B)	21450
D	5 Year Requirement (C/17 x 5)	6308
E	5 Year Supply	7413 (surplus of 1,105 homes)
F	Years' Supply 5 x (E/D)	5.9 years

61. The above calculations demonstrate that, regardless of which method is used, the requirement for a five year effective land supply (based on the figures in the 2020 strategic development plan), is currently being met. Furthermore, these calculations take no account of the contribution from sites identified to meet the strategic development plan allowances or future windfall sites, which have the potential to increase the supply over the next five years and beyond. On the basis of the information before me, I conclude that there is no justification for the identification of additional allocations in the plan in order to maintain a five year effective supply. No modification is required

New sites

62. A number of new sites are allocated in the proposed plan to meet the strategic development plan allowances for the period 2020 – 2032. The recommended modifications to the format of the tables in Appendix 6 allow these new sites to be easily identified.

63. The majority of new sites identified to meet the strategic development plan allowances are for less than 100 houses. Where new sites of less than 100 homes are not the subject of specific representations in relation to deliverability, I consider it reasonable to expect these to be built in the period to 2032. No change is required in relation to these sites.

64. Site specific representations, which raise programming or deliverability concerns in relation to new sites of less than 100 homes, are addressed in the relevant schedule 4 for the settlement in question. In this regard, we recommend the deletion of allocation OP3 at Strichen. Furthermore, we recommend modifications to delete some new sites of under 100 homes, for reasons other than programming or deliverability. As a result, none of these sites would form part of the housing land provision which contribute towards meeting the strategic development plan allowances. The recommended changes are summarised in the table below.

Site (Issue number)	Housing Market Area	Deductions from housing land provision
Behelvie OP2 (28)	Aberdeen	- 41
Belhelvie OP3 (28)	Aberdeen	- 49
Methlick OP4 (29)	Aberdeen	- 63
Strichen OP3 (20)	Rural	- 49
Turriff OP3 (27)	Rural	- 40
St Katherines OP2 (31)	Rural	- 35

65. Larger new sites potentially raise more questions in terms of their deliverability by 2032, as they would normally be expected to take longer to develop and may have lengthier lead in periods, before development can commence. The list below shows the new allocations of 100 homes or more. All of these are within the Aberdeen Housing

Market Area and some are the subject of site specific representations in relation to deliverability, which are addressed in the relevant schedule 4. Our conclusions on the deliverability of these sites within the plan period are summarised in the table below.

Site (Number of homes in proposed plan)	Issue Number	Recommendation
Inchmarlo OP2 (120)	Addressed in Issue 55	No modification required.
Inverurie OP15 (130)	Addressed in Issue 34	No modification required.
Newburgh OP3 (160)	Addressed in Issue 23	No modification required.
Oldmeldrum OP5 (146)	Addressed in Issue 24	No modification required.
Pitmedden OP2 (219)	Addressed in Issue 25	Recommended modification to reduce the site area and indicative capacity of site to 100 homes (-119).
Portlethen OP1 (176)	Addressed in Issue 45	Recommended modification to reduce contribution to strategic development plan allowance to 100 homes (-76).
Potterton OP1 (172)	Addressed in Issue 26	No modification required.

66. All of the above changes are included in the revised version of Appendix 6, provided at the end of this report and referred to in the recommended modifications. The implications for the overall housing provision are addressed in subsequent paragraphs. No other modifications are required in relation to the contribution that new sites make towards the strategic development plan allowances.

Constrained Sites

67. A number of representees, including Homes for Scotland, object to sites which were identified as “constrained” in the 2019 housing land audit, counting towards the strategic development plan allowances. It is concluded in issue 2 that the principle of using constrained sites is consistent with paragraph 4.18 in the strategic development. However, I agree that it is necessary to understand the reasons why the council considers that a site which is constrained in 2019 can contribute towards meeting the strategic development plan allowances.

68. Sites which are currently constrained should be capable of becoming effective within the plan period. However, as I have already indicated, it is also necessary to consider whether the allocation would be deliverable within the plan period.

69. As with new sites, the council has indicated that it is unable to provide information on the anticipated programming of the constrained sites identified as contributing towards the strategic development plan allowances. It indicates that only those constrained sites, which were the subject of bid submissions sites, are identified in the proposed plan. Constrained sites, including some existing local development plan allocations, which the council does not consider to be deliverable in the period to 2032 have not been included in the proposed plan.

70. The bid assessment template used by the council provides a range of information relevant to the future development of potential housing allocations. Whilst a bid

submission gives the assurance that the landowner/developer intends to bring forward a site for housing development in the plan period, the information on overcoming potential constraints was provided in early 2018 and may be out of date. I agree with representees that further consideration of constrained sites is needed.

71. The 2019 housing land audit identifies the reason why each site was constrained at that time. Additional information on the constraints affecting a number of these sites is provided in the 2020 housing land audit, documents associated with the preparation of the Main Issues Report and proposed plan, representations and supporting documents, and the council's response to representations. Where there were gaps in my understanding of constrained sites, I asked for further information (FIR 008). From the responses provided, I am satisfied that I have sufficient information to address the matters raised in representations on the contribution of constrained sites to the strategic development plan allowances.

72. Those constrained sites which are the subject of specific representations have been considered in the relevant settlement statement and the outcome of those considerations are taken into account.

Aberdeen Housing Market Area

73. Only six constrained sites from the 2019 housing land audit have been identified as contributing towards the strategic development plan allowance for the Aberdeen Housing Market Area. These would provide 222 homes towards the required allowance of 3065 homes. In addition, site OP2 in Oldmeldrum which was effective in 2019, is shown as having a marketability constraint in the 2020 housing land audit. The table below summarises our assessment of the deliverability of each of these sites.

Site (Contribution to AHMA allowance in proposed plan)	Constraint	Comments	Recommendation
Balmedie OP1 (80)	Physical	Addressed in Issue 28	No modification required.
Banchory OP6 (40)	Contamination, Marketability, Other	Addressed in Issue 54	Recommended modification to exclude the site from those which contribute to the strategic development plan allowance (- 40).
Hatton of Fintray OP1 (16)	Marketability	Addressed in Issue 38.	No modification required.
Keithhall OP1 (36)	Ownership	Addressed in Issue 38.	No modification required.
Methlick OP1 (20)	Marketability, Infrastructure	Addressed in Issue 29.	No modification required.
Millbank OP1 (30)	Marketability Infrastructure	The council indicates that two possible	No modification required.

		solutions have been identified to resolve the waste water treatment constraint. It is reasonable to assume this allocation can be completed by 2032.	
Oldmeldrum OP2 (35)	Marketability	Addressed in Issue 24	No modification required.

74. The change in relation to Banchory OP6 is included in the revised version of the tables in Appendix 6, provided at the end of this report and referred to in the recommended modifications below. The implications for the overall housing provision are addressed in subsequent sections of this schedule 4.

Rural Housing Market Area

75. Two thirds of the sites allocated to meet the strategic development plan allowance for the Rural Housing Market Area are from existing sites, the majority of which are identified as constrained in the 2019 housing land audit. It is not possible through this examination to consider in detail how and when the constraints on each individual site would be overcome. However, I need to be reasonably confident that the allocations identified to meet the strategic development plan allowance are deliverable by 2032.

76. The 2019 housing land audit indicates that many of these sites are the subject of marketability constraints. In terms of marketability, Planning Advice Note 2/2010 requires consideration of whether a site can be developed in the period under consideration. I agree with representees that “marketability” is about more than a landowner being willing to sell a site. Unlike the other types of constraints identified in Planning Advice Note 2/2010, there is not a clearly identifiable course of action to remove the constraint, which the land use planning system can influence. Furthermore, whilst marketability is a constraint that may reasonably be applied to the five year effective supply assumptions, it does not necessarily follow that market conditions and confidence would remain static over the 10 year period.

77. Representations relating to marketability and deliverability within the context of the spatial strategy of the plan are addressed in issue 2. It acknowledges the challenges, particularly in the more remote rural areas, and notes the measures being used by the council to support the delivery of homes. No modifications are recommended in relation to this matter in the spatial strategy section of the plan.

78. In terms of individual allocations, I consider it reasonable to conclude that smaller sites (those under 50 homes), which are not the subject of specific representations and the only identified constraint is marketability, can be delivered by 2032. No evidence has been submitted to indicate otherwise, and assistance may be available through the various support measures outlined by the council in Issue 2. Site specific representations in relation to marketability constrained sites of under 50 homes in the Rural Housing Market Area are addressed in the relevant issue for the settlement in question. However, no modifications are recommended to remove or reduce the contribution from any of these sites.

79. For larger constrained sites in the Rural Housing Market Area and those subject to constraints other than or in addition to marketability, we have undertaken a more detailed assessment of their anticipated deliverability. In some cases, it was necessary to seek further information from the council and other parties through further information requests. The outcomes of our assessment, which for some sites reflect the consideration of representations covered in other issues, are set out in the table below.

Site (Contribution to RHMA allowance in proposed plan)	Constraint	Comments	Recommendation
Banff OP1 (306)	Marketability	Part of site is effective and due to be completed in 2022 (94 homes). If current rates of construction are maintained from 2023 onwards (around 30 homes per year), the remaining 306 homes would be completed by 2032. This is considered to be a reasonable assumption.	No modification required.
Banff OP2 (200)	Physical, Marketability and Infrastructure	Addressed in Issue 15.	Recommended modification to reduce the contribution to the strategic development plan allowance to 100 (-100).
Cairnblug/Inverallochy OP1 (85)	Marketability	Addressed in Issue 16	No modification required.
Memsie OP1 (15)	Ownership and Marketability	Addressed in Issue 16	No modification required.
Rosehearty OP1 (49)	Marketability	Addressed in Issue 16	No modification required.
Crudie OP1 (14)	Marketability and Infrastructure	Addressed in Issue 17.	No modification required.
Boddam OP1 (9)	Ownership	Addressed in Issue 19.	Recommended modification to exclude the site from those which contribute to the strategic development plan allowance

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			(-9).
Fetterangus OP2 (27)	Ownership	Addressed in Issue 21	No modification required
Mintlaw OP5 (50)	Marketability	Addressed in Issue 21.	Recommended modification to exclude the site from those which contribute to the strategic development plan allowance (- 50).
Old Deer OP1 (10)	Ownership	Additional information provided by the landowner indicates no secure tenancies and a willingness to sell.	No modification required.
St Fergus OP1 (13)	Ownership	Addressed in Issue 20.	No modification required
Turriff OP1 (442)	Marketability	Addressed in Issue 27.	Recommended modification to reduce the contribution towards the strategic development plan allowance to 200 (-242).
Old Rayne OP1 (10)	Physical and Marketability	Addressed in Issue 41.	Recommended modification to show OP1 as a new site not an existing site.
Fettercairn OP1 (60)	Marketability	Addressed in Issue 51.	No modification required.
Laurencekirk OP6 (100)	Infrastructure	Addressed in Issue 43.	No modification required.
Alford OP4 (85)	Physical and Marketability	Addressed in Issue 53.	No modification required.
Roadside of Kinneff OP1 (16)	Ownership	Addressed in Issue 50.	No modification required.
Tarland OP3 (36)	Financial and Marketability	Addressed in Issue 58.	No modification required.
Towie OP1 (5)	Ownership and Marketability	Addressed in Issue 57	No modification required.

80. These changes are included in the revised version of the tables in Appendix 6,

provided at the end of this report and referred to in the recommended modifications below. The implications for the overall housing provision are addressed in subsequent sections of this schedule 4.

Appendix 6 Housing Land Allocations – Strategic Housing Sites

81. A number of representees are concerned about the slow delivery of homes on existing strategic housing sites. The council has indicated that reliance on large sites comes from previous plans and is consistent with the spatial strategy in the approved strategic development plan. The potential risk of reliance on strategic sites was considered through the preparation of the strategic development plan. Paragraphs 4.14 and 4.15 indicate that the reason for the strategic development allowances in the period 2020 – 2032 is to maintain the housing land supply, should any of the strategic sites fail to come forward. On this basis, I consider that the concerns raised in these representations have already been addressed through the strategic development plan.

82. Furthermore, matters relating to the programming of strategic sites and extrapolated completion rates were considered in the strategic development plan examination. Whilst the full capacity of strategic sites such as Chapelton are shown in the allocations in the proposed plan, the council acknowledges that these are not expected to be delivered in full during the plan period.

83. I conclude that there is no justification to identify additional housing allocations for the period up to 2032 on the grounds of slow delivery of existing strategic sites. However, I consider that text should be added to the introductory paragraphs in Appendix 6 to make clear that some sites will not be completed until after 2032. I cover this in my recommended modifications below.

Appendix 6 Housing Land Allocations – Rebasing of Existing Allocations

84. I am clear from the information before me that the allocations which are identified as contributing towards the strategic development allowances do not form part of the 2019 effective land supply. The revised versions of the tables in Appendix 6, as set out in my recommended modifications, should help provide clarity on this matter. No other modifications are required.

Appendix 6 Housing Land Allocations – Strategic Reserve or Future Opportunity Sites

85. My consideration of representations seeking the identification of strategic reserve or future opportunity sites for housing is set out under Issue 2 – The Spatial Strategy. No modification is required.

Implications for meeting the strategic development plan allowances

86. In order to meet the housing land requirement up to 2032, the plan must identify allocations for 3,065 homes in the Aberdeenshire part of the Aberdeen Housing Market Area and 2,042 homes for the Rural Housing Market Area. The proposed plan includes allocations for 3,145 homes in the Aberdeen Housing Market Area and 2,619 homes in the Rural Housing Market Area. However, the recommended modifications outlined above have implications for these overall totals.

87. In the Aberdeen Housing Market Area, we recommend the deletion of three housing sites and a reduction in one site area. Other changes are recommended to the numerical contribution that some sites make to the allowance, taking account of anticipated delivery in the plan period. Furthermore, following the consideration of representations in Issue 36, it is recommended that the capacity of allocation OP2 Newmachar be increased from 95 to 130, which would contribute an additional 35 homes to the strategic development plan allowance. These adjustments are set out in the table below and included in the revised version of appendix 6 provided at the end of this report.

Allocations	Adjustments to Allocations contributing to the Aberdeen Housing Market Area allowance
Deleted Sites	
Belhelvie OP2	- 41
Belhelvie OP3	- 49
Methlick OP4	- 63
Reduction in Site Area	
Pitmedden OP2	- 119
Other Changes	
Oldmeldrum OP1	- 38
Oldmeldrum OP4	- 6
Banchory OP6	- 40
Portlethen OP1	- 76
Stonehaven OP3	- 48
Newmachar OP2	+ 35
Overall adjustment	- 445

88. As a result of the above adjustments, the allocations contributing towards the allowance for the Aberdeen Housing Market Area would provide land for 2,700 homes. This represents a shortfall of 365, when compared to the required strategic development plan allowance for the Aberdeen Housing Market Area (3,065 homes).

89. In a further information request (FIR008), I asked the council for its views on suitable mechanisms to address any shortfall in the housing allocations in the Aberdeen Housing Market Area. It suggested that, if additional allocations are required, these should be selected from the list of preferred sites identified in the Main Issues Report. Homes for Scotland disagrees with this suggestion and states that sites should be selected on their suitability and deliverability within the plan period. Other suggestions include the identification of strategic reserve sites or a policy mechanism to allow the release of further land, should the housing land supply fall below five years.

90. I do not consider that the identification of strategic reserve sites would be an appropriate solution, as the strategic development plan specifically requires sites to be deliverable in the period up to 2032. Furthermore, a policy to provide additional sites, if necessary, would not address the requirement for the local development plan to identify allocations to meet the allowances. I agree with Homes for Scotland that additional sites should be selected on their suitability and deliverability within the plan period. Whilst these may include sites identified as preferred options by the council in the Main Issues Report, I consider that all sites promoted through representations to the proposed plan, which have been the subject of public and stakeholder consultation and strategic environmental assessment), are potential options.

91. Following consideration of representations relating to housing bid sites in the Aberdeen Housing Market Area, we conclude that the following additional sites should be identified as housing allocations to contribute towards meeting the strategic development plan allowance for the Aberdeen Housing Market Area in the period up to 2032.

Allocation (Bid proposal)	Issue Number	Contribution towards strategic development plan allowance	Recommendations
Banchory OP7 (MR056 Land at Upper Arbeadie Road)	54	+42	Include Banchory OP7 in Table 4 in the revised version of Appendix 6 – add 42 to the second last column (Local Growth AHMA) and the final column (LDP 2022 allocation).
Kemnay OP3 (GR134 Land east of Stuart Crescent)	40	+65	Include Kemnay OP3 in Table 4 in the revised version of Appendix 6 – add 65 to the second last column (Local Growth AHMA) and the final column (LDP 2022 allocation).
Portlethen OP7 (KN027 Land north of Thistle Drive)	45	+300	Include Portlethen OP7 in Table 4 in the revised version of Appendix 6 – add 300 to the third last column (Strategic Growth Area) and the final column (LDP 2022 allocation).
Total		407	

92. Together, these sites would address the shortfall of land for 365 homes identified above. All three allocations are considered necessary, as the outcome of a flood risk assessment may reduce the overall indicative capacity of site OP7 at Portlethen. The allocations contributing towards the allowance for the Aberdeen Housing Market Area would now provide land for 3,107 homes. The recommended changes are included in the revised version of Appendix 6 provided at the end of this report and referred to in the recommended modifications below.

93. In the Rural Housing Market Area, we recommend the deletion of three housing sites. As indicated in the sections above, other changes are recommended to the numerical contribution that some sites make to the allowance, taking account of anticipated delivery in the plan period. Following consideration of site specific representations, we recommend that 25 homes from site OP1 at Gardenstown (Issue 16), 10 homes from site OP1 at St Katherines (Issue 31) and an additional site for 45 homes at Aberchirder (Issue 17) contribute to the strategic allowance for the Rural Housing Market Area. These adjustments are set out in the table below and included in the revised version of appendix 6 provided at the end of this report.

Allocations	Adjustments to Allocations contributing to the Rural Housing Market Area allowance
Deleted Sites	
Strichen OP3	- 49

Turriff OP3	- 40
St Katherines OP2	- 35
Additional Site	
Aberchirder OP1	+45
Other Changes	
Banff OP2	- 100
Boddam OP1	- 9
Mintlaw OP5	- 50
Turriff OP1	- 242
Gardenstown OP1	+25
St Katherines OP1	+10
Overall adjustment	- 445

94. As a result of the above amendments, the allocations contributing towards the allowance for the Rural Housing Market Area would provide land for 2,174 homes, which is more than the required strategic development plan allowance (2,042 homes). These housing allocations also provide sufficient surplus to address the identified shortfall in completions from 2019, referred to in some representations and addressed in paragraph 28 above. I conclude that no additional allocations are required in the Rural Housing Market Area for the period up to 2032.

Other Changes to Appendix 6

95. The representation from Homes for Scotland points out an error in relation to allocation OP3 at Maud in table 3 in Appendix 6. On comparing the totals with the allocations in the Maud settlement statement, I note that the figures for OP2 and OP3 have been mixed up. Allocation OP2 is for 30 homes and OP3 is for 10 in total, but only three still to be built. A modification is required to correct this error and is included in the revised version of Appendix 6. However, it has no implications for the overall housing numbers.

96. Some other changes are recommended in relation to specific housing allocations in the schedule 4s for the settlement statements. Whilst these are not directly relevant to the strategic development plan allowances, they have implications for the information provided in Appendix 6. In the interests of consistency, the following changes are included in the revised version of the tables in Appendix 6.

Allocation	Issue Number	Recommended modifications
Hatton OP2	19	Change the figure in the LDP Allocation column of the relevant table in Appendix 6 from 21 to 34.
Crimond OP1	20	Delete the allocation from the tables in Appendix 6

97. Table 1 in Appendix 6 in the proposed plan provides a breakdown of the housing land allocations and total local development plan housing land supply by strategic growth area and local growth area. These figures are not required in order to demonstrate compliance with the strategic development plan. With the exception of the allocations

contributing to the allowances by local growth area, I do not have sufficient information to update these figures in the revised version of Appendix 6. I have therefore identified these as “tbc” (to be confirmed) for the council to calculate as consequential modifications, should it wish to do so.

Conclusions

98. Paragraph 119 in Scottish Planning Policy indicates that local development plans in city regions should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected year of adoption. In order to meet this requirement, the strategic development plan requires this local development plan to identify allocations to meet the housing allowances for the period 2020 – 2032. Scottish Planning Policy and the strategic development plan also state that there should be a minimum of five years effective land supply at all time.

99. Subject to the modifications recommended below, I am satisfied that the housing provision in the local development plan would meet the requirements of the strategic development plan and accord with the relevant paragraphs in Scottish Planning Policy. I note that a 20% generosity allowance is already factored into the housing land requirements for the period 2020 – 2032 identified in the strategic development plan. Tables 4 and 6 in the revised version of Appendix 6 set out the allocations which meet the strategic development plan allowances for the Aberdeen and Rural Housing Market Areas. These allocations will be complemented by a significant number of existing effective sites (as identified in the 2019 housing land audit), which will also provide land for housing in the period up to 2032 and beyond. There is currently a five year effective housing land supply, which will be supplemented by new allocations following the adoption of the local development plan.

100. Whilst, this plan requires to be prepared within the context of the approved strategic development plan and Scottish Planning Policy 2014, I am aware of the changing national planning context and the strong likelihood of a new local development plan process in the next five year period. This will provide the opportunity to revisit the housing land requirements for the Aberdeenshire area and address any changes in housing need and demand and fluctuations in the anticipated delivery of homes on the allocated sites.

Reporter’s recommendations:

Modify the local development plan by:

1. Replacing the first three paragraphs in Appendix 6 Housing Land Allocations on page 167 with the following four paragraphs:

“Table 3 provides an overview of the housing land supply that contributes to the Strategic Development Plan’s “allowances” for the period 2020-2032 (as identified in Table 3 of the Strategic Development Plan).

Tables 4 – 7 show all allocated housing sites within the Local Development Plan and the indicative number of homes on each site. Table 4 lists the sites which have been identified to meet the Strategic Development Plan allowance for the Aberdeen Housing Market Area and Table 6 lists the sites which have been identified to meet the Strategic

Development Plan allowance for the Rural Housing Market Area. These sites fall into one of the following categories:

- New Allocations which were not in the Aberdeenshire Local Development Plan 2017
- Where there is a difference in the allocated site total and the Housing Land Audit total
- Extensions to existing sites or increased densities on existing effective sites resulting in an increase in numbers;
- Existing constrained sites where a bid has been submitted indicating that they will come forward within the Plan period.

Tables 5 and 7 show all other housing allocations in the Aberdeen Housing Market Area and the Rural Housing Market Area. The majority of these sites were included in the previous local development plan and form part of the effective housing land supply in 2019. Some of these sites will not be completed until after 2032.

The Settlement Statements in Appendix 7 provide details of the full housing provision for each of the identified towns and villages within Aberdeenshire.”

(Note - This text should follow the new introductory paragraph and Tables 1 and 2 set out in a recommended modification under Issue 2. A revised version of Appendix 6 incorporating the recommended modifications from Issues 2 and 5 is provided at the end of this report)

2. Replacing Table 1 in Appendix 6 with Table 3 shown in the revised version of Appendix 6 provided at the end of this report.

3. Replacing Tables 2 and 3 in Appendix 6 with Tables 4 - 7 shown in the revised version of Appendix 6 provided at the end of this report.

Issue 6	Section 8 – Shaping Homes and Housing – Policy H2 Affordable Housing, Policy H3 Special Needs Housing, Policy H4 Residential Caravans and Policy H5 Gypsy/Travellers	
Development plan reference:	Proposed LDP, Section 8, Page 39-44, Appendix 6, Page 165-182	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Policy H2 Affordable Housing PP0438 Caledonia Homes PP0617 Monymusk Land Company PP0686 Stewart Milne Homes PP1125 Barratt North Scotland PP1169 Ian Chapman PP1219 Scottish Environment Protection Agency PP1222 NHS Grampian PP1306 Homes for Scotland</p> <p>Policy H3 Special Needs Housing PP0168 Heather Cook PP0578 Scottish Government Planning and Architecture Division PP0759 Glenisla Developments Limited PP0796 Penelope Dransart PP1138 Skene Enterprises (Aberdeen) Ltd PP1219 Scottish Environment Protection Agency PP1222 NHS Grampian</p> <p>Policy H4 Residential Caravans PP1219 Scottish Environment Protection Agency</p> <p>Policy H5 Gypsy/Travellers PP0592 ANM Group Ltd PP0865 The Gypsy/Traveller Community PP0866 The Gypsy/Traveller Community PP1219 Scottish Environment Protection Agency PP1222 NHS Grampian</p> <p>Shaping Homes and Housing Policy Map PP0607 The Association for the Protection of Rural Scotland PP0788 Audrey Wright PP0824 Kenneth Badenoch PP0845 Robin Taylor PP0860 Robert Pirie PP0873 Robert Pirie PP0904 Maureen Pirie</p>		
Provision of the development plan to which the issue relates:	Policies H2 – H5 and Policy Map relating to Shaping Homes and Housing	

Planning authority's summary of the representation(s):

Policy H2 Affordable Housing

The Scottish Environment Protection Agency (SEPA) has confirmed that they have no comments to make on this policy (RD0214.A). No modification sought (PP1219).

Support

Representees support Policy H2 setting the requirement for affordable housing at 25% (PP0617, PP0686, PP1125, PP1222 and PP1306) and encouragement of the provision of general market homes to support ongoing delivery of affordable homes (PP1306). Representees have included an Appendix (RD0195.A, RD0216.A and RD0259.A) in their representation which provides further detail to support their position (PP1125, PP1222 and PP1306).

General

NHS Grampian has noted the positive impact this policy has on vulnerable clients securing a home. However, the representee noted that as with any development, there would be an increased burden on health and social care services due to an increased demand for services, particularly in areas where there is a high proportion of vulnerable people. The representee has included an Appendix (RD0216.A) in their representation which provides further detail to support their position (PP1222).

Paragraph H2.2

The terminology used is clumsy and does not reflect the policy aspirations of Scottish Planning Policy (SPP) paragraph 29 which advises that, "the level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of homes." Paragraph H2.2 should be amended to avoid confusion and provide clarity (PP0686).

The terminology in paragraph H2.2 does not strictly reflect SPP and places unnecessary emphasis on the requirement to justify less than the 25% benchmark. Policy H2 should be amended to provide sufficient flexibility for a reduction in exceptional circumstances (RD0195.A) (PP1125).

Footnote 3 on page 42 is not needed as it does not add to the policy or serve a policy purpose (PP0686 and PP1125). It is not up to the housebuilding industry by means of "concerted effort" or otherwise to deliver deficits beyond the policy requirements (PP0686). The representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

Forms of Contribution and Threshold for Provision

Guidance on how commuted sums would be calculated would be welcomed (PP0438).

The provision of affordable housing relies too heavily on the delivery of mainstream housing from the development industry with the onus placed on landowners to make land available. If an unacceptable burden is placed on land values there would be reluctance

to release land for development and it can create funding concerns with uncertainty for Registered Social Landlords (RSL), which often restricts delivery progress. Greater flexibility in the approach to delivery is required and should be clearly articulated within the Proposed Local Development Plan (PLDP) (RD0195.A) (PP1125).

The finer details of the delivery mechanisms and circumstances whereby a lower contribution would be accepted should form part of the PLDP rather than in non-statutory Planning Advice. Sufficient flexibility and support for delivery across all mechanisms should be provided and not just the current over-reliance on developers meeting 25% delivery on-site. It is disappointing that further Planning Advice would set out these details given the extant LDP contains such information as adopted Supplementary Guidance. Review of the existing commuted sum figures and the low-cost home ownership benchmark should be undertaken in consultation with the development industry with the appropriate forum for that through the LDP process. Figures in planning advice should not be used for the duration of the Plan and not be subject to increases without consultation. Existing benchmark figures need to be reviewed to reflect the increased build cost, infrastructure contributions and developer obligations (RD0195.A) (PP1125).

The representee noted that determining the precise provision on each site requires consideration. There is a mismatch in the range of sizes, types and tenure of affordable housing requested by the Council's Housing Service and the actual need within the locality. This is a significant issue that needs to be resolved through more detailed research to accurately reflect the affordable need profile of eligible candidates in the qualifying area at the time of the planning application to make full use of the range of solutions in SPP. In cases where limited need is identified there should be greater use of commuted sums as, in some cases, requested provision is changed at a later date due to a lack of take up or other tenures being agreed post completion to allow development to be fully occupied (PP0617).

Affordable housing occupants would benefit the most if it is not in car dependent locations (PP1169).

The PLDP should be more proactive in the delivery of affordable housing as an alternative to the blanket 25% approach. The PLDP should place a greater emphasis on allocating specific sites and in particular the surplus Council owned land or buildings should be identified for affordable housing as advocated by Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits (PAN 2/2010) (RD0195.A) (PP1125).

Brownfield sites in the countryside (outwith settlements) are not suited to affordable housing due to remote locations with limited access to public transport and nearby essential facilities. Owning and running a vehicle would be necessary and unlikely to be suitable for many people requiring affordable housing. Greater certainty is sought and assurance that developments would not be limited by this requirement of having to provide a unit which would be unlikely to be taken up (PP0438).

The threshold for providing affordable homes should be raised to support smaller builders and provide extra jobs. The representee highlighted Scottish small and medium sized (SME) home builders' recovery from recession has been slower and Covid-19 has compounded these problems. Homes for Scotland's work in considering how to assist small-scale home builders recommended this changed and the representee included a link to this Report. The representee has included an Appendix (RD0259.A) in their

representation which provides further detail to support their position (PP1306).

Policy H3 Special Needs Housing

SEPA has confirmed that they have no comments to make on this policy (RD0214.A). No modification sought (PP1219).

A representee welcomed continued support for continuing care retirement communities outwith settlements as it helps to address the challenge in delivering sufficient, suitable new accommodation for the growing elderly population. The representee has included an Appendix (RD0201.A) in their representation which provides further detail to support their position. No modification sought (PP1138).

NHS Grampian has welcomed support for special needs housing however engagement would be required to evidence the need, for housing for people with disabilities or care homes, exists. NHS Grampian and Aberdeenshire Health and Social Care Partnership (AHSCP) would need more information on the level of care proposed at these facilities before support can be given. A modification to Policy H3 is sought to account for this consultation need (RD0216.A) (PP1222).

Scottish Government has noted that paragraph H3.1 would benefit from clarification on what need has been identified in the HNDA and what policies the Plan intends to prepare to support the delivery of specialist provision housing, to meet the requirements of paragraph 132 of SPP (PP0578).

There is a lack of housing for older people or communities planned to accommodate the ageing population. Developers do not cater and plan for any such accommodation (PP0168).

A representee stated there is a lack of suitable homes in the existing market and in new development to meet the needs of an ageing population. There is a higher-than-average proportion of elderly residents in Aberdeenshire, an established need, demand and support for this type of development. This type of development is a policy focus at the national level, where measures are identified to enable independent living including the provision of new housing suited to needs. The public sector is unable to provide the range and quantity of housing to meet needs with many persons not qualifying for this provision. Despite this gap in the market, and the private market not delivering these homes through mainstream development, there is no provision in the LDP to support this housing need. The policy modifications sought would allow the potential for new development proposals to be supported to deliver well-located/designed development to meet this need. The representee has included an Appendix (RD0133.A) in their representation which provides further detail to support their position (PP0759).

Specialist housing for the elderly should not be sited alongside major roads as noise creates a particular problem for hearing among older people who cannot screen out background noise and open windows on major roads (PP0796).

Policy H4 Residential Caravans

SEPA has indicated that they would object to this policy unless additional wording is included that requires the siting of caravans to avoid areas of flood risk as caravans and

mobile homes are classed as a 'Most vulnerable use' in SEPA's Flood Risk and Land Use Vulnerability Guidance referenced by SPP. SEPA highlight that even a temporary period of use in an area of flood risk can pose a risk to a caravan and its occupants (RD0214.A) (PP1219).

Policy H5 Gypsy/Travellers

Future Gypsy/Traveller sites should be assessed on their individual merits and using a criteria based on LDP policies and other material considerations, with appropriate consultation. The representee has included an Appendix (RD0090.A) in their representation which provides further detail to support their position (PP0592).

The identification of Gypsy/Travellers sites within allocated sites contributes to meeting long-term need but this approach to delivery of sites is unlikely to meet need in the short to medium-term. There remains a need for more immediate provision of sites as set out in the Grampian Gypsy/Traveller Accommodation Needs Assessment 2017 (PP0866).

A representee noted that paragraph H5.1 states that Gypsy/Travellers sites have been identified but there have been no new sites added despite need identified by the Grampian Gypsy/Traveller Accommodation Needs Assessment 2017. Identified sites are not necessarily going to be permanent and there is not a satisfactory solution to accommodation needs, consistency and stability for the Gypsy/Traveller community (PP0866).

The second sentence of paragraph 3 Shaping Homes and Housing is unclear if Gypsy/Travellers sites are also promoted, particularly privately run sites. Private sites run by residents should be identified and promoted in the PLDP to manage the expectations of the local community when planning applications are submitted. The representee highlighted in their attached supporting document, 'Housing Issues 2040 for G/Ts', the problems Gypsy/Travellers face in finding suitable accommodation and suggested several solutions such as the Council purchasing land or using its vacant sites (RD0157.A) (PP0865).

Gaining planning approval for Gypsy/Travellers sites has not been straightforward for any site despite meeting policy requirements (PP0866). Planners should be more accommodating and supportive to such applications (PP0865). The provision of sites, in a mix, would contribute to 'the balance and mix of uses and the type and affordability of housing' (PP0865 and PP0866). The representee has included an Appendix (RD0157.A) in their representation which provides further detail to support their position (PP0865).

Facilities on sites could be of a higher specification particularly in light of the pandemic, health and safety considerations and concerns about shared access to water. Higher specification facilities may make transit and stopover sites more attractive, reducing the number of unauthorised encampments and contribute positively to the health, well-being and education outcomes of Gypsy/Travellers (PP0866).

NHS Grampian has noted that it is important to emphasise that proposals for gypsy/traveller development should also be easily accessible by public transport and linked to health and social care centres (RD0216.A) (PP1222).

SEPA has welcomed the addition of "subject to other policies" into the policy text but

object unless additional wording is included that requires the siting of caravans/mobile homes to avoid areas of flood risk as caravans and mobile homes are classed as a 'Most vulnerable use' in SEPA's Flood Risk and Land Use Vulnerability Guidance referenced by SPP. Otherwise, at a minimum include a foot note. SEPA highlighted that even a temporary period of use in an area of flood risk can pose a risk to a caravan/mobile home and its occupants (RD0214.A) (PP1219).

Shaping Homes and Housing Policy Map

Potterton should be removed as an Effective Housing Land Allocation on the map as it has unresolved constraints that cannot be overcome or would not be resolved within 5 years (PP0607, PP0788, PP0860 and PP0904).

Potterton housing land allocations should be removed from the map to protect endangered species as development will not be able to mitigate risk to Red List species (PP0873).

Potterton should be excluded from the map to confirm it is outwith the Strategic Growth Area (SGA) and within the Local Growth and Diversification Area (LGA) (PP0824 and PP0845).

Modifications sought by those submitting representations:

Policy H2 Affordable Housing

General

Modify the PLDP to take account of increased burden on health and social care service from increased demand from development (PP1222).

Paragraph H2.2

Modify the PLDP to amend paragraph H2.2 by replacing "must include 25% of the serviced plots for affordable housing" with "should include no more than 25% of the total houses for affordable housing." (PP0686).

Modify the PLDP to amend paragraph H2.2 by removing the term "must include" from the first sentence and "only" from the penultimate sentence (PP1125).

Modify the PLDP to amend paragraph H2.2 by replacing "25% of serviced plots" with "25% of the total number of houses." (PP1125).

Modify the PLDP by deleting footnote 3 on page 42 (PP0686 and PP1125).

Forms of Contribution and Threshold for Provision

Modify the PLDP to include guidance of commuted sum calculations for affordable housing (PP0438).

Modify the PLDP to include within Policy H2 flexibility of provision, detail of the delivery mechanisms and circumstances whereby lower affordable housing contributions would be accepted (PP1125).

Modify the PLDP to provide an accurate provision of affordable housing on each site (PP0617).

Modify the PLDP to provide affordable housing in locations that are not car dependent (PP1169).

Modify the PLDP to allocate specific sites for affordable housing, particularly on land or buildings owned by the Council (PP1125).

Modify the PLDP to add a clause for Policy R2 brownfield sites of up to 7 homes so that affordable housing would not be required to be provided but instead a commuted sum secured for nearby settlements (PP0438).

Modify the PLDP to revise the threshold for providing affordable homes to at least 12 (PP1306).

Policy H3 Special Needs Housing

Modify the PLDP to reference within Policy H3 “the need to consult NHS Grampian and Aberdeenshire Health and Social Care Partnership.” (PP1222).

Modify the PLDP to clarify the need identified as part of the HNDA and what policies the Plan intends to prepare to support the delivery of specialist provision housing within paragraph H3.1 (PP0578).

Modify the PLDP allocating land for housing for older people and the ageing population (PP0168).

Modify the PLDP policy to “Policy H3 Special Needs and Age Exclusive Retirement Housing” and to read, “H3.1 Where there is an established need which can be demonstrated, we will generally support non-mainstream housing proposals for people with disabilities, specialist housing for the elderly, and age exclusive retirement housing. In all cases, the houses and related development must be specifically designed for the end user group and be designed in a manner compatible with and sympathetic to the site and the surrounding area. If the developer demonstrates there are no suitable sites within a town centre in the first instance and, secondly elsewhere within the settlement, we will allow special needs and age exclusive retirement housing to be developed if:

- it is on the edge of a settlement or in an accessible rural location with other built development close-by and characteristic of the area;
- the site is compatible with neighbouring uses;
- there is easy access to public transport, local services and open space; and
- the site’s topography and access are appropriate for the end users.

Matters of specific design fall under Policy P1 Layout, siting and design.

H3.2 Self-contained continuing care retirement communities, which provide health care, and age exclusive retirement housing will be approved outwith edge of settlement sites providing the applicant demonstrates that the development will be self-sufficient in the provision of necessary facilities or would otherwise not have an adverse impact on the

existing facilities enjoyed by local residents.” (PP0759).

Modify the PLDP to ensure that specialist housing for the elderly is not sited alongside major roads (PP0796).

Policy H4 Residential Caravans

Modify the PLDP to amend paragraph H4.1, second sentence, to read, “In cases where a temporary need has been demonstrated by the applicant we will allow the temporary siting of a residential caravan providing the siting respects the character and amenity of the surrounding area, avoids areas of flood risk, and the caravan can be satisfactorily serviced.” (PP1219).

Policy H5 Gypsy/Travellers

Modify the PLDP to clarify the process for identifying Gypsy/Traveller sites (PP0592).

Modify the PLDP to strengthen the approach for delivery of sites in the short and medium-term (PP0866).

Modify the PLDP to identify new Gypsy/Traveller sites (PP0865 and PP0866) and, to identify and promote privately run Gypsy/Traveller sites (PP0865).

Modify the PLDP to amend paragraph H5.2 to ensure Gypsy/Travellers sites are assessed without undue prejudice (PP0866).

Modify the PLDP to amend paragraph H5.3 to ensure facilities on sites are of the highest specification, taking account of health and safety considerations (PP0866).

Modify the PLDP to include in Policy H5 that Gypsy/Traveller development should be easily accessible by public transport and linked to health and social care centres (PP1222).

Modify the PLDP to amend paragraph H5.3 to read, “Proposals must also avoid areas of flood risk, provide a secure environment and ...”. Otherwise, insert a footnote at paragraph H5.2 “subject to other policies” to read, “In particular sites must be in accordance with SEPA Flood Risk and Land Use Vulnerability Guidance.” (PP1219).

Shaping Homes and Housing Policy Map

Modify the PLDP to remove Potterton as an Effective Housing Land Allocation on the map (PP0607, PP0788, PP0860, PP0873 and PP0904).

Modify the PLDP to exclude Potterton from the SGA (PP0824 and PP0845).

Summary of responses (including reasons) by planning authority:

Policy H2 Affordable Housing

The comment from SEPA is noted. No change is required.

Support

The support for setting the 25% affordable housing requirement is welcomed.

General

The Council acknowledges that affordable housing, as like any residential development, would increase pressure on local services. Policy RD2 Developer Obligations and Appendix 7, Settlement Statements make provision for seeking contributions in this respect.

Paragraph H2.2

The Council does not agree with amending the policy text. The representees have requested the amendment to policy wording that was provided through the Examination of the LDP 2017 and carried forward into the PLDP 2020 (AD0036, page 121). This wording avoids any ambiguity on the level of affordable housing that could be sought and conforms with SPP paragraph 129 (AD0012).

The Housing Need and Demand Assessment 2017 (HNDA) estimates a need for around 48% of all new homes to be affordable (AD0025, page 77 and 80). This is an increase of 10% from the estimates in the HNDA 2011 as highlighted in Policy H2 Affordable Housing in the LDP 2017. The estimate of need ranges from around 22% in the RHMA to 78% in the AHMA. The “must include 25%” requirement is clearly based on evidence from the HNDA which identifies a level of need significantly in excess of this policy requirement. The acceptance of lower figures “only in exceptional circumstances” remains to be appropriate and wholly necessary as is clearly evidenced in the HNDA. No change is required.

SPP paragraph 129 states that, where an affordable housing contribution is required, “this should generally be for a specified proportion of the serviced land within a development site to be made available for affordable housing” (AD0012). The requirement set in paragraph H2.2 is expressed as a proportion of the serviced plots on new housing developments, and is, therefore consistent with this guidance. No change is required.

With regards to the inclusion of footnote 3, it is prudent to supplement the policy text to highlight the need for alternative affordable housing models of market housing. The latest Strategic Housing Investment Plan 2021 - 2026 (SHIP) paragraph 2.4 continues to project that around 70% of affordable homes will be obtained and delivered through the LDP affordable housing policy (AD0173). Despite this, there will continue to be a gap where need (at 48% in the HNDA) is not being met through either private or public means. Whilst the Scottish Government are supporting and funding affordable homes delivery, the grants are limited to a set cost per unit, and the high construction costs along with the high land values found in Aberdeenshire are problematic. The level of funding available is also dependent on the Government agenda therefore it is unknown how much funding will be available during the lifetime of the LDP. The Aberdeen City and Shire Strategic Development Plan 2020 (SDP) paragraph 4.6 notes that meeting the targets set in the SDP (35% of the Housing Supply Target is affordable) will need “considerable effort, coordination and creativity and for the public and private sectors to work together” (AD0016). This highlights a need for the development industry to play a role in delivering unsubsidised housing to form an element of affordable housing. No change is required.

Forms of Contribution and Threshold for Provision

Supplementary Guidance has been removed from the PLDP and replaced with Planning Advice in accordance with the provisions of the new Planning (Scotland) Act 2019 (AD0010, page 20, section 9). The policy wording directs readers to Planning Advice Developer Obligations and Affordable Housing that will be available. It states that Planning Advice supports the policy “by providing further detail on the forms that affordable housing contribution could take and, outlining the exceptional circumstances where a lower contribution or an alternative to onsite provision may be appropriate”. The Council do not agree that the policy is inflexible. Planning Advice will be required to be consistent with PAN 2/2010 and SPP, specifically SPP paragraph 129 which states that Planning Authorities should consider the level of affordable housing contribution which is likely to be deliverable in the current economic climate as part of a viable housing development (AD0012).

Planning Advice Developer Obligations and Affordable Housing will have public engagement targeted at a SP=EED Level 1, with targeted stakeholder engagement with agencies and stakeholder bodies, according to the subject under consideration. The mechanisms for providing the appropriate form of affordable housing contribution, including commuted sums, is an operational issue and not considered a policy matter – as such the Council do not consider it necessary to be included within the PLDP policy text. No change is required.

The representee acknowledges that the range of sizes, types and tenure of affordable housing is undertaken on a case-by-case basis at the time of a planning application. The Council in identifying the most appropriate provision for each development site, consider all relevant housing information available at the time including open market conditions, site circumstances including site development costs, existing affordable housing stock, relets and waiting list information. The Council acknowledge the difficulty in providing the provision to meet exact needs, given the fluctuating nature of this information and choice can also be a factor in the uptake of units. The Council do not agree however that there should be greater use of commuted sums. Paragraph 21 of PAN 2/2010 states that “exceptionally, a site may be unsuitable for affordable housing...” and that commuted sums “should only be used sparingly” (AD0006). The proposed policy approach of accepting commuted sums only in exceptional circumstances is considered appropriate and consistent with this guidance. No change is required.

The Council disagrees that affordable housing should be excluded from rural areas where car use may be more necessary. Affordable housing households are not precluded from owning their own transport. PAN 2/2010 paragraph 16 seeks to make affordable housing available in a range of locations (AD0006). There is a significant affordable housing need within Aberdeenshire and as set out above, the most appropriate provision for each development site will be determined on a case-by-case basis. No change is required.

In terms of allocating specifically affordable housing sites, SPP paragraph 129 states that the level of affordable housing required as a contribution “should generally be no more than 25%” (AD0012) therefore it is clear the Council cannot require the development industry to provide wholly affordable sites. The Council have a number of sites promoted as 100% affordable housing allocations in the PLDP although this is an exception, where the developer has identified this level of provision is to be delivered. The use of Local

Authority land for affordable housing continues to be explored when sites become available. A recent example of this includes the planning permission granted in December 2020 at the former Ellon Academy site in Ellon (planning application reference APP/2020/1422). Other avenues for identifying land for affordable housing development are also being proactively explored where appropriate. The Council's Housing Service sit on the Council's corporate Asset Disposal Group actively considering in the first instance if any potential land or asset for disposal would be appropriate for affordable housing. Nevertheless, the Council's Housing Service and its RSL partners do not have a large bank of land for development and the majority of future new affordable housing development will, therefore, come via contributions secured through the Local Development Plan's Affordable Housing Policy. Any potential additional sources of supply from Council owned land should, therefore, not be a substitute for the proposed policy approach. No change is required.

The Council does not agree that the four or more homes threshold should be raised. Increasing the thresholds would be contrary to delivering sustainable mixed communities, particularly within smaller rural communities where the general scale of development is smaller. This amendment would also be contrary to PAN 2/2010 paragraph 16 that seeks to make affordable housing available in a range of locations (AD0006). There is no case for removing the affordable housing requirement on the redevelopment of large brownfield sites or other small-scale sites as a matter of principle. To do so does not meet the full needs of the community and in any event the impact on development viability is accounted for in the case-by-case assessment undertaken for any proposal, as addressed above.

In respect of concerns regarding the threshold for on-site provision, it is acknowledged that paragraph 16 of PAN 2/2010 indicates that, as a general guide, Local Authorities and developers can normally expect on-site provision to be appropriate for developments of 20 or more units. However, it goes on to state that on-site provision will also often be possible for smaller developments. Significantly, it highlights that in rural areas, where the general scale of development is smaller, a lower threshold for on-site provision may be appropriate in order to make affordable housing available in a range of locations (AD0006, paragraph 16). For reasons of gaining greater assurance that a unit would be taken up, the form of contributions matter has been addressed above. No change is required.

Policy H3 Special Needs Housing

The comments from SEPA are noted and comments of support welcomed. No change is required.

In terms of consultation with NHS Grampian and AHSCP, the representee presents two reasons to be consulted – to confirm an unmet need exists and, to establish if and how much a proposal would impact on existing healthcare provision. It is acknowledged this policy allows for the provision of residential development on unallocated sites that would be in addition to those included in the Appendix 7 Settlement Statements. However, Policy RD2 Developer Obligations, specifically at paragraph RD2.14 would seek contributions for any proposal that would impact on primary healthcare facilities and as such would need to establish the extent of any impact development may have.

Looking at whether when an unmet need exists, the type of evidence to demonstrate "obvious need" is dependent on the proposed development. It would not be appropriate to undertake a blanket approach to consultation with NHS Grampian and AHSCP for all

proposals such as, for example, where a proposal is for an individual housing plot connected with a carers home. For proposed development of multiple special needs housing plots, evidence should take the form of scale of need in the community as well as why existing sites are unavailable. In this circumstance it could be considered appropriate to consult for this reason. The Council confirms that it intends to address NHS Grampian's comment by way of a footnote through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

In accordance with SPP paragraph 132, this policy acknowledges the need in supporting independent living including access for those with disabilities (AD0012). The HNDA 2017 paragraph 5.7.2 notes that there has been no significant change in the numbers of people with long-term activity-limiting health problems or disability. The HNDA also states in paragraph 5.15 that the general housing stock will continue to meet the needs of the vast majority of the older population (AD0025). The policy therefore meets the requirements of SPP to consider the need for provision and goes further, supporting unforeseen development of housing and care facilities where general market housing may not meet specific needs and recognising suitable housing is a key challenge presented by an ageing population. It should also be noted that through the SHIP (AD0173, page 4) "Aberdeenshire Council supports the Scottish Government recommendations to include Wheelchair accessible targets within the Local Housing Strategy (LHS) and accordingly have set a target of 10% of new affordable housing as fully wheelchair accessible within the affordable housing sector. Furthermore, the Council will encourage 10% of all new housing developments in the private sector on developments of 20 or more units." No change is required.

As stated above, this policy acknowledges the challenges and need in supporting independent living with an ageing population. Whilst the general housing stock continues to meet needs, Policy P1 Layout, Siting and Design and its Appendix 8 Successful Placemaking Design Guidance and Appendix 9 Building Design Guidance, require new developments to be adaptable. The adaptability to future needs, including flexibility to adapt to occupants change in circumstances, promotes housing provision that will maintain independent living. The PLDP also contains development opportunity for continuing care retirement communities.

The Council does not agree with the requested modification to the policy text, specifically in relation to age exclusive retirement housing where it does not need to form part of a self-contained community and the location extended to be acceptable within an accessible rural area. Again, the evidence in the HNDA on need does not support this approach. This could lead to considerable development in an unplanned manner should the representee's evidence base of a 60+ age criteria be used to establish need. Unless there is a specific need for special needs homes to be in a particular location at a distance from settlements, Section 7 Shaping Development in the Country policies should be used to provide housing in rural locations. No change is required.

Housing proposed under paragraph H3.1 is required to be easily accessible in support of independent living, providing residents connectivity to services and public transport. Specific concerns relating to noise impact on occupants would be considered through Policy P1 Layout, Siting and Design and either Appendix 8 or Appendix 9 tables under the "Safe and pleasant" section as "amenity". If necessary, a Noise Impact Assessment can be requested through the planning application process. No change is required.

Policy H4 Residential Caravans

The Council does not agree with the request for additional text on flood risk. Any development proposals including that for caravans would be subject to assessment against all relevant policies contained within the LDP. This includes Policy C4 Flooding which indicates the circumstances when a proposal may be sited in an area of flood risk. Policy C4 Flooding addresses circumstances where there is a heightened risk and a footnote within Policy C4 references SEPA's Flood Risk and Land Use Vulnerability Guidance. No change is required.

Policy H5 Gypsy/Travellers

Paragraph 133 of SPP requires development plans to address any identified need for sites for Gypsy/Travellers. It goes on to state that, where there is a need, LDPs should identify suitable sites for these communities. The Grampian Gypsy/Traveller Accommodation Needs Assessment 2017 (AD0146, page 22) identifies that there will likely continue to be a shortfall of provision of sites in Aberdeenshire. The HNDA 2017 paragraph 5.111 shows a continued significant number of unauthorised encampments and paragraph 5.114 notes the recommendations of the 2009 accommodation needs assessment are unchanged as a result (AD0025). The 2012 and 2017 LDPs, in response to this need, identified four gypsy/traveller sites. These have been continued into the PLDP and are located at Blackdog, Ellon, Inverurie, and Chapelton.

The Gypsy/Traveller Site Provision Strategy 2015 paragraph 5.1 states an objective to identify at least one area of land in north, central and south Aberdeenshire in addition to the existing provision at the time, at Greenbanks, Banff (AD0147). Since the publication of this strategy, a site at Aikey Brae, New Deer has also been delivered. The four PLDP sites are in line with this strategy to provide land in the remaining areas of Aberdeenshire. The areas that are identified within the PLDP are well related to existing or proposed settlements and will provide occupants with appropriate access to facilities and services in accordance with SPP guidance.

It should be noted that comments in relation to specific identified Gypsy/Traveller sites are included in the relevant settlement-based Schedule 4 documents.

The Council acknowledges the difficulty in provision of sites particularly to be delivered in the short/medium-term. The Council continually assess areas of land as potential sites and the Local Housing Strategy 2018-2023 (LHS) Action 3 (AD0155, page 31) commits to progressing identified sites and providing assistance to Gypsy/Travellers for developing private sites. No bids were sought for new Gypsy/Traveller sites that could supplement the existing sites identified in the LPD 2017 and assist in meeting short/medium term need. However, Policy H5 remains largely unchanged from the LDP 2017 where need is assumed for proposals submitted by Gypsy/Travellers for their own use. A number of private site developments have been approved through this existing approach as noted in the Grampian Gypsy/Traveller Accommodation Needs Assessment 2017 (AD0146, page 9) and SHIP (AD0173, paragraph 2.1). No change is required.

The policy is supportive of Gypsy/Traveller proposals but as with all development proposals, other policy tests remain in place such as assessing flood risk and impact on the environment. The Council is aware of its responsibilities under the Equalities Act 2010 (AD003, section 149) when formulating recommendations as part of any of its decision-

making. As the representee highlighted, issues in obtaining planning permission do not always stem from the policies within the LDP itself. Thereby, modification to the policy text would not resolve this comment. No modification is required.

The representee notes the introduction to Shaping Homes and Housing promotes specific models of housing provision but does not reference Gypsy/Traveller sites. The examples given in this introduction are where the policies in this chapter are not explicit about supporting particular forms of provision – Policy H5 provides a clear support for Gypsy/Traveller sites. No change is required.

In terms of the provision of appropriate facilities on sites, it would be expected with any publicly operated site for details on management to be provided at the time of a planning application. These are operational issues and not considered a policy matter – as such the Council do not consider it necessary to be included within the PLDP policy text. No change is required.

The policy is sufficiently detailed to address matters of appropriate location and siting of each development proposal. Whilst it would not be the role of policy to ensure developments were designated to particular health and social care centres, falling under “community infrastructure”, the policy addresses that reasonable access would be in place to such facilities. No change is required.

The Council does not agree with the request for additional text on flood risk. Any development proposals including that for caravans and mobile homes would be subject to assessment against all relevant policies contained within the LDP. This includes Policy C4 Flooding which indicates the circumstances when a proposal may be sited in an area of flood risk. Policy C4 Flooding addresses circumstances where there is a heightened risk and a footnote within this policy references SEPA’s Flood Risk and Land Use Vulnerability Guidance. No change is required.

Shaping Homes and Housing Policy Map

The policy map is representative of the Spatial Strategy in Section 5 of the PLDP, the effective housing allocations as set out in Appendix 6 Housing Land Allocations and detailed further within Appendix 7 Settlement Statements. Representees’ comments in relation to specific site constraints are summarised and responded to within Schedule 4 Issue 26: Potterton. Schedule 4 Issue 2: Section 5 – The Spatial Strategy covers matters of SGA and LGA boundaries. No change is required.

Reporter’s conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as a “non-notifiable modification” in relation to a matter covered in Issue 6. However, as this matter arises

from a representation made to the proposed plan it requires to be considered in the examination. I therefore address this below.

Policy H2 Affordable Housing

3. I consider that NHS Grampian's concern regarding an increased burden on health and social care services would apply to any form of housing development, not just affordable housing. I agree with the council that this matter is covered by policy RD2 Developer Obligations and the infrastructure requirements identified in the settlement statements in appendices 7A – 7F of the proposed plan. A recommended modification set out in Issue 12 requires the council to prepare Supplementary Guidance on developer obligations and affordable housing, which will provide further details on these matters. No modification to policy H2 is required in respect of this matter.

Paragraph H2.2

4. Two housebuilders consider that the requirement for “25% of serviced plots for affordable housing” does not accord with Scottish Planning Policy (2014). Paragraph 128 of Scottish Planning Policy states that where the Housing Need and Demand Assessment and local housing strategy identify a shortage of affordable housing, the plan should set out the role that planning will take in addressing this. Paragraph 129 indicates that “planning authorities should consider the level of affordable housing contribution which is likely to be deliverable in the current economic climate, as part of a viable housing development. The level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses”.

5. I note that the Aberdeen City and Shire Housing Need and Demand Assessment 2017 has identified a need for around 48% of all new homes to be affordable. The council has indicated that this represents a 10% increase in the need for affordable housing from the estimates provided in the 2011 version of the Housing Need and Demand Assessment. I consider that the evidence provided in the Housing Need and Demand Assessment 2017 justifies setting the affordable housing requirement at 25%, in line with the maximum level supported by Scottish Planning Policy. This is equivalent to the level of affordable housing required in the existing local development plan. Comments on the forms of contributions and thresholds for provision, including the implications for land values, are addressed in the section below. Subject to the need for flexibility (the circumstances in which this would apply to be set out in the Supplementary Guidance on developer obligations and affordable housing), I do not consider there is any justification to reduce the affordable housing requirement contained in policy H2. No modification is required.

6. The reference in paragraph H2.2 to “serviced plots” rather than “total number of homes” (as suggested in a representation) is consistent with paragraph 129 in Scottish Planning Policy. I consider that the words “must include” and “only in exceptional circumstances” provide a clear policy statement and certainty for developers. No modification to policy H2 is required.

7. The proposed plan sets out its role in addressing the affordable housing need identified in the Housing Need and Demand Assessment (HNDA). However, it acknowledges that the requirement in full will not be met through the plan's allocations. The council has explained that the purpose of footnote 3 (which does not form part of the policy itself) is to highlight the anticipated gap in affordable housing provision and the

need for action by housebuilders and public agencies.

8. Paragraph 4.6 of the strategic development plan states that meeting its affordable housing targets “will need considerable effort, co-ordination and creativity, and for public and private sector to work together”. I consider the message contained in the footnote in the proposed plan is generally consistent with the strategic development plan and is helpful in highlighting that not all affordable housing need will be met through the implementation of policy H2. However, it implies that the burden of responsibility lies with the development industry, which I do not consider to be justified. I recommend that footnote 3 on page 42 of the proposed plan be amended to bring it more in line with the wording contained in paragraph 4.6 of the strategic development plan. A modification is recommended.

Forms of Contribution and Threshold for Provisions

9. Paragraph H2.2 states that planning advice on developer contributions and affordable housing will support policy H2 by “providing further detail on the forms that the affordable housing contribution could take and, outlining the exceptional circumstances where a lower contribution or an alternative to onsite provision may be appropriate”. A number of representations consider that these details should be provided in the local development plan.

10. I note that there is no requirement in the approved strategic development plan or Scottish Planning Policy for the mechanisms relating to the implementation of the affordable housing policy to be included in the local development plan. Paragraph 17 in Planning Advice Note 2/2010 “Affordable Housing and Housing Land Audits” states that “development plans should set out the scale and distribution of affordable housing required for an area and should outline what is expected from prospective developers”. Paragraph 18 indicates that Supplementary Guidance may cover issues such as how affordable housing should be delivered, developer contributions or methodologies for their calculation, design and management issues”.

11. The council has stated that it did not intend to prepare statutory supplementary guidance to accompany this local development plan, in line with the provisions of the Planning (Scotland) Act 2019. It proposed instead to issue planning advice on developer obligations and affordable housing. However, as I have indicated above, a recommended modification set out in Issue 12 requires the council to prepare Supplementary Guidance on developer obligations and affordable housing, rather than planning advice. Further information on the reasons for this recommended modification are set out in Issue 12.

12. The detailed content of the Supplementary Guidance is not a matter for the local development plan examination. However, I would anticipate that the matters which the council intended to cover in the planning advice note would be included. The procedures for preparing Supplementary Guidance are set out in legislation and include the requirement to publicise a draft version of the Supplementary Guidance and give people the opportunity to comment. A modification is recommended to amend the final sentence in paragraph H2.2 of the proposed plan to make reference to Supplementary Guidance rather than planning advice.

13. The comments made by Mr Chapman on directing affordable housing to a car dependant location relate specifically to an allocated site (OP3) in Inchmarlo. No

modification is sought or required to policy H2 (Affordable Housing) of the proposed plan to address these comments.

14. Caledonia Homes seeks a change to policy H2 to indicate that a commuted sum rather than onsite affordable housing provision should be required for development of up to seven houses on brownfield sites outwith settlements. Homes for Scotland considers that the affordable housing threshold should be increased to 12 to support smaller builders.

15. Policy H2 in the proposed plan applies to all new housing developments of four or more homes. I note that paragraph 16 in Planning Advice Note 2/10 states that on-site provision of affordable housing would normally be appropriate for developments of 20 or more units. However, it also states that, "in rural areas, where the general scale of development is smaller, a lower threshold for on-site provision may be appropriate in order to make affordable housing available in a range of locations".

16. I do not agree that people who meet the criteria for affordable housing are unlikely to have access to a car. Given the rural nature of much of Aberdeenshire and the contribution that small sites can make towards meeting housing need, I agree with the council that increasing the affordable housing threshold would be contrary to delivering mixed sustainable communities. However, I recognise that there may be practical difficulties in delivering and managing on-site affordable housing on small sites, including brownfield sites in the countryside. I would anticipate that consideration would be given to this matter, and any viability issues for small scale builders, in the preparation of the supplementary guidance. No modification is required to the plan itself.

17. I consider that the call for the local development plan to be more proactive in the delivery of affordable housing is supported by Scottish Planning Policy and Planning Advice Note 2/2010. Paragraph 130 in Scottish Planning Policy indicates that "in rural areas, where significant unmet local need for affordable housing has been shown, it may be appropriate to introduce a 'rural exceptions' policy which allows planning permission to be granted for affordable housing on small sites that would not normally be used for housing". Paragraph 15 in Planning Advice Note 2/2010 indicates that there may be circumstances where a higher percentage of affordable housing would be justified, for example on a site owned by the local authority or another public agency.

18. The council's response explains that it is being proactive in the delivery of affordable housing in a number of ways, both through the local development plan and other measures. Given the level of affordable housing need identified in the Housing Need and Demand Assessment, I consider these actions should be considered as additional to the 25% requirements set out in policy H2, not an alternative. No modification is recommended in relation to this matter

Policy H3 Special Needs Housing

19. The council has suggested a footnote be added to the first sentence of paragraph H3.1 to state that "proposals may require consultation with NHS Grampian and Aberdeenshire Health and Social Care Partnership to establish level of need". I consider this to be an appropriate response to the matter raised by NHS Grampian, which also recognises that not all proposals for special needs housing would require consultation with health and social care providers. A modification is recommended.

20. Paragraph 132 in Scottish Planning Policy states that “as part of the HNDA, local authorities are required to consider the need for specialist provision that covers accessible and adapted housing, wheelchair housing and supported accommodation, including care homes and sheltered housing”. It goes on to state that “where a need is identified, planning authorities should prepare policies to support the delivery of appropriate housing and consider allocating specific sites”.

21. The council has drawn my attention to particular extracts from the Housing Need and Demand Assessment 2017 to demonstrate how it has met the requirements of paragraph 132 in Scottish Planning Policy. I note that paragraph 5.17 states that “there is a limited range of housing options for older people other than sheltered housing or residential care”. Also, paragraph 5.18 indicates that “one of the Scottish Government key drivers in the integration of health and social care is ‘shifting the balance of care’ towards independent living in the community and reducing the use of institutional care settings”.

22. There is evidence to show that “the need for specialist housing that covers accessible and adapted housing, wheelchair housing and supported accommodation” has been considered in the Housing Need and Demand Assessment and that these needs are reflected in the forms of special needs housing supported by policy H3 in the proposed plan. Scottish Planning Policy does not require this evidence to be set out in the local development plan.

23. Paragraph 5.15 in the Housing Need and Demand Assessment states that “general housing stock will continue to meet the needs of the vast majority of the older population”. Rather than specifically identify sites for housing for older people, the proposed plan through policy P1 (layout, siting and design), Appendix 8 (successful placemaking design guidance) and Appendix 9 (building design guidance) promotes development which is adaptable to meet the changing circumstances of occupants. I consider that these policies, together with the specialist housing supported by policy H3, provide a reasonable approach to addressing the needs of older people identified in the Housing Need and Demand Assessment. No modification is required.

24. Glenisla Developments Limited seek changes to paragraph H3.1 to provide support for “age exclusive retirement housing” proposals similar to that for non-mainstream housing proposals for people with disabilities and specialist housing for the elderly. It also requests a change to paragraph H3.2 to include reference to “age exclusive retirement housing”. The supporting information provided indicates that “age exclusive retirement housing” is designed, built and let/sold exclusively to older people (typically 55+) and does not necessarily include care provision. The representee indicates that building single level properties is less cost efficient and less profitable than family sized homes and therefore not enough of these types of homes are being built to meet the needs of older people.

25. I note that the number of older people living in Aberdeenshire is projected to increase over the plan period. However as indicated previously, paragraph 5.15 in the Housing Need and Demand Assessment states that “general housing stock will continue to meet the needs of the vast majority of the older population”. The policies in the proposed plan would provide general support for “age exclusive retirement housing” on sites considered suitable for housing in general. I also note that there are two allocations

(OP1 and OP2) at Inchmarlo, to the west of Banchory, for a total of 180 retirement homes.

26. Based on the evidence before me, I do not consider that “age- exclusive retirement housing” should be described as “specialist”, within the context of paragraph 132 in Scottish Planning Policy (2014) or chapter 5 of the Housing Need and Demand Assessment. There is therefore no justification for the plan to provide specific policy support for this type of housing in edge of settlement and countryside locations. I agree with the concerns expressed by the council regarding the potential for unplanned development. Furthermore, the development of “age exclusive retirement housing” in locations which are remote from existing settlements would be inconsistent with the aim of the plan to promote sustainable mixed communities. No modification is required.

27. The concern that specialist housing for the elderly should not be located alongside major roads requires to be balanced with the benefits of good accessibility to public transport and local services. I agree with the council that any particular concerns relating to the effects of noise on elderly residents could be considered though policy P1 (layout, siting and design). No modification is required.

Policy H4 Residential Caravans

28. The glossary in Scottish Planning Policy includes a list of most vulnerable uses in the context of flood risk and drainage, which includes residential caravans. However, I have no reason to believe that residential caravans are any more vulnerable than the other uses mentioned and, as such, I do not consider this use would justify special treatment in the local development plan.

29. I agree with the council that, as matters relating to flood risk are addressed in policy C4 Flooding, there is no requirement for duplication in policy H4. Some modifications to the wording of policy C4 are recommended under Issue 11 in response to a representation from SEPA. No modification to policy H4 is necessary.

Policy H5 Gypsy/Travellers

30. Paragraph 4.5 in the strategic development plan states that “it is important that new development meets the needs of the whole community including the specific needs of the Gypsy Traveller Community”. However, there is no specific requirement or target provision identified in the strategic development plan. Paragraph 133 in Scottish Planning Policy (2014) states if there is a need, local development plans should identify suitable sites for Gypsy/Travellers and Travelling Showpeople and consider whether policies are required for small privately owned sites.

31. A representation on behalf of the Gypsy/Traveller Community has queried whether the second sentence of the third paragraph on page 41 promotes Gypsy/Travellers sites, particularly privately run sites. The council has indicated that this sentence covers other models of housing provision not specifically mentioned in the policies. I note that the first sentence in this paragraph refers to affordable housing and special housing, which are covered in the subsequent policies. Policy H5 in the proposed plan provides policy support for Gypsy/Traveller sites and land for this use is promoted in some settlement statements. In the interests of consistency, I consider that the first sentence of the third paragraph should be amended to include reference to land to meet Gypsy/Travellers’ needs. A modification is recommended

32. Paragraph H5.1 in the proposed plan states that Gypsy/Travellers sites have been identified in the settlements statements to meet an identified need. Through a further information request (FIR002), I asked the council to provide an explanation of the “identified need” for Gypsy/Traveller sites. From the information provided in the Housing Needs and Demand Assessment 2017 (pages 126 -128), the Grampian Gypsy/Traveller Accommodation Needs Assessment 2017 and the Gypsy/Traveller Site Provision Strategy 2015, I am satisfied that there is an identified need for Gypsy/Traveller sites in the local development plan area. I note that the Grampian Gypsy/Traveller Accommodation Needs Assessment 2017 recommends an additional 12 -15 pitches in Aberdeenshire. It recommended a mixture of permanent, temporary and seasonal sites across a range of locations to meet the varying needs of Gypsy/Travellers, by providing a variety of small, family orientated sites as well as larger sites. The council has indicated that a 0.2 hectare site could accommodate eight pitches and a 0.4 hectare site, 10 to 12 pitches.

33. A representation on behalf of the Gypsy/Traveller Community indicates that the sites identified in the proposed plan are unlikely to meet short/medium term needs. Their supporting statement explains some of the difficulties facing Gypsy/Traveller families trying to find sites to meet their needs and concludes that there are not enough sites provided by the local authority.

34. Matters raised in representations relating to the provision of specific Gypsy/Traveller sites in Inverurie, Chapelton, Ellon and Blackdog are addressed in the schedule 4 for the settlement in question.

35. I agree with the council that policy H5 provides a supportive policy framework to help meet short to medium terms needs. Whilst the plan itself cannot require the provision of additional local authority sites, I find that the wording of policy H5 should make it easier for private sites to come forward, as it is not necessary to demonstrate a specific need. This should also help address the stated preference for small sites to avoid different Gypsy/Traveller families having to live together. I also note that an Aberdeenshire Gypsy/Traveller Site Provision Strategy 2021-2026 is due to be published shortly, which seeks to meet the identified needs of Gypsy/Travellers.

36. In the absence of any additional bid proposals to meet short/medium term needs coming forward through the plan process, I consider the approach taken in the proposed plan to be appropriate and consistent with Scottish Planning Policy.

37. The council is required to determine any application in accordance with the development plan unless material considerations indicate otherwise. Matters relating to the council’s responsibilities under the Equalities Act 2010 and difficulties faced by Gypsy/Travellers in securing suitable sites may be material considerations to be taken into account in individual planning applications. However, I do not consider there is any justification to amend the wording of paragraph 5.2.

38. I agree with NHS Grampian that Gypsy/Traveller sites should preferably be in locations which are easily accessible by public transport and linked to health and social care centres. However, I also note the difficulties faced by Gypsy/Travellers in securing suitable sites which accord with relevant planning policies. I consider that the wording of paragraph 5.3 in the proposed plan, which requires “reasonable access to employment,

education and other community infrastructure, and the main road network” represents a balanced approach to meeting the needs of Gypsy/Travellers. No modification is required.

Shaping Homes and Housing Policy Map

39. Matters relating to housing allocations in Potterton are addressed in Issue 26. The shaping homes and housing map is only indicative and at too small a scale to clearly show Potterton as being within or outwith the strategic growth area. Representations on this matter have been addressed under Issue 2 Spatial Strategy, where we recommend a modification to clarify that Potterton is not within the strategic growth area. It would not be appropriate to remove Potterton from the map as there are housing allocations in this settlement.

Reporter’s recommendations:

Modify the local development plan by:

1. Replacing the first sentence in the third introductory paragraph on page 41 with:
“Land is also provided for affordable housing needs, special housing needs and Gypsy/Travellers’ needs”
2. Replacing footnote 3 on page 42 of the proposed plan with:
“Meeting affordable housing need in full will require considerable effort, coordination and creativity, and for the public and private sectors to work together.”
3. Replacing the words “Planning Advice” with “Supplementary Guidance on” in the final sentence of paragraph H2.2 on page 42
4. Adding a footnote after “demonstrated” in the first sentence of paragraph H3.1 on page 42 which states:
“Proposals may require consultation with NHS Grampian and Aberdeenshire Health and Social Care Partnership to establish level of need”.

Issue 7	Section 9 – Shaping Places and Appendix 8 Successful Placemaking Design Guidance, Appendix 9 Building Design Guidance and Appendix 10 Standards for Open Space	
Development plan reference:	Proposed LDP, Section 9, Page 47-53, Appendix 8 Successful Placemaking Design Guidance and Appendix 9 Building Design Guidance and Appendix 10 Standards for Open Space, Page 873-878, Page 879-884 and Page 885-892	Reporter: Rob Huntley
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Policy P1 Layout, Siting and Design</p> <p>PP0105 Joyce Scott PP0343 Louise Msika PP0578 Scottish Government PP0687 Stewart Milne Homes PP0733 Paul Davidson PP0877 The Woodland Trust Scotland PP0879 The Woodland Trust Scotland PP1125 Barratt North Scotland PP1210 Hallam Land PP1211 Hallam Land PP1219 Scottish Environment Protection Agency PP1222 NHS Grampian PP1241 Nestrans PP1272 RSPB Scotland PP1300 NatureScot (Scottish Natural Heritage) PP1306 Homes for Scotland PP1350 CALA Homes PP1351 CALA Homes</p> <p>Policy P2 Open Space and Access in New Development</p> <p>PP0235 Sportscotland PP0578 Scottish Government PP0659 Paths for All PP0688 Stewart Milne Homes PP0733 Paul Davidson PP0879 The Woodland Trust Scotland PP0881 Meldrum Paths Group PP0884 Formartine Rural Partnership PP1125 Barratt North Scotland PP1212 Hallam Land PP1219 Scottish Environment Protection Agency PP1222 NHS Grampian PP1271 RSPB Scotland PP1300 NatureScot (Scottish Natural Heritage) PP1306 Homes for Scotland PP1310 Colin Miller PP1352 CALA Homes</p>		

Policy P3 Infill Development with Settlements and Householder Developments

PP1219 Scottish Environment Protection Agency

Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land

PP0441 Cathleen Clark

PP0714 Shell UK Limited

PP0981 INEOS FPS

PP1219 Scottish Environment Protection Agency

Policy P5 Digital Infrastructure

PP0556 Newtonhill, Muchalls & Cammachmore Community Council

PP1219 Scottish Environment Protection Agency

PP1222 NHS Grampian

Policy P6 Community Facilities and Public Amenities

PP0720 Sam Trotman

PP0733 Paul Davidson

PP0884 Formartine Rural Partnership

PP1219 Scottish Environment Protection Agency

PP1222 NHS Grampian

Appendix 8 Successful Placemaking Design Guidance

PP0578 Scottish Government

PP0778 Sustrans Scotland

PP0796 Penelope Dransart

PP1129 Martin Hirst

PP1219 Scottish Environment Protection Agency

PP1222 NHS Grampian

PP1300 NatureScot (Scottish Natural Heritage)

PP1306 Homes for Scotland

Appendix 9 Building Design Guidance

PP0778 Sustrans Scotland

PP1129 Martin Hirst

PP1219 Scottish Environment Protection Agency

PP1222 NHS Grampian

Appendix 10 Standards for Open Space

PP0778 Sustrans Scotland

PP1219 Scottish Environment Protection Agency

PP1222 NHS Grampian

Provision of the development plan to which the issue relates:

Policies relating to shaping places

Planning Authority's summary of the representation(s):

Policy P1 Layout, Siting and Design

General

It is suggested that the policy requires larger homes in city centres, which is common in France and Spain, given the trend towards larger settlements (PP0105).

It is suggested that the policy includes a reference to environmentally/climate friendly design and construction (PP0343).

Paragraph P1.1

Requirement for a Design Review Process for all applications over 50 homes lack clarity, is unjustified and will create unnecessary delays (PP0687, PP1125 and PP1210). It is not consistently applied by the Council, leading to uncertainty and delay on the processing of applications (PP1350). There have been issues with previous Design Review Panels resulting in delays (PP1306). One representee suggests it is considered on a case-by-case basis where material benefit can be secured (PP0687), while another claims the policy contains lack of detail on how the process would operate and Planning Officers should have the knowledge and skill set to assess major proposals against policies without reliance on third party assessment (PP1125). It is suggested that the requirement for a Design Review Panel should not be included as policy, and the paragraph reworded to provide flexibility and only allow a Design Review Panel if it does not hold up development (PP1306 and PP1350). Representees have included an additional paper (RD0195.A and RD0259.A) in their representation which provides further detail to support their position (PP1125 and PP1306).

Paragraph P1.2

It is requested that the threshold for requiring a development framework/masterplan is increased from 50 homes (2ha) to 200 homes (10ha) (PP0687, PP1125, PP1211 and PP1306). It is argued that the masterplan process is generally time consuming and a duplication of what is already necessary as part of pre-application (PP1125, PP1211, PP1306 and PP1350), it creates a two-step consent process (PP1211, PP1306 and PP1350) that has no basis in legislation (PP0687, PP1211, PP1306 and PP1351), is inconsistent with creating a streamlined planning system (PP1211, PP1306 and PP1351), it should be on a case-by-case basis, there is no legal or government basis (PP0687), and major applications already require a Design and Access Statement, which should be sufficient (PP0687 and PP1306). Committees seek more detail than should be expected, which results in additional work, costs, and delays (PP0687, PP1125, PP1211, PP1306 and PP1351) and there is no right of appeal (PP1125). However, accept that there may be a benefit in the approach for large strategic sites which will be delivered over multiple phases or by multiple owners (PP1211, PP1306, and PP1351). Representees have included an additional paper (RD0195.A and RD0259.A) in their representation which provides further detail to support their position (PP1125 and PP1306).

The phrase “deemed appropriate by the Planning Authority” is also an unreasonable catch all which creates unnecessary uncertainty (PP1125 and PP1306). Representees have included an additional paper (RD0195.A and RD0259.A) in their representation which provides further detail to support their position (PP1125 and PP1306).

The intention of the policy is good, but the meaning of once a development is

“implemented” is unclear, and a representee has suggested adding, “by the start of construction” to clarify its meaning (PP0733).

Footnote 1 on page 47 of the Proposed Local Development Plan (PLDP) 2020 does not appear to make any sense unless “or” is a typo, otherwise it should be omitted (RD0195.A) (PP1125).

Scottish Environment Protection Agency (SEPA) has requested that in the masterplanning process, all parties, including SEPA, should be included from the outset, as not all of the sites constraints and opportunities are provided in the Settlement Statements in Appendix 7, and they would welcome the opportunity to work with the Council on providing a more comprehensive masterplan/placemaking brief for each of the masterplan/design framework sites. They are also concerned that the masterplanning and placemaking process is being jeopardised by the submission of individual planning applications in isolation (RD0214.A) (PP1219).

NatureScot has stated that paragraph P1.2 is confusing, as the first part says a masterplan “must be prepared for all major housing and mixed-use developments...”, and the second bullet point following this can then be read as suggesting that there may be some exceptions to this requirement for some major developments i.e., if they keep to an agreed statement(s). They suggest that if this is the case, then it may be better to clearly identify this as an exception (RD0255.B) (PP1300).

NatureScot has suggested it would be helpful to provide further explanation of the types of agreed statements that are being envisaged, although the footnote appears to point to one example being agreed - Development Frameworks (RD0255.B) (PP1300).

Paragraph P1.5

Support the intention that development designs will only be approved when they demonstrate the six qualities of successful places, including well connected places (PP0659), developments being well connected, safe and pleasant, and the benefits this has on health and well-being (RD0216.A). No modifications sought (PP1222).

It is requested that this paragraph adds Green Infrastructure as part of the definition of amenity with regards to the qualities of "Safe and Pleasant" and "Well connected". It is also suggested that green infrastructure is consolidated and integrated as part of the six principles/qualities of successful places (RD0162.A) (PP0879).

The second half of “well connected” is not clear and should be amended (RD0227.A) (PP1241).

Nestrans has noted how important it is for developments to provide safe and attractive access arrangements, walking and cycling links, opportunities to safely and conveniently access public transport, as well as to facilitate safe trips to schools and other local amenities (RD0227.A) (PP1241).

Paragraph P1.6

SEPA has welcomed the reference to the new Appendix 8 Successful Placemaking Design Guidance and Appendix 9 Building Design Guidance in Policy P1 Layout, Siting and Design (RD0214.A). No modification sought (PP1219).

NatureScot has suggested amending paragraph P1.6 to reflect that the six qualities of successful places apply to all development, rather than just major developments and those that the Council considers appropriate, as Scottish Planning Policy (SPP) does not apply this restriction (RD0255.B) (PP1300).

NatureScot has also requested an additional sentence at the end of paragraph P1.6 to allow a 'hook' within the Plan for the Council to potentially produce further map-based guidance setting out the Council's vision for selected allocations. They state this illustrative information could help guide the shape of development (including masterplan development), and it could highlight the existing green infrastructure and active travel routes to be protected as well as any new green infrastructure required to support the development. They also noted that the Council has produced prospectuses for the majority of allocated sites (<http://publications.aberdeenshire.gov.uk/dataset/housing-site-prospectus>) and this may be a good place to include such information, as it would allow the Council to demonstrate more leadership in shaping developments, and could act as a basis for further discussion with developers. They add, it might primarily draw upon information contained in the Appendix 7 allocation summaries but could be informed by other material including for example local community plans. The Council could decide where to prioritise the production of such map-based guidance. This may be the larger allocations, or those that are large in relation to the receiving settlement, or those in more sensitive locations. Reports, there are good examples of graphic illustration of a Council vision for particular sites in the Perth and Kinross and the Moray LDPs (RD0255.B) (PP1300).

Paragraph P1.7

It is requested that this section recognises that the loss of high-quality ancient woodland cannot be mitigated, as it is irreplaceable (RD0160.A) (PP0877).

The policy is welcomed, but it should be strengthened by replacing the words "require to" with "must" to emphasis it is not an optional requirement. It is also requested that the responsibility for identifying the enhancements lie with the applicant. It is also noted that there may be opportunities to enhance outside the settlement boundary and therefore should include the addition of "near to the site" (PP1272).

It is suggested that the specific reference to "5/2015" in the Planning Advice in Footnote 5 is removed, as any update to planning advice will still be relevant (PP1272).

Footnote 5 refers to the glossary "see glossary" however, it is not clear what is being referred to. It is suggested this is removed as other terms within the glossary are not specifically identified (PP1272).

Paragraph P1.8

The Scottish Government has requested that paragraph P1.8 includes a sentence on encouraging remanufacturing and reprocessing of materials to reflect the requirements of paragraph 180 of SPP (PP0578).

Policy P2 Open Space and Access in New Development

Paragraph P2.1

Sportscotland has requested that the policy or appendices refer to the need to update and adopt the pitches strategy, which was drafted in 2018. They note it is referred to in Appendix 10, but there is a need to ensure the strategy is up to date to inform the planning and design of future developments (PP0235).

A representee has expressed their support for the requirement that all new developments have to be accompanied by adequate public open space (PP0659 and PP1222). With nutrition a fundamental source of health, local food growing opportunities are also welcomed (RD0216.A) (PP1222).

It is requested that "adequate public open space" is amended to "adequate public open and green space" (RD0162.A) (PP0879).

Woodland should be given greater recognition in delivering green infrastructure to enhance neighbourhoods and its fragmentation is avoided by connecting smaller pockets of wood. As such, it is requested that this section requires development to make significant contribution to green-blue networks, provide a clearer definition of "open" and "green" space, which includes woodland areas, and it includes woods in a list of green spaces that will not be granted planning permission (RD0162.A) (PP0879).

NatureScot has requested the inclusion of the phrase "rich in biodiversity" to paragraph P2.1, as the enhancement of biodiversity is consistently noted in the Table 1 Hierarchy of Open Space within Appendix 10, it would align with the overall vision of the Parks and Open Spaces Strategy which is to: "provide high quality multi-functional open space that is ... rich in biodiversity...", it will help address the crisis of biodiversity loss, for example benefitting pollinators, which is in keeping with the Pollinator Strategy for Scotland, it is vitally important for our health and wellbeing, and it makes places more attractive (RD0255.B) (PP1300).

NatureScot has requested the inclusion of the word "biodiverse" in the last sentence as this will help emphasise that this is a Council priority, and losing nature deprives us of these multiple benefits and so it is important the Plan promotes biodiverse open spaces (RD0255.B) (PP1300).

NatureScot has also requested a new sentence in paragraph P2.1 to state how open space should strive to integrate with active travel provision, as this will extend opportunities for incorporating biodiversity, and benefit those using the active travel routes (RD0255.B) (PP1300).

Paragraph P2.2

It has been requested that the requirement for open space should be reduced from 40% (PP0688 and PP1306). It is high compared with other Authorities (PP1306), excessive and not supported by clear evidence (PP0688 and PP1306). It is regarded as contradictory as the Council seeks higher density developments (PP0688), and it must be maintained by a factor resulting in more fees for homeowners as new areas of open space are not adopted by the Council (PP0688 and PP1306). Housing associations would also be required to make higher contributions for unnecessarily large areas of land which may be underutilised (PP1306). One representee has suggested using smaller meaningful

spaces than an unsubstantiated percentage of the site (PP0688). A representee has included an additional paper (RD0259.A) in their representation which provides further detail to support their position (PP1306).

It is requested that "40% good quality open space" is changed to "40% good quality open space, including 30% increase in native tree canopy cover", as explicit targets help ensure that good intentions are not 'negotiated down' during the development process. The Woodland Trust Scotland's 'Our Emergency Tree Plan' calls for Local Authorities to adopt canopy cover targets of at least 30% across all new developments (RD0162.A) (PP0879).

The requirement for 40% open space is overly onerous and should be removed (PP1125, PP1212 and PP1352). Specifying strict amounts contradicts a more flexible approach (PP1125, PP1212 and PP1352). It fails to consider the commercial basis of land and property development, and combined with other requirements, could render sites unviable (PP1125). It could prejudice the SDP target for density in SGA's and a blanket application for density is unrealistic and could present conflicts (PP1125). It is suggested that the overall provision of open space and final site densities is left to Masterplans, Design and Access Statements or Design Statements to dictate the final layout and densities of housing sites (PP1125). Another representee states this requirement is higher than many other Authorities and it does not appear to be supported by any clear evidence (PP1212 and PP1352). This level of open space provision would significantly increase factoring costs and homeowners/housing associations would be required to make higher contributions for unnecessarily large areas of land which may be underutilised (PP1212 and PP1352). A representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

Paragraph P2.3

Several representees have objected to the requirement for 120m² open space for sites of less than 50 homes (PP1125, PP1212 and PP1352). Several have requested that this requirement is removed, and a more flexible requirement is adopted (PP1125 and PP1212) and one has requested it is reduced as it is excessive (PP1306). Another has stated it is overly onerous and lacks flexibility. A representee has argued that the current approach fails to take account of the commercial basis of land and property development and other developer obligations and has suggested that the overall provision of open space and final site densities should be left to Masterplans, Design and Access Statements or Design Statements to dictate the final layout and densities of housing sites (PP1125). Several representees state this figure is higher than many other Authorities and it does not appear to be supported by any clear evidence (PP1212, PP1306 and PP1352). It is also suggested that this level of open space provision would significantly increase factoring costs and homeowners/housing associations would be required to make higher contributions for unnecessarily large areas of land which may be underutilised (PP1212 and PP1306). Representees have included an additional paper (RD0195.A and RD0259.A) in their representation which provides further detail to support their position (PP1125 and PP1306).

Paragraph P2.4

SEPA welcomes the new reference to 'green-blue' infrastructure (RD0214.A) (PP1219).

It is requested that "temporary" is removed from the provision for green-blue networks

(RD0162.A) (PP0879).

Paragraph P2.5

To ensure green infrastructure is not considered as temporary, an additional sentence is requested to allow the green infrastructure to remain if it forms part of a future development proposal (PP1271).

Paragraph P2.6

The Scottish Government is concerned there is no reference to a walking or cycling friendly settlement in the Plan, and they would encourage the Council to develop at least one exemplar of a walking and cycling friendly settlement to align with National Planning Framework 3 (NPF3) (2014) paragraph 5.14 (PP0578).

A representee has expressed their support that existing and potential public access routes should be protected, and that new developments must include appropriate opportunities for informal recreation and promote walking or cycling as a means of transport (PP0659).

It is requested that footpath and access routes are included in both planning applications and masterplan/development frameworks to ensure their implementation (PP0733).

It is requested that this section refers to active community led management plans to ensure community involvement, as Local Authorities should set ambitious targets for woodland creation and aspire towards Woodland Trust Scotland's Woodland Access Standard. Therefore, this should be clearly stated and backed up by policy in the Local Development Plan (RD0162.A) (PP0879).

Greater definition of existing public access routes is requested as most rights of way are not recorded and the terms used should be widened (PP0881).

The policy should include appropriate opportunities to promote walking or cycling as a means of transport and needs to reflect National Transport Strategy 2 (NTS2) and the necessity of providing the facilities for citizens to travel by walking, wheeling (travelling by wheelchair), and cycling (PP0881).

Need for greater emphasis on promoting footpaths, cycleways, and active travel networks both within communities and their vicinities and between adjacent communities. The policy only applies to new developments (PP0884).

Settlement maps do not promote paths, as suggested in Community Action Plans (PP0884).

NatureScot has stated that the current wording of paragraph 2.6 implies a restriction to walking or cycling, and requests using the term "active travel", as this better covers the wider range of potential users and allows for the potential development of shared use paths. They also add, providing examples of these other uses will help remind developers to consider these (RD0255.B) (PP1300).

There is no acknowledgment in the PLDP of the Outdoor Access Strategy even though Objective 2.2 of the Council's "Outdoor Access Strategy 2018-2021" (at p11) includes

“Provide input to the Local Development Plan process” (RD0259.A) (PP1306).

The wording “Statements or plans detailing proposals” for access provision is woolly, and should be replaced by a more concise, widely used and understood term, “An Access Plan”, which sets outdoor access on a par with detailed plans required for other elements of infrastructure (PP1310).

Policy P3 Infill Development with Settlements and Householder Developments

SEPA will object to Policy P3 if their requested rewording of Policy C4 Flooding regarding change of use proposals and their potential vulnerability to flood risk is not undertaken, or Policy P3 is not modified to ensure that development will only be acceptable where there is no increase in vulnerability to flood risk, and that any conversion or new development must be in line accordance with SEPA Flood Risk and Land Use Vulnerability Guidance as referenced by Scottish Planning Policy. Argues more detail is required on acceptable change of uses in terms of flood risk and vulnerability (RD0214.A) (PP1219).

Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land

General

A representee is pleased to note that the references to the pipeline consultation zones and the need to accord with Policy P4 have been retained in the relevant Settlement Statements in Appendix 7, and fully support this approach. They also note there are very few new or amended development allocations that have the potential to adversely affect the existing pipelines (PP0714).

This policy is welcomed as it ensures that where development proposals are located within the consultation zones for pipelines, the Planning Authority will consult with both HSE and the pipeline owner/operator. It should be retained as proposed (PP0981).

It is requested that the pipeline consultation zones are shown in the proposal’s maps in Appendix 7, as it provides clear and unambiguous advice to developers, landowners, and other users of the LDP. In examining the Aberdeen City and Shire SDP the Reporter confirmed that LDPs should contain policies to safeguard pipelines from inappropriate development, and the matter of identifying and illustrating pipeline consultation zones is effectively “delegated” to the LDP. This approach would also be consistent with other Planning Authorities, including neighbouring Aberdeen City and Angus Councils who both identify and illustrate pipeline consultation zones on their proposal’s maps, and accord with SPP (PP0714).

In the event that any other settlement boundaries are to be reviewed as part of the Examination of the Proposed LDP, and in the event that any new or expanded development allocations are made, it is requested that full recognition is given to the existence of any pipeline consultation zones and development allocations are made in accordance with the relevant Health and Safety Executive advice and guidelines where relevant. Any new allocation must stress the need to ensure new development is undertaken in accordance with Policy P4 and the relevant Health and Safety Executive advice and guidelines (PP0714).

Paragraph P4.1

A representee is concerned that paragraphs P4.1 and P4.5 are contradictory and unclear as P4.1 will refuse development if there is a risk of significant pollution whilst P4.5 will require mitigation for air quality or noise, which is a form of pollution. They suggest if developments will be refused planning permission where they cause significant pollution, such as noise and air quality, the policy should state the exceptions, for example, through good design and mitigation. They also provide an example of another Local Authority's policy (PP0441).

SEPA has welcomed the rewording undertaken for paragraph P4.1 and have no further comments (RD0214.A) (PP1219).

Paragraph P4.2

It is requested that the wording of paragraph P4.2 reverts back to the wording set out in the Adopted LDP 2017, especially when the Main Issues Report (MIR) 2019 stated that the policy was sound, and no changes were proposed. Reintroducing this text will confirm the approach the Council will take in determining planning applications for development within the pipeline consultation zones. Maintaining the reference to the HSE Planning Advice Web App within the Policy is also supported and should be continued as this provides useful, informative advice to users of the LDP including developers and the public (PP0714).

SEPA has welcomed the rewording undertaken for paragraph P4.2 and have no further comments (RD0214.A) (PP1219).

Policy P5 Digital Infrastructure

A representee has expressed their support for this policy as it ensures digital infrastructure is in place to ensure that services are accessible to all and to deliver health care services in the future (RD0216.A) (PP1222).

It is requested that this policy considers the proximity of any proposed telecommunications masts to buildings where children regularly congregate: schools, out of school clubs, mother and baby toddler clubs, scouts, etc (PP0556).

SEPA has confirmed that they have no issues with Policy P5 (RD0214.A). No modification sought (PP1219).

Policy P6 Community Facilities and Public Amenities

General

While reference is made to the historic environment and community facilities, the Shaping Places section should make reference to the positive contribution of cultural and arts facilities to communities (PP0720).

A representee is seeking greater emphasis on promoting paths, cycleways, and active travel, and is concerned that footpaths and cycleways are not mentioned at all in this policy (PP0884).

SEPA has confirmed that they have no issues with Policy P6 (RD0214.A). No modification sought (PP1219).

Paragraph P6.1

The current wording is inappropriate for clarifying where new community facilities are required for large settlements. It is suggested changing the location text to “providing it is in accessible locations within settlements, is of a suitable scale, and it is available to the residents of the development and/or the target community.” (PP0733).

Paragraph P6.2

It is requested that this paragraph also refers to health care infrastructure within settlements that have become surplus to requirements. This change would provide clarity that this policy also applies to health care sites that have had to relocate in order to expand (RD0216.A) (PP1222).

Appendix 8 Successful Placemaking Design Guidance

It should be confirmed that car parking standards meet the national standards set out in SPP 2014 and if not, the reasons should be explained (PP0578).

A representee has welcomed the development of places and routes that provide a sense of safety ensuring they are overlooked and in well-used locations. They suggest lighting improvements and improvements of sightlines should be considered in existing developments (PP0778).

Would welcome developments that facilitate the safe and independent walking, cycling and wheeling for everyone, including an unaccompanied 12-year-old: ensuring access for all and equality of opportunity in public space (PP0778).

It is requested that all new developments and the routes that lead to them, should reflect the street user hierarchy, and prioritise the most vulnerable groups to provide choice in how people travel. Provision of cycle parking and storage and easy access to public transport enables people to choose to walk, cycle or wheel. The move to home working will increase the importance of facilitating short journeys and a 20-minute neighbourhood approach is likely where most basic services can be reached within a 20-minute walk of home (PP0778).

It is suggested that the management of environmental noise should be added to the six qualities listed that make a successful place and have suggested the use of noise mapping to allow the Council to recognise unacceptable levels of environmental noise e.g., traffic and major roads. They have noted the PLDP refers to noise issues from mineral extraction, hazardous and potentially polluting developments and wind turbines. As such, to achieve high quality places as noted in paragraph 5.8 of the PLDP the Council must reassess road and other environmental noise quality when new homes are built and when existing roads are altered, or traffic increased (PP0796).

Concern has been expressed on the use of ‘Viewing Points’ at elevated points, which could encroach on the privacy of existing residents. They suggest this should not be

allowed (PP1129).

Similarly, where proposed property on elevated ground lies next to existing properties these should be low level structures, i.e., bungalows (PP1129).

SEPA has welcomed the references to flooding and flood resilience in Appendix 8 but recommends the column on 'Safe and Pleasant' includes the following bullet point, "Connection to public water and waste water infrastructure" (RD0214.A) (PP1219).

SEPA has welcomed the references to flooding and flood resilience in Appendix 8 but recommends the column on Resource Efficient includes the following bullet point, "The use of water saving technologies (to support the 'Gold' standard required in Policy C1)." (RD0214.A) (PP1219).

SEPA has welcomed the references to flooding and flood resilience in Appendix 8 but recommends the column on Resource Efficient includes the following bullet point, "The installation of district heating (this could maybe be added to the Low carbon design box)." (RD0214.A) (PP1219).

SEPA has welcomed the references to flooding and flood resilience in Appendix 8 but recommends the column on Resource Efficient includes the following bullet point, "Use of renewable energies is emphasised." (RD0214.A) (PP1219).

SEPA has recommended that Appendix 8 includes a reference to the Building for Nature qualitative benchmark. They note that the benchmark requires the consideration of standards relating to water, wellbeing and wildlife in a spatial context in terms of what they contribute to that place and wider connectivity, that the benchmark is commonly applied in respect of residential, commercial and mixed development, it offers reassurance to Planning Authorities that comprehensive consideration has been given to these aspects of the development. They also report that developer feedback has indicated the Building with Nature significantly reduces planning uncertainty by facilitating them in achieving many of the place-led objectives Planning Authorities require of them, and that accreditation can be applied by Planning Authorities regarding policy making (West Dunbartonshire Local Development Plan 2) and by the development industry in respect of individual developments bringing obvious marketing benefits (RD0214.A) (PP1219).

Supports Appendix 8 detailed interpretation of the six qualities of successful place, but it is suggested that greater focus is given on designing homes to provide a "home for life" opportunity, as this would specifically allow persons as they age or are affected by illness/disability to remain in their home. Homes should be designed to provide access for wheelchairs and to have at least one bedroom designed of a size to accommodate hoists and a room adjacent to the bedroom that could be converted to an en-suite wet room (RD0216.A) (PP1222).

NatureScot has requested that Appendix 8 is applied to all developments and not just major developments and those that the Council considers appropriate, as SPP does not apply to this restriction (RD0255.B) (PP1300).

Paragraph 2 of Appendix 8 should be amended to remove the reference to all major proposals requiring to take part in the Design Review process, as this duplicates paragraph P1.1 and is not appropriate for inclusion as a policy (RD0259.A) (PP1306).

A representee has broadly supported reference to electric car charging points, as allowing adaptability is important as charging technology is evolving quickly and challenges with grid capacity mean a one size fits all approach is not optimal (RD0259.A) (PP1306).

Appendix 9 Building Design Guidance

The inclusion of the provision of safe and functional cycle parking and storage is welcomed, as one of the biggest barriers to getting people cycling is the lack of cycle storage facilities at work and home. Reference to well-connected core paths and public transport options is also welcomed (PP0778).

NHS Grampian has expressed support for Appendix 9 as it provides a detailed interpretation of the six qualities of successful place (RD0216.A) (PP1222).

Concern has been expressed on the use of 'Viewing Points' at elevated points, which could encroach on the privacy of existing residents. They suggest this should not be allowed (PP1129).

Where property is proposed on elevated ground next to existing properties these should be low level structures, i.e., bungalows (PP1129).

SEPA welcomes the reference to flood risk and flood resilience in Appendix 9, as all too often resilience is seen as an attempt to justify unacceptable building in flood risk areas, but they welcome that the wording in this Appendix counters that (RD0214.A) (PP1219).

SEPA has requested that in the table under 'Safe and Pleasant', the seventh bullet point also requires applicants to provide reasons for not being able to connect to a public water/sewer and adoption agreements or maintenance proposals. They argue that this will provide transparency to developers about what further information will be required to support any proposal for private drainage (RD0214.A) (PP1219).

SEPA has requested that a footnote is added to the table, in the seventh bullet point under 'Safe and Pleasant', which requires applicants proposing private drainage to be compliant with their 'Planning Advice on Waste Water Drainage' (Land Use Planning System Guidance Note 19), which is supported by Planning Advice Note (PAN) 79 Water and Drainage (RD0214.A) (PP1219).

Appendix 10 Standards for Open Space

Support is expressed for Appendix 10 as it promotes opportunities for healthy living and wellbeing activities, community play areas and community growing areas (RD0216.A) (PP1222).

It is suggested that under 'Neighbourhood streets' in Table 1, any on street parking should be prioritised for disabled users (PP0778).

With reference to 'Neighbourhood streets' in Table 1, it is suggested that the use of green infrastructure, such as street trees should be included in all new developments or fitted retrospectively as it provides several benefits (PP0778).

Green infrastructure should be developed to include climate change measures where

possible including SuDS (PP0778).

Projects must never negatively impact on biodiversity and a biodiversity net gain should be an objective of all development. (PP0778).

SEPA has welcomed Appendix 10, but they are concerned with the lack of reference to placemaking and have strongly recommended that in order to support one of the main aims of the Plan and Appendix 8, that Placemaking is referred to in Appendix 10, as the inclusion and design, and therefore the standards, of open space is integral to successful placemaking (RD0214.A) (PP1219).

SEPA has welcomed the reference to the range of benefits buffer strips provide and the inclusion of the footnote, but in Table 1 has requested amending the first bullet point in the note's column for 'Green-Blue Networks' to clarify that 6m is the minimum width and this may increase due to local factors. They are concerned that the current wording is not clear as most natural riverbanks are sloping, and it must be emphasised that buffer strips will need to be assessed on a site by site, watercourse by watercourse basis (RD0214.A) (PP1219).

SEPA has requested amending the last bullet point in Table 1 under the notes column for 'Green-Blue Networks' to include "river restoration", as this will help the Plan support the implementation of Scotland's River Basin Management Plan and restoration of other non-classified waterbodies to their natural state (RD0214.A) (PP1219).

SEPA has welcomed the inclusion of burial grounds as functional greenspace but has requested that Table 1 includes a reference to their ground testing guidance as a footnote, as cemeteries can have a detrimental impact on groundwater (RD0214.A) (PP1219).

Modifications sought by those submitting representations:

Policy 1 Layout, Siting and Design

General

Modify the PLDP to insert a statement on the requirement for larger homes in Policy P1 (PP0105).

Modify the PLDP to insert a reference on environmentally/climate friendly design and construction in Policy P1 (PP0343).

Paragraph P1.1

Modify the PLDP to amend paragraph P1.1 to be clearer that the design review process will be considered on a case-by-case basis where material benefit can be secured (PP0687).

Modify the PLDP to remove the requirement for major developments to participate in a Design Review Process in paragraph P1.1 (PP1125).

Modify the PLDP to replace the following in paragraph P1.1, "Residential proposals that fall within the category of a major development will be required to participate in a Design

Review Process. Other types of development, in terms of scale and nature, may be required to participate in a Design Review Process at the discretion of the Planning and Environment Service. Where possible these sites are specified in Appendix 7, Settlement Statements, or those that are likely to generate significant public interest.” with “Residential proposals that fall within the category of a major development may be required to participate in a Design Review Process if this can be arranged timeously by the Planning Authority. Other types of development, in terms of scale and nature, may be required to participate in a Design Review Process at the discretion of the Planning and Environment Service. Where possible these sites are specified in Appendix 7, Settlement Statements, or those that are likely to generate significant public interest.” (PP1210 and PP1350).

Modify the PLDP to replace the following in paragraph P1.1, “Residential proposals that fall within the category of a major development will be required to participate in a Design Review Process. Other types of development, in terms of scale and nature, may be required to participate in a Design Review Process at the discretion of the Planning and Environment Service. Where possible these sites are specified in Appendix 7, Settlement Statements, or those that are likely to generate significant public interest.” with “Residential proposals that fall within the category of a major development are likely to be asked to participate in a Design Review Process if this can be arranged timeously by the Planning Authority. Other types of development, in terms of scale and nature, may benefit from participating in a Design Review Process. Where possible these sites are specified in Appendix 7, Settlement Statements, or those that are likely to generate significant public interest. The Planning Authority intends that a meeting will be held within 4 weeks of the submission of valid documentation by the applicant with written feedback provided within 7 days of the meeting.” (PP1306).

Paragraph P1.2

Modify the PLDP to amend paragraph P1.2 to increase the threshold for a development framework/masterplan from the proposed 50 homes (2ha) to 200 homes (10ha) and will be considered on a case-by-case basis (PP0687).

Modify the PLDP to amend paragraph P1.2 to include after, “Once agreed, a masterplan shall remain valid for a period of 5 years, unless planning consent for the development has been granted and implemented” by adding “by the start of construction” (PP0733).

Modify the PLDP to amend paragraph P1.2 to increase the number of homes from more than 50 to ‘more than 200’ before it would merit a masterplan (PP1125).

Modify the PLDP to amend paragraph P1.2 by removing ‘deemed appropriate’. If required, the Design Review Process should tie in with the masterplanning process (PP1125).

Modify the PLDP to correct a typo in the footnote on page 47 to “For” or remove it (PP1125).

Modify the PLDP to amend paragraph P1.2 from, “A Masterplan that has been subject to public consultation, must be prepared for all major housing and mixed-use developments (more than 50 homes, and/or more than 2 hectares of employment or retail development) or other developments of a size and scale deemed appropriate by the Planning Authority

that merits the provision of a masterplan. We will support:

- new development on sites identified within Appendix 7, or other developments of a size and scale deemed appropriate by the Planning Authority, as requiring a development framework or masterplan, OR
- larger major developments (more than 50 homes, or more than 2 hectares of employment, retail or mixed-use development deemed appropriate as major development by the Planning Authority) ...”

to read, “A Masterplan that has been subject to public consultation, must be prepared for larger housing and mixed-use developments (more than 200 homes, and/or more than 10 hectares of employment or retail development) • larger developments (more than 200 homes, or more than 10 hectares of employment, retail or mixed-use development ...” (PP1211, PP1306 and PP1351). A representee has included an additional paper (RD0259.A) in their representation which provides further detail to support their position (PP1306).

Modify the PLDP to amend paragraph P1.2 to provide clarity on when there are exceptions on the need for a masterplan and what an agreed statement is (PP1300).

Paragraph P1.5

Modify the PLDP to amend paragraph P1.5 by inserting Green Infrastructure within part of the definition of amenity with regards to the qualities of "Safe and Pleasant" and "Well connected" (RD0162.A) (PP0879).

Modify the PLDP to amend the final bullet point of P1.5 from, “well connected – to create well connected places that require intermodal shifts and active travel.” to “well connected – to create well connected places that help make walking, cycling and public transport more attractive than private car use, particularly for short local trips.” (PP1241).

Modify the PLDP to amend paragraph P1.5 to ensure deliverability of sites extends to the provision of safe and attractive active travel arrangements, as well as facilitate safe trips to schools and other local amenities (PP1241).

Paragraph P1.6

Modify the PLDP to amend paragraph P1.6 from, “Further design guidance on how to meet these qualities are provided in sites allocated in Appendix 7, as requiring a Masterplan/Framework, Appendix 8, Successful Placemaking Design Guidance, which applies to major developments, and Appendix 9, Building Design Guidance, which applies to single buildings and small-scale developments. The Planning and Environment Service may apply Appendix 8 to other developments where they consider it appropriate.” to “Further design guidance on how to meet these qualities are provided for allocated sites in Appendix 7, Settlement Statements, Appendix 8, Successful Placemaking Design Guidance, which applies to single buildings and small-scale developments.” (PP1300).

Modify the PLDP to amend paragraph P1.6 by inserting a new sentence at the end of the paragraph: “The Council may also prepare further illustrative guidance for particular sites, expanding upon information already contained in the Appendix 7, Settlement Statements. Such map-based information would depict constraints and opportunities, helping set out a

vision of placemaking to inform further dialogue with developers.” (PP1300).

Paragraph P1.7

Modify the PLDP to amend paragraph P1.7 by including a clear statement recognising that the loss of high-quality ancient woodland cannot be mitigated (RD0160.A) (PP0877).

Modify the PLDP to amend paragraph 1.7 from, “Measures require to be identified to enhance biodiversity in proportion to the opportunities available and scale of the development opportunity opportunities available. In very rare circumstances, when it is not practical to meet biodiversity net gain within a development site, we may require off-site contributions towards biodiversity enhancement within the settlement. These obligations may be controlled by conditions.” to “Measures must be identified by the applicant to enhance biodiversity in proportion to the scale of the proposed development and taking account of opportunities available. In very rare circumstances, when it is not practical to meet biodiversity net gain within a development site, we may require off-site contributions towards biodiversity enhancement within the settlement or near to the site. These obligations may be controlled by conditions.” (PP1272).

Modify the PLDP to amend footnote 5 to read, “Footnote 5: See Planning Advice 5/2012, Opportunities for Biodiversity Enhancement in New Development.” (PP1272).

Paragraph P1.8

Modify the PLDP to amend paragraph P1.8 by inserting a new penultimate sentence: “In line with the waste hierarchy, particular attention should be given to encouraging opportunities for reuse, refurbishment, remanufacturing and reprocessing of high value materials and products.” (PP0578).

Policy P2 Open Space and Access in New Development

Paragraph P2.1

Modify the PLDP to amend paragraphs P2.1, P2.3 or Appendix 10 to state that the pitches strategy needs to be updated and adopted (PP0235).

Modify the PLDP to amend paragraph P2.1 by replacing "adequate public open space" with "adequate public open and green space." (PP0879).

Modify the PLDP to amend paragraph P2.1 by inserting "should make significant contribution to green-blue networks." (PP0879).

Modify the PLDP to amend paragraph P2.1 by including woodland areas in the definition of “open” and “green” space” (PP0879).

Modify the PLDP to amend paragraph P2.1 by including woods in a list of green spaces that will not be granted planning permission (PP0879).

Modify the PLDP to amend paragraph P2.1 by replacing the first sentence from: “All new developments must be... welcoming, distinctive, ...” to “All new developments must be ... welcoming, distinctive, rich in biodiversity...”. (PP1300).

Modify the PLDP to amend paragraph P2.1 by replacing the last sentence from: "... and low maintenance community woodlands and ..." to "... and biodiverse low maintenance community woodlands ..." (PP1300).

Modify the PLDP to amend paragraph P2.1 by inserting a new penultimate sentence, "It should also seek to connect to paths and active travel routes in the area." (PP1300).

Paragraph P2.2

Modify the PLDP to amend paragraph P2.2 by replacing, "40% good quality open space" with "40% good quality open space, including 30% increase in native tree canopy cover." (PP0879).

Modify the PLDP to amend paragraph P2.2 by replacing, "40%" with "a sufficient degree" (PP1125).

Modify the PLDP to amend paragraph P2.2 by replacing, "40%" with "an appropriate proportion" (PP1212 and PP1352).

Modify the PLDP to amend paragraph P2.2 to reduce the 40% requirement for major developments (PP1306).

Paragraph P2.3

Modify the PLDP to amend paragraph P2.3 by removing specific reference to, "at least 120m²" (PP1125).

Modify the PLDP to amend paragraph P2.3 to reduce the 120m² requirement for smaller scale residential developments (PP1306).

Paragraph P2.4

Modify the PLDP to amend paragraph P2.4 by removing "temporary" (PP0879).

Paragraph P2.5

Modify the PLDP to amend paragraph P2.5 by inserting at the end, "and if there is sufficient certainty that the green infrastructure will be retained and maintained in the long-term." (PP1271).

Paragraph P2.6

Modify the PLDP to amend paragraph P2.6 by replacing, "Statements or plans detailing proposals should be included in Design Frameworks or Masterplans or submitted with the planning application" with "Statements or plans detailing proposals should be included in Design Frameworks or Masterplans and submitted with the planning application." (PP0733).

Modify the PLDP to amend paragraph P2.6 by inserting, "... with a provision of active community led management plans." (PP0879).

Modify the PLDP to amend paragraph P2.6 by widening the terms used for existing access routes as “core paths, rights of way and existing paths established through access agreements or simply the exercise of public access rights and habitual use.” (PP0881).

Modify the PLDP to amend paragraph P2.6 by strengthening the provision of appropriate opportunities to promote walking or cycling as a means of transport by reflecting the NTS2 and the necessity of providing facilities for citizens to travel by walking, wheeling, and cycling (PP0881).

Modify the PLDP to amend paragraph P2.6 by providing greater emphasis on promoting footpaths, cycleways, and active travel networks both within communities and their vicinities and between adjacent communities so it not just applies to new developments (PP0884).

Modify the PLDP to amend paragraph P2.6 by ensuring settlement maps promote paths, as suggested in Community Action Plans (PP0884).

Modify the PLDP to amend paragraph P2.6 by replacing the first sentence, “Existing and potential public access routes (including core paths and other routes, such as public rights of way) should be protected and new developments must include appropriate opportunities for informal recreation and promote walking or cycling as a means of transport.” with “Existing and potential public access routes (including core paths and other routes, such as public rights of way) should be protected and new developments must include appropriate opportunities for informal recreation and safe active travel, including walking and cycling, wheeling, riding etc.” (PP1300).

Modify the PLDP to amend paragraph P2.6 by referring to the Outdoor Access Strategy (PP1310).

Modify the PLDP to amend paragraph P2.6 by replacing, “Statements or plans detailing proposals” with “An Access Plan” (PP1310).

Policy P3 Infill Development with Settlements and Householder Developments

Modify the PLDP to insert text/footnote to ensure that development will only be acceptable where there is no increase in vulnerability to flood risk, and that any conversion or new development must be in accordance with SEPA Flood Risk and Land Use Vulnerability Guidance as referenced by Scottish Planning Policy, unless Policy C4 Flooding is amended as per SEPA’s request on this issue in Policy P3 (PP1219).

Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land

General

Modify the PLDP to amend Appendix 7 to show pipeline consultation zones on all relevant proposal maps and insert a corresponding entry in the key (PP0714).

Modify the PLDP to amend Appendix 7 where settlement boundaries are amended and new allocations are inserted to give full recognition to the existence of any pipeline consultation zones, and text added to reflect the advice of the Health and Safety Executive

in accordance with their relevant advice and guidelines and Policy P4 (PP0714).

Paragraph P4.1

Modify the PLDP to amend paragraph P4.1, by merging it with P4.5, so that it begins by stating developments will be refused planning permission where they will cause significant pollution including noise and air quality, and ends by listing the exceptions (e.g., good design/mitigation) (PP0441).

Paragraph P4.2

Modify the PLDP to amend paragraph P4.2 by replacing, “We will consult with, and take full account of advice from, the Health and Safety Executive (HSE), the Competent Authority (in the case of Control of Major Accident Hazardous sites) and the facility’s owners and operators and will seek to ensure that any risk to public safety is not increased. Prospective applicants should check whether their proposed development is within the consultation zone of a major hazard site or a major accident hazard pipeline and should seek further advice if this is the case.” with “In determining planning applications for development within the consultation zones for hazardous installations (including oil and gas pipelines) we will consult with, and take full account of advice from, the Health and Safety Executive (HSE) and the facility’s owners and operators, and will seek to ensure that any risk to public safety is not increased. Prospective applicants should check whether their proposed development is within the consultation zone of a major hazard site or a major accident hazard pipeline and should seek further advice if this is the case. This confirmation and advice can be obtained from the HSE Planning Advice Web App at www.hse.gov.uk/landuseplanning/developers.htm or from the Council’s Development Management Team.” (PP0714).

Policy P5 Digital Infrastructure

Modify the PLDP to insert text, in Policy P5, that considers the proximity of any proposed telecommunications masts to buildings where children regularly congregate, e.g., schools, out of school clubs, mother and baby toddler clubs, scout halls (PP0556).

Policy P6 Community Facilities and Public Amenities

General

Modify the PLDP to include a specific reference to the positive contribution of cultural and arts facilities in the area and their importance in the creation of vibrant, diverse communities in the Shaping Places section (PP0720).

Modify the PLDP to promote paths, cycleways and active travel in Policy P6 (PP0884).

Paragraph P6.1

Modify the PLDP to amend paragraph P6.1 from, “... providing it is in accessible locations within settlements, is of a suitable scale, and it is available to all community residents.” to “... providing it is in accessible locations within settlements, is of a suitable scale, and it is available to the residents of the development and/or the target community.” (PP0733).

Paragraph P6.2

Modify the PLDP to amend paragraph P6.2 by inserting, “where existing community and health care infrastructure within settlements has become surplus to requirements...” (RD0216.A) (PP1222).

Appendix 8 Successful Placemaking Design Guidance

Modify the PLDP to confirm that car parking standards meet the national standards set out in SPP 2014 and if it not the reasons should be explained, in Appendix 8 (PP0578).

Modify the PLDP to include lighting improvements and improvements of sightlines in existing developments in Appendix 8 (PP0778).

Modify the PLDP to facilitate the safe and independent walking, cycling and wheeling for everyone, ensuring access for all and equality of opportunity in public space in Appendix 8.

Modify the PLDP to require all new developments and the routes that lead to them, reflect the street user hierarchy and prioritise the most vulnerable groups in Appendix 8 (PP0778).

Modify the PLDP to include the management of environmental noise and its effects in the table of Appendix 8 (PP0796).

Modify the PLDP to state ‘Viewing Points’ on elevated points are not permitted in the table of Appendix 8 (PP1129).

Modify the PLDP to only allow low level structures (i.e., bungalows) where a home(s) is proposed on elevated ground that is next to existing properties to protect their privacy in the table of Appendix 9 (PP1129).

Modify the PLDP to insert a bullet point in the column ‘Safe and Pleasant’, “Connection to public water and waste water infrastructure” in the table of Appendix 8 (PP1219).

Modify the PLDP to insert a bullet point in the column ‘Resource Efficient’, “The use of water saving technologies (to support the ‘Gold’ standard required in Policy C1)” in the table of Appendix 8 (PP1219).

Modify the PLDP to insert a bullet point in the column ‘Resource Efficient’, “The installation of district heating (this could maybe be added to the Low carbon design box)” in the table of Appendix 8 (PP1219).

Modify the PLDP to insert a bullet point in the column ‘Resource Efficient’, “Use of renewable energies is emphasised” in the table of Appendix 8 (PP1219).

Modify the PLDP to include a reference to the Building for Nature qualitative benchmark and include an accreditation in the table of Appendix 8 (PP1219).

Modify the PLDP to insert, “The design of homes should meet the requirements of need of different individuals and should provide a “home for life”. All homes should be designed

for wheelchair access and where necessary, appropriate design should be considered for individuals with disability.” in Appendix 8 (PP1222).

Modify the PLDP to remove the fourth sentence, “This relates to major developments or development on sites we have identified within the Settlement Statements requiring a masterplan/framework, or where the Planning and Environment Service consider appropriate to apply in the first paragraph of Appendix 8 (PP1300).

Modify the PLDP to remove the reference to all major proposals requiring taking part in the Design Review process in the second paragraph of Appendix 8 (PP1306).

Appendix 9 Building Design Guidance

Modify the PLDP to state ‘Viewing Points’ on elevated points are not permitted in the table of Appendix 9 (PP1129).

Modify the PLDP to only allow low level structures (i.e., bungalows) where a home(s) is proposed on elevated ground that is next to existing properties to protect their privacy in the table of Appendix 9 (PP1129).

Modify the PLDP to replace the second sentence in the seventh bullet point under ‘Safe and Pleasant’, from “Where a private water supply or drainage arrangement are required, all technical information should be provided.¹” to “Where a private water supply or drainage arrangement are proposed, all technical information and reasons for not connecting to a public water/sewer, as well as details of adoption agreements with Scottish Water or lifetime maintenance proposals should be provided.¹” in the table of Appendix 9 (PP1219).

Modify the PLDP to add a new footnote at the end of the seventh bullet point under ‘Safe and Pleasant’, “¹ Please refer to SEPAs ‘Planning Advice on Waste Water Drainage’ (Land Use Planning System Guidance Note 19) for guidance on technical information requirements.” in the table of Appendix 9 (PP1219).

Appendix 10 Standards for Open Space

Modify the PLDP to state on street parking should be prioritised for disabled users in Table 1 of Appendix 10 under ‘Neighbourhood streets’ (PP0778).

Modify the PLDP to state green infrastructure should be included in all new developments in Table 1 of Appendix 10 under ‘Neighbourhood streets’ (PP0778).

Modify the PLDP to state green infrastructure should be developed to include climate change measures where possible including SuDS in Table 1 of Appendix 10 (PP0778).

Modify the PLDP to state projects should never negatively impact on biodiversity and that a biodiversity net gain should be achieved in Table 1 of Appendix 10 (PP0778).

Modify the PLDP to insert before Table 1 “The inclusion and design of open space provides a key opportunity for Placemaking where people are at the heart of new and existing development and multiple outcomes are achieved e.g., biodiversity and wellbeing.” in Appendix 10 (PP1219).

Modify the PLDP to replace the first bullet point in the note's column for 'Green-Blue Networks', "Minimum 6m strip may be increased where banks are sloping." with "Widths may require to be wider as a result of local factors such as hydro-geomorphology, need for pollution control, native species habitats or active travel provision. They may be wider than 20m on major rivers or dynamic watercourses to allow them to follow their natural course." in Table 1 of Appendix 10 (PP1219).

Modify the PLDP to replace the last bullet point in the Note's column for 'Green-Blue Networks' from "Play an important role in mitigating flood risk and permitting access for long-term maintenance." to "Play an important role in mitigating flood risk and permitting access for long-term maintenance and river restoration." in Table 1 of Appendix 10 (PP1219).

Modify the PLDP to add a second footnote at the end of the second sentence in the note's column for 'Burial Grounds' ("...ground testing²") to read, "²Ground testing shall be in accordance with SEPAs Guidance on assessing the impacts of cemeteries on groundwater (LUPS GU32)." in Table 1 of Appendix 10 (PP1219).

Summary of responses (including reasons) by planning authority:

Policy 1 Layout, Siting and Design

General

The Council notes the concern raised regarding the need for larger sized homes in city centres, but there is no requirement to amend the policy. It already allows for a mix of house types and provides the flexibility for more larger or smaller homes depending on the location of the proposed development. No change is required.

The Council notes the request to provide a reference to environmentally/climate friendly design and construction, but no specific examples are provided, and deem it not necessary as this is adequately covered in the Building Standards Regulations, other PLDP policies (e.g., in paragraphs R2.10, P1.8, E3.2, E3.3, C4.2, RD1.16) and Appendices 8 and 9. No change is required.

Paragraph P1.1

The Council does not agree that the Design Review Process (DRP), lacks clarity, is unjustified and will create unnecessary delays. It is necessary to provide a hook in the policy to ensure that an appropriate DRP can be required under policy, with a view to improving the quality of the built environment within Aberdeenshire. The selection criteria in respect of the Design Review Process aims to reflect and capture the most sensitive developments, whether this be through the location of the proposal or scale. The decision to target developments above 50 homes seeks to tie into the National Hierarchy of Development and reflects the likelihood of these developments having a larger impact through scale. This also reflects the opportunity for major developments to significantly enhance the sense of place, through incorporating and expressly demonstrating the six principles of successful places at the core of their design. The criteria for developments other than those above 50 homes, remains open ended, as smaller developments may also benefit from review or be otherwise significant in a local context.

The terminology DRP has been deliberately chosen, as this may constitute a Design Panel, pre-application discussions or such other means as would be deemed appropriate by the Planning Authority. The decision as to which process to follow would be made on a case-by-case basis. Pre-application engagement between the applicant and the Planning and Environment Service would aid in frontloading this matter, with a view to resolving these issues ahead of a formal submission. This follows national guidance which encourages all forms of pre application activity.

The Council does not agree that the DRP has been inconsistently applied, as the exact nature of the design review process should be agreed during pre-application discussions, with said discussions potentially fulfilling this requirement. Outwith major categories of development, whilst pre-application discussions cannot be forced, they are to be strongly encouraged. Engagement is already required as part of the run up to a major application, in the form of the submission of a Proposal of Application Notice (POAN) or Environment Impact Assessment screening. Delays would only occur where no pre-application has been undertaken. The stating of this requirement within Policy provides transparency in respect of the expectations of the Planning and Environment Service.

The Council does not agree that the policy contains a lack of detail on how the process would operate. The use of Design Review Panels to provide an independent assessment of Design Quality is a well-established practice across Scotland and Planning Officers have the skill and knowledge to assess major proposals against Policy. The Design Review Process seeks to challenge all involved (Officer and Applicant) to consider placemaking and the six principles as a core element of each proposal, and to more clearly articulate how the six principles are expressed within a development. Third parties would be brought in under the umbrella of the Design Review Panel in limited circumstances, where a site is particularly sensitive or complex, or a deadlock in respect of design has arisen.

In relation to comments on the Design Review Panel and the need for flexibility, a conscious decision has been made to include a hook in Policy in respect of Design Review Processes. This has been included in the interests of transparency and allows the development industry to factor in the necessary discussions and work into perspective timelines. It is noted the requirement is for a Design Review Process, as not all applications are required to participate with a Design Review Panel. Targeted applications would be required to undertake a design review process, such as meaningful pre-application discussions, which may allow this matter to be reflected in a detailed Design and Access Statement and/or a Design Review Panel, depending upon the nature of the proposal. The policy seeks to emphasise the importance of pre-application discussion, as this would be the point at which the most meaningful impact can be made. Provided pre-application engagement is undertaken, there should be no significant change to the timescale for determination, in fact in many cases a successful pre application process facilitates quicker and more effective decision-making. It is noted that the majority of Local Authorities within Scotland successfully utilise Design Review Processes.

In conclusion, no change is required.

Paragraph P1.2

The Council does not agree with changing the threshold on when a development

framework/ masterplan is required or that it should be undertaken on a case-by-case basis. No justification has been provided by the representees as to why 200 homes is a reasonable figure, whereas 50 homes and 2 hectares are enshrined in legislation as being recognised as a major development. Furthermore, 50 homes onto a small settlement can have huge implications and needs a masterplan, whereas 200 homes in a large settlement may have very little impact. In either way, the magnitude and content of the masterplan will vary, as each masterplan will reflect the complexity and impacts of the proposed development. No change is required.

The need for a masterplan should be flexible, but the representee has not provided examples on what developments or sites would merit being subject to a masterplan on a case by case. Masterplans are integral to the pre-application process, where required, as they ensure community confidence in engagement and seeking the right development in the right location. The Council notes the benefit this approach has for large strategic sites that will be delivered over multiple phases or by multiple owners, but this would more reflect a framework rather than a masterplan, but there are similarities. No change is required.

The Council does not agree that it is a duplication of the process, time consuming, or inconsistent with creating a streamlined planning system, as having an agreed masterplan should make the formal application process more streamlined. Planning Advice is being prepared to ensure the need for a masterplan fits into the pre-application process seamlessly to deliver a more efficient and valuable process. Furthermore, the planning application process should be more efficient and streamlined if all elements of a proposal are discussed and appropriately planned right from the start, and that begins with early engagement on a masterplan. The Proposal of Application Notice requires community consultation, the earlier the better, and preparing a masterplan provides the appropriate means of engaging with communities. This Planning Advice should also alleviate the concerns raised by some representees that Committees seek more detail than expected. The expectation is that training will also be provided, to inform Councillors on what masterplans should include (i.e., to avoid the focus on detail at this stage). No change is required.

While this approach creates a two-stage consent process, good planning should allow front loading of detail and process and produce a well thought out masterplan prior to the submission of any planning application, whether this is at the Planning Permission in Principle or Full Planning Permission stage. Furthermore, a masterplan is not meant to be as detailed as a planning application to ensure flexibility when a planning application is submitted. A masterplan does require prior agreement as many masterplans cover several phases of development. The masterplan process also allows for early community engagement, which is of high importance to the Scottish Government. No change is required.

There is a legal requirement for taking masterplans to Committee under Part 2C paragraph 5.3 of the Scheme of Delegation (AD0170), "All Development Frameworks and Masterplans as required by the provisions of the Local Development Plan will be agreed by the Area Committee(s) relevant to where the development/site is located." The Council also notes that PAN 83: Masterplanning (AD0009, recognises on page 4 that the implementation of masterplans can fail due to insufficient skills, experience and client commitment, and result in an uncoordinated vision for a site). Requiring a masterplan to be agreed by the Council helps to reduce these issues. In addition, design is recognised

as a material consideration. No change is required.

While the Council's process has no right of appeal, the applicant can still submit a planning application and if it is refused, they can appeal to the Planning and Environmental Appeals Division. No change is required.

The Council does not agree that Design and Access Statements would be sufficient for major sites, as they perform different functions. The purpose of a masterplan is to inform the planning application, although there is scope to amalgamate Design and Access Statements into a masterplan. However, masterplans are essential to improving the design process and applications are developed within the framework of an agreed masterplan. No change is required.

The Council does not agree that the phrase "deemed appropriate by the Planning Authority" is an unreasonable catch all and will create uncertainty. While there is no minimum or maximum scale of development that would benefit from being masterplanned, there could be a benefit in the policy providing a footnote as an example. Furthermore, it is necessary for the PLDP to include this wording, otherwise there would be no policy hook for planners to request a masterplan, and the representees provided no alternative wording. If the Reporter is minded, to make an amendment, then the Council recommend that a new footnote is added at the end of the first bullet point in paragraph P1.2 to read, "1 For example, where the expansion of a small settlement would raise issues in relation to key infrastructure provision in the locale."

The Council does not agree with clarifying the meaning of "implemented", as section 27 of the Town and Country Planning (Scotland) Act 1997 states when a start on a site constitutes as implemented. No change is required.

There is a spelling error on footnote 1 on page 47, which should read "For" and not "or". The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council can confirm that SEPA and other consultees will be involved in the masterplan process. Statutory and other consultees play a crucial role in masterplanning.

The Council does not agree with NatureScot that paragraph P1.2 is confusing, as the first sentence relates to masterplans, i.e., when they must be prepared, and the bullet points refer to the proposed development, i.e., they must be in accordance with an agreed statement (e.g., masterplan). No change is required.

The Council does not believe any further explanation on the types of agreed statements is required, as they are listed in footnote 1 – development frameworks or masterplans. No change is required.

Paragraph P1.5

The Council welcomes the support of this paragraph on the six qualities of successful places.

The Council does not agree with amending this paragraph to include green infrastructure within the six principles/qualities of successful places, as they provide a basic design

framework, which is derived from Scottish Planning Policy and green infrastructure is just one of a number of considerations that can help deliver these design qualities. No change is required.

The Council notes the concerns expressed that the second half of “well connected” is not clear, but the term “intermodal shifts” is defined in the glossary as a change of how people travel, for example changing from the private car to public transport. Active travel is also defined in the glossary as an approach to travel that focusses on physical activity such as walking and cycling. However, if the Reporter is minded, to make an amendment, then the Council recommend that a footnote is added at the end of the last bullet point in paragraph 1.5 that states, “See glossary for meaning of intermodal shifts and active travel.”

Comments from Nestrans are welcomed and noted, but as safe and attractive access arrangements, links, accessible public transport, and safe trips to local amenities are more site-specific issues, these can be more appropriately addressed in the Settlement Statements in Appendix 7 or at the planning application stage. No change is required.

Paragraph P1.6

The Council welcomes SEPA’s support for this paragraph that references Appendix 8 and Appendix 9 Building Design Guidance. No change is required.

The Council notes NatureScot’s request for the Council’s guidance on the six qualities of successful places to apply in general to all developments and not just major developments and those it considers appropriate. However, to avoid being over prescriptive, as different types of developments will have different effects, the Council developed guidance for major developments and allocations requiring a Masterplan/ Framework, as set out in Appendix 8 and small-scale developments, as set out in Appendix 9. Applicants for all types of development will still need to meet the relevant six qualities of successful place in Policy P1, and the policy also allows the Planning and Environment Service to apply these appendices to a development if they deem it appropriate. No change is required.

However, in light of NatureScot’s suggested amendment, the Council propose a technical change to paragraph P1.6 to amend “Further design guidance... are provided in sites allocated in Appendix 7” to read, “...are provided for allocated sites in...”. The Council confirms that it intends to address this through a non-notifiable modification, as set out in as set out in the List of Non-Notifiable Modifications.

The Council does not support NatureScot’s request to produce further map-based guidance setting out the Council’s vision for selected allocations. While there is merit in this approach, any key issues should be raised in the LDP. The Aberdeenshire Council example has been produced by the Council’s Delivery Team to assist in moving these sites forward, as part of the Delivery Programme and Prospectus (AD0035, AD0042 and AD0103.A to AD0103.E). Such prospectuses could only be considered as Planning Advice and some form of public consultation would be required for them to have any weight as a material consideration. For larger sites, masterplans and development frameworks are required, which could include green infrastructure and active travel routes, if appropriate at that scale. No change is required.

Paragraph P1.7

The Council notes the concerns for ancient woodland loss, but it is not appropriate for this policy to specifically state their loss cannot be mitigated. This policy is about design of developments and the protection of resources is considered under Policy PR1 Protection Important Resources. No change is required.

The Council notes the request for this paragraph to state biodiversity enhancement measures are required, but some flexibility is necessary and SPP, para 94 states, “seek benefits for biodiversity from new development where possible”. The Council partially agree that the responsibility for identifying the enhancements lie with the applicant at the pre-application stage, but other consultees may also identify enhancement opportunities, and Footnote 5 sets out further information in our Planning Advice 5/2015 Opportunities for Biodiversity Enhancement (AD0047). While there may be opportunities for off-site enhancement measures, such as in connection to a Biodiversity Action Plan, the preference is to enhance the site in question to avoid any ambiguity. No change is required.

The Council will be reviewing all Planning Advice referred to in the footnotes and policies, but the advantage of unique reference number allows for ease of reference and version control. No change is required.

The term “see Glossary” that is mentioned in the footnotes refers to the definition of Planning Advice and it provides a weblink to where they can be found. No change is required.

Paragraph P1.8

The Scottish Government’s request to include a sentence on encouraging remanufacturing and reprocessing of materials is not supported as these processes are captured in the word “recycle”, which is used in this paragraph, but is not mentioned in paragraph 180 of SPP. No change is required.

Policy P2 Open Space and Access in New Development

Paragraph P2.1

The support for this policy is welcomed.

The Council does not agree that the policy should highlight the need to update and adopt the pitches strategy, which was drafted in 2018. The Council agrees that this work needs to be done, but it can be undertaken without instruction from the LDP. No change is required.

The Council does not support amending this paragraph to include green space as the glossary defines open space as green-blue infrastructure, which is also defined in the glossary. Reference to open space is therefore deemed sufficient. No change is required.

The Council notes the importance a representee has given to woodland in delivering green infrastructure and connecting smaller pockets of woodland areas, but Appendix 10 already sets out the standards for open space contribution, which includes green-blue networks. No change is required.

The glossary already provides a definition of open space and green infrastructure, which includes woodland areas. No change is required.

The Council does not support producing a list of green spaces that will not be granted planning permission. It is not a legal requirement and important green areas are identified as Protected Land in Appendix 7, which offers a level of protection against development. Woods are also considered under paragraphs E1.4, E3.1, E3.3, PR1.1, PR1.7, PR1.8, and C3.1. No change is required.

The Council does not support NatureScot's requests to include "rich in biodiversity" to paragraph P2.1, as the first sentence refers to the relevant qualities of successful places, as listed in SPP. Biodiversity is one of the contributing factors to delivering successful places, but it is not a topic in its own right. However, this paragraph could mention "rich in biodiversity" as it is mentioned in Appendix 10 and the Council has a duty to further the conservation of biodiversity. If the Reporter is minded, to make an amendment, then the Council recommend that the second sentence in paragraph 2.1 could be modified to read, "...natural in form, rich in biodiversity and has..."

The Council confirms that it intends to address NatureScot's other comments through two non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

Paragraph P2.2

The Council does not agree that the open space requirement for major developments should be reduced from 40%, removed altogether, or identified in a masterplan or other document. This figure, which has been used in the LDP 2012, Policy 8 (AD0031.A, page 12 and AD0031.B, page LSD 7, and LDP 2017 Policy P2, and AD0034.B, page 48) was derived from research undertaken during the preparation of the Aberdeenshire Parks and Open Spaces Strategy 2010 (AD0107, which summarises on page 4 that settlements had on average between 35-45% open space). As such, it is imperative that this figure remains, especially as open space is important for physical and mental health, biodiversity, climate resilience and active travel. The Council also disagrees that it will prejudice the Strategic Development Plan target for a density of 30 dwellings per hectare in the Strategic Growth Areas, reduce higher density developments or contradicts a more flexible approach, as we expect a mix of house types and tenure across a site, and most are greenfield sites, which allows for flexible design solutions. Furthermore, the adoption of open space is not a matter for the LDP and the use of private factors to maintain open space is a common process. Issues of increased fees and unused open space have not been supported by any evidence and is deemed speculative. The Council are not aware of a development being commercially unviable on grounds of open space provision, and there is some flexibility in the open space requirement, as Policy P2 states "We will generally expect 40%..." as each proposal will be considered on its merits. Regarding the use of smaller meaningful spaces, the representee has not defined what this could be and neither do the Council support it, as it is unlikely to contribute to active travel or green-blue networks. No change is required.

The Council commends the suggestion to include a 30% increase in native tree canopy cover as part of the 40% open space provision, as our open spaces standards in Appendix 10 refers to the provision of green-blue infrastructure. However, the Council is concerned that to apply a set figure would remove the flexibility this Appendix allows. Furthermore,

this figure is not supported in any Scottish Government policy, such as SPP. No change is required.

Paragraph P2.3

The Council notes the objections raised to the 120m² open space requirement for sites of less than 50 homes, but this figure has been carried forward from previous Local Development Plans to ensure a consistent and transparent approach is applied. No evidence has been provided that this requirement has prevented a development from going ahead, and Appendix 10 allows flexibility to be applied in terms of the types of open space provided. The use of private factors to maintain open space is a common process, and issues of increased fees and unused open space have not been supported by any evidence. No change is required.

Paragraph P2.4

The Council notes the request to remove "temporary" from the provision for green-blue infrastructure, but this section of the policy reflects SPP para 220, which states "Local development plans should encourage the temporary use of unused or underused land as green infrastructure..." No change is required.

Comments from SEPA are noted. No change is required.

Paragraph P2.5

The Council does not agree that there is a need to add to this paragraph, as the issue of maintenance is more appropriately considered at the planning application stage (or in a masterplan). No change is required.

Paragraph P2.6

The Council notes the Scottish Government's request for Aberdeenshire Council to develop at least one exemplar walking and cycling friendly settlement to align with NPF3 (2014) paragraph 5.14. Peterhead was used as a Cycle Demonstration Town Project, and following its success, Integrated Travel Town masterplans have been prepared for Huntly, Inverurie, Fraserburgh, Portlethen and Ellon to help support more sustainable and active travel in these settlements (<https://www.aberdeenshire.gov.uk/roads-and-travel/transportation/integrated-travel-towns/>). Aberdeenshire Council has also developed a series of walking and cycling routes, which can be found at <https://www.aberdeenshire.gov.uk/roads-and-travel/transportation/cycling/>. These are available for settlements across Aberdeenshire. No change is required.

Comments on developing new and protecting public access routes, and promoting walking and cycling are noted. No change is required.

The Council does not agree that footpath and access routes are included in both planning applications and masterplan/development frameworks as not all proposals will require a masterplan or development framework. No change is required.

The Council has considered various community action plans during its development, but it is not considered appropriate or necessary to single out these documents, none of which

the representee has provided as examples. Important routes are identified in the Core Paths Plan, the Council has engaged with Community Planning Officers and Community Councils during the Plan-making process, and Local Place Plans could provide an opportunity for the LDP to consider community aspirations. If targets for woodland creation are set out in National Planning Framework 4, this will be reflected in the next LDP. No change is required.

The Council does not consider it necessary to amend the wording in the policy to include more path types as suggested, as the paths listed in the policy are just examples. It is noted that SPP para 221, states, “including core paths and other important routes, within the context of statutory access rights under the Land Reform (Scotland) Act 2003.” And SPP para 228 refers to “access rights and core paths”. No change is required.

The representee is not clear on how this paragraph can be strengthened to reflect National Transport Strategy 2 (AD0005, which only refers to LDPs once on page 59 and that a Delivery Plan will be prepared (on page 60), although the Council is not aware that this has been produced). The PLDP already includes the following objective, “To make efficient use of the transport network, reduce the need to travel and promote walking, cycling, and public transport, (paragraph 4.7). Policy P2 already states in paragraph P2.6 “...development must include appropriate opportunities for informal recreation and promote walking or cycling as a means of transport.” and Policy P1, paragraph P1.6 considers how proposals are well connected. It is noted that Policy P2 does not refer to wheeling and if the Reporter is minded, to make an amendment, then the Council recommend that the first sentence in paragraph 2.6 could be modified to read, “...walking, wheeling (travelling by wheelchair) or cycling...”. Without specific national guidance, the PLDP cannot specify the types of facilities for citizens to travel by walking, wheeling, and cycling, as this would not be considered competent if part of a formal planning decision.

The PLDP is not a framework or tool to promote footpaths, cycleways, and active travel networks both within communities and between adjacent communities, as requested by the representee. The policy only applies to new developments and not paths on their own. No change is required.

The Council does not agree that the settlement maps should promote paths that are suggested in Community Action Plans. The Council considers paths should be promoted through the PLDP’s policies than in Settlement Statement maps, as promoted in SPP (e.g., para 46) as part of the six qualities of successful place, paragraph 221 to ensure there is easy access to them and paragraph 228 to safeguard paths and encouraged new links. Only Core Paths are identified in the Settlement Statement maps as SPP paragraph 228 requires their protection and enhancement. No change is required.

The Council agrees with NatureScot that the term “active travel” could be introduced to this paragraph, as this term is stated in paragraph P1.6 in reference to well-connected places. The Council also notes their request to include other users, such as riders, which may not be applicable in some areas, but we are not opposed to highlighting in the policy. If the Reporter is minded, to make an amendment, then the Council recommend that the first sentence in paragraph 2.6 could be modified to read, “...new developments must include appropriate opportunities for informal recreation and safe active travel, including walking and cycling, wheeling (travelling by wheelchair), riding etc.”

The Council does not agree with the request to include a reference to the Outdoor Access

Strategy (AD0105), as while several strategies and policies influence the PLDP, this Strategy focuses on work the Council will do to achieve its aims, objectives and priorities on outdoor access provision, which includes Officers providing input to the LDP process. No change is required.

The Council does not agree with the suggestion to replace “Statements or plans detailing proposals” with “An Access Plan” to be more concise. It is intentional that this sentence does not list all the different types of statements in order to keep the policy concise, allow flexibility and avoid confusion if an applicant wants to consider their access and design statement in a masterplan or on its own, or make a short reference to access in a Planning Statement. No change is required.

Policy P3 Infill Development within Settlements and Householder Developments

With regard to SEPA’s objection to Policy P3 unless Policy C4 is amended by including a statement that “development should not increase flood risk vulnerability”, it is considered this is unfounded since paragraph C4.2 refers to “increased severity of flood risk elsewhere”. Likewise, the introduction of the term “re-development” is unnecessary as in planning terms re-development will constitute a form of development. There are no inconsistencies or omissions, and no change is required.

Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land

General

Comments of support and observations are noted. No change is required.

As discussed in the Report of the Examination on the LDP 2017 (AD0036, page 145) the Reporter agreed with the Council not to include the pipeline consultation zones in the proposal’s maps in Appendix 7, as they are not a constraints map. However, where pipelines are present, a Settlement Statement includes a section on oil and gas pipelines. Nonetheless, the Council took the Reporter’s advice and produced maps of the consultation zones for pipelines and other hazardous development in Planning Advice 1/2017 Pipeline and Hazardous Development Consultation Zones (AD0049 to AD0055). However, it is noted that there is no reference to this Planning Advice in the PLDP and a footnote could be added. If the Reporter is minded, to make an amendment, then the Council recommend that a footnote could be added at the end of paragraph P4.2, “9 See Planning Advice Pipeline and Hazardous Development Consultation Zones – See Glossary” and amend the subsequent footnote numbers.

The request to have cognisance of pipeline consultation zones, Health and Safety Executive advice and guidelines and Policy P4 if settlement boundaries are amended or new allocations added is noted. If the Reporter is minded, to make an amendment to the settlement boundaries or introduce new allocations, then the Council recommend that an oil and gas section is added to the Settlement Statement, if not already present, which states, “Part of the settlement is within the Health and Safety Executive (HSE) consultation distance associated with one or more oil or gas pipelines in the vicinity. Developments within this distance must comply with Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land, and with the HSE “Land Use Planning Methodology” and the same wording is used for existing allocations in the PLDP,

“Development on this site must accord with Policy P4 (Hazardous and polluting developments and contaminated land) and the Health and Safety Executive “Planning Advice for Developments near Hazardous Installations”, owing to the presence of one or more oil or gas pipelines in the vicinity.”

Paragraph P4.1

Comments from SEPA are noted. No change is required.

The Council does not agree that paragraphs P4.1 and P4.5 are contradictory and unclear. Firstly, paragraph P4.1 states when development will be refused in its first sentence and mentions mitigation measures in its last sentence. Secondly, paragraph 4.1 refers to all types of pollution, whereas paragraph 4.5 specifically refers to mitigating air and noise pollution if issues have arisen as a result of a Noise Impact Assessment or Air Quality Assessment. No change is required.

Paragraph P4.2

Comments from SEPA are noted. No change is required.

The text referred to by the representee was removed in error when footnotes were being added and website addresses were being reviewed before submitting the PLDP to Full Council on 5 March 2020. If the Reporter is minded, to make these amendments, then the Council recommend that the first sentence in paragraph P4.2 could be modified to read, “In determining planning applications for development within the consultation zones for hazardous installations (including oil and gas pipelines) we will consult...”, a new final sentence could be added to read, “This confirmation and advice can be obtained from the HSE Planning Advice Web App at www.hse.gov.uk/landuseplanning/developers.htm or in Planning Advice, Pipeline and Hazardous Development Consultation Zones⁹”, a new footnote could be added to read, “⁹ See Planning Advice Pipeline and Hazardous Development Consultation Zones – See Glossary” and the subsequent footnote numbers amended.

Policy P5 Digital Infrastructure

Support for this policy is noted. No change is required.

Comments from SEPA are noted. No change is required.

The representee has not expressed why they are concerned about siting telecommunications masts near to buildings where children regularly congregate, but the Council assume it is to do with their health. Policy P5 considers the siting and design of equipment in paragraphs P5.2 and requires a declaration on public exposure to radiofrequency radiation in paragraph P5.3. Furthermore, while SPP para 299 states equipment should be sited as sensitively as possible, para 300 states emissions of radiofrequency radiation are controlled and regulated under other legislation and so is not a material consideration. No change is required.

Policy P6 Community Facilities and Public Amenities

General

The Council notes the positive contribution cultural and arts facilities make to communities, although the representee is not clear on which part of this section on 'Shaping Places' their concerns relate. The purpose of Policy P6 is to consider the appropriateness of new facilities (in paragraph P6.1) and the re-use or development of facilities surplus to requirement providing they meet other policies in the PLDP (in paragraph P6.2). The PLDP encourages cultural facilities in town centres under Policy B1 Town Centre Development, which will help to deliver the national outcomes mentioned in paragraphs 3.6 and 3.7. Cultural facilities are only referred to in SPP paras 60 and 68 in the context of town centres. No change is required.

The promotion of paths, cycleways and active travel are considered in policies P1, P2 and RD2 (paragraph RD2.9), as part of a proposed development, whereas Policy P6 relates specifically to community facilities and public amenities (i.e., buildings). A PLDP does not promote new paths like it does with new housing sites, for example, but rather facilitates their development as part of a new development. No change is required.

Comments from SEPA are noted. No change is required.

Paragraph P6.1

The Council does not agree with amending "to all community residents" to "is available to residents of the development and/or the target community", as the policy does not target where new community facilities are required but considers the appropriateness of the proposed development as part of a planning application. The policy relates to a specific community group and the representee has not given an example on how to measure the residents needs of a development. Furthermore, the policy applies to both large and small settlements. No change is required.

Paragraph P6.2

The Council does not support adding health care facilities to this policy, as the PLDP glossary includes health facilities within its definition of community facilities, which also includes education and sports facilities. No change is required.

Appendix 8 Successful Placemaking Design Guidance

The Council Parking standards (AD0106, pages 11 to 15) differ from parking and policy standards set out in SPP Annex B, as they have been derived from local operational experience, national policy guidance and best practice, and a review of parking accumulations experienced at comparable sites across Scotland and the UK. Although Annex B sets out the national parking standards, the second paragraph allows for local variations to support the viability of town centres, and the disabled standards are not mandatory. The Council's latest standards were adopted in 2019 after wide-ranging public consultation and were tested against the results obtained from a series of specially commissioned car park accumulation surveys that were undertaken at key sites across Aberdeenshire (see AD0106, paragraph 1.3). No change is required.

While the Council agrees that lighting and sightlines are important considerations in a development, the appendix only applies to new and not existing developments. It is not a policy framework for other projects, although it can be referred to as good practice. No

change is required.

The Council agrees that developments should allow for safe and independent access and open space, and in the Table under ‘Welcoming’, the Appendix refers to accommodating cyclists, inclusive networks and paths, and open space that is welcoming and encourages social interaction. Specific details, for example, on how safe a route is for a young person is a consideration for a masterplan and/or planning application, and this Appendix does not need to be overly prescriptive. No change is required.

The Council notes the importance of providing choice on how people travel, but disagrees with adding more detail to the Appendix, such as street user hierarchy and prioritising vulnerable groups. While the table does not refer to a 20-minute neighbourhood, it does encourage walkable neighbourhoods. It also refers to cycle parking and storage, a street hierarchy, active travel modes, and inclusive networks and paths. No change is required.

The issue of noise can be considered in the table under the ‘Safe and Pleasant’ section as “amenity”. If necessary, a Noise Impact Assessment can be requested through the planning application process. No change is required.

The PLDP does not set out how a development demonstrates its visual and landscape impact using viewpoints, but it is considered best practice. Viewpoints are taken from public vantage points from a range of distances and are unlikely to encroach onto the privacy of individuals. No change is required.

The Council notes the issue of privacy affecting existing properties that could be overlooked by new development, and the Appendix covers this in the table under ‘Safe and Pleasant’. The Council disagrees with stipulating the use of bungalows in these instances to avoid being over prescriptive when other design solutions could come forward including re-positioning of development, fenestration changes etc. No change is required.

The Council disagrees with adding a reference to connecting to water and waste water infrastructure as this is sufficiently covered under the ‘Resource efficient’ part of the six qualities of successful places. Development at this scale should be connecting to a public network and should have a limited impact on the design of a site. It is also considered Policy RD1 Providing Suitable Services. Sustainable Drainage Systems are considered in the Appendix under “Resource efficient”. No change is required.

The Council does not agree with adding water saving technologies to the table to avoid it being overly prescriptive and because water saving technologies are unlikely to have a significant impact on placemaking. It is noted that SEPA has not provided an example. Water efficiency is appropriately considered under paragraph C1.2 of the PLDP. No change is required.

The Council does not agree with including district heating in the table or including it as an example of low carbon design (6th bullet point), to avoid prejudicing current and emerging technologies, such as solar, heat pumps, cooling and fuel cells etc, and to allow flexible design. However, it is noted that low carbon design is not defined in the PLDP. If the Reporter is minded, to make an amendment, then the Council recommend a new glossary definition could be added to read, “Low carbon design: Is the concept of minimising greenhouse gas emissions and energy use in new or retrofitted buildings by using technologies such as, free cooling/heating thermal store/exchange, stand alone or roof

mounted wind turbines, photo voltaic (PV) solar energy systems, solar thermal hot water and solar collectors, biomass heating and fuel storage systems, district heating schemes, combined heat and power (CHP), ground, water and air source heating and cooling, thermal mass with earth pipes, phase change materials (PCM's), fuel cells, and energy storage systems.”

The Council does not agree with adding “Use of renewable energies is emphasised”, as it is adequately covered under the “Low carbon design” bullet point, which includes renewable technologies, and to avoid prejudicing current and emerging technologies. Furthermore, there is more emphasis on energy efficient than renewable energies in SPP. Paragraph 110 states the planning system should “enable provision of a range of attractive, well-designed, energy efficient housing, contributing to the creation of successful and sustainable places”, and paragraph 157 also states, “Local development plans should support new build developments, infrastructure or retrofit projects which deliver energy efficiency...” As suggested above, a new definition of low carbon design could be added to the PLDP, if the Reporter is minded to agree. Otherwise, no change is required.

The Council does not agree with including a reference to Building for Nature in the PLDP. Planners can advise of this, and encourage this, but with relevant natural heritage policies, biodiversity enhancement duties and other criteria within the design guidance which addresses this, this is sufficiently covered. There are numerous award-winning approaches for each criterion that could be listed (e.g., built heritage, innovation etc), but this would overwhelm the guidance and distract from the main aim this seeks to achieve. No change is required.

This Appendix considers the adaptability of a building for future needs, and issues on the internal layout of a home is not a consideration for the LDP. No change is required.

The Council notes NatureScot’s request for the Council’s guidance on the six qualities of successful places to apply in general to all developments and not just major developments and those it considers appropriate. However, to avoid being over prescriptive, as different types of developments will have different effects, the Council developed guidance for major developments and allocations requiring a Masterplan/Framework, as set out in Appendix 8 and small-scale developments, as set out in Appendix 9. Applicants for all types of development will still need to meet the relevant six qualities of successful place in Policy P1, and the policy also allows the Planning and Environment Service to apply these appendices to a development if they deem it appropriate. No change is required.

The Council does not agree with removing the reference to the Design Review Process from the second paragraph as this Appendix forms part of Policy P1, and it is included as a reminder that major developments will be required to participate in this process. No change is required.

Comments on electric car charging points are noted. No change is required.

Appendix 9 Building Design Guidance

Support for this Appendix is noted. No change is required.

The PLDP does not set out how a development demonstrates its visual and landscape

impact using viewpoints, but it is considered best practice. Viewpoints are taken from public vantage points from a range of distances and are unlikely to encroach onto the privacy of individuals. No change is required.

The Council notes the issue of privacy affecting existing properties where they could be overlooked by new development, and the Appendix covers this in the table under 'Safe and Pleasant'. The Council disagrees with stipulating the use of bungalows in these instances to avoid being over prescriptive when other design solutions could come forward including re-positioning of development, fenestration changes etc. No change is required.

The Council agrees with SEPA that the seventh bullet point under 'Safe and Pleasant' could be expanded to state that applicants will be required to demonstrate why they cannot connect to a public sewer network and to provide additional information on adoption agreements. The amendment proposed by SEPA provides a good solution. If the Reporter is minded, to make an amendment, then the Council recommend that the second sentence in the seventh bullet point under 'Safe and Pleasant' could be modified to read, "Where a private water supply or drainage arrangement are proposed, all technical information and reasons for not connecting to a public water/sewer, as well as details of adoption agreements with Scottish Water or lifetime maintenance proposals should be provided."¹

The Council agrees with SEPA that a footnote could be added to the table that requires applicants proposing private drainage to be compliant with SEPA's planning advice on waste water drainage. This approach is supported in PAN 79 Water and Drainage (AD0008 paragraphs 23 and 52) and it will ensure that this advice is referred to at the planning application stage. If the Reporter is minded, to make an amendment, then the Council recommend a new footnote is added at the end of the seventh bullet point under 'Safe and Pleasant' to read, "1 Please refer to SEPAs 'Planning Advice on Waste Water Drainage' (Land Use Planning System Guidance Note 19) for guidance on technical information requirements."

Appendix 10 Standards for Open Space

Support for this Appendix is noted. No change is required.

The representee has not explained how on street parking should be prioritised for disabled users. SPP Annex B provides minimum standards for car parks, but not on street parking. Requests for on street spaces dedicated to disabled people can be made to the Council on request. No change is required.

Policy P2 and Appendix 10 already provides for new developments to include green infrastructure, depending on its scale and use. Introducing street trees, for example, cannot be enforced retrospectively unless it is part of an approved scheme or by way of planning condition, but they can be introduced at the planning application stage, as appropriate. No change is required.

Appendix 10 already refers to SuDS in Table 1, and in the glossary, sustainable drainage systems is included in the definition of green-blue networks. No change is required.

Policy P1, paragraph P1.7 already requires developments to include measures to enhance biodiversity. Further advice is provided in Planning Advice 5/2015 Opportunities for

Biodiversity Enhancement in New Development (AD0047). No change is required.

The Council agrees that open space plays an important part in placemaking and it would be beneficial to include it in this Appendix. However, it is preferred that any additional wording is concise and focuses on what open space aims to achieve. If the Reporter is minded, to make an amendment, then the Council recommend that the end of the second sentence in the first paragraph could be modified to read, "...that are expected to be delivered as part of the design of a development to achieve successful placemaking."

The Council agrees with SEPA that additional wording could be added on the width of buffer strips due to local factors but would prefer to retain the minimum 6m rule as best practice. If the Reporter is minded, to make an amendment, then the Council recommend that the first bullet point in Table 1 in the note's column for Green-Blue Networks could be modified to read, "Should be a minimum of 6m wide, but widths may require to be wider as a result of local factors such as hydro-geomorphology, need for pollution control, native species habitats or active travel provision. They may be wider than 20m on major rivers or dynamic watercourses to allow them to follow their natural course."

The Council confirms that it intends to address SEPA's comment on river restoration through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

It is noted that SEPA requests a reference to their ground testing guidance as a footnote, and although this Appendix does not include reference to any other external documents, as this guidance is not referred to in the PLDP and cemeteries can have a detrimental impact on groundwater, the Council could support its inclusion. If the Reporter is minded, to make an amendment, then the Council recommend inserting a new footnote at the end of the second sentence in the note's column for Burial Grounds ("...ground testing²"), to read "² Ground testing shall be in accordance with SEPAs Guidance on assessing the impacts of cemeteries on groundwater (LUPS GU32)."

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan, or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue that is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as "non notifiable modifications" to Section 9 (Shaping Places) and to the related appendices 8, 9 and 10. However, where such matters arise from representations made to the proposed plan they are required to be addressed in the examination. I therefore address these as appropriate below.

Policy P1 Layout, Siting and Design

General

3. Paragraph P1.5 and the table in appendix 8 (Successful Placemaking Guidance) refer

to the need for a range of house types, size and densities. I do not consider it appropriate to include the example of larger sized homes in city centres in the policy wording. No modification is required.

4. I consider that matters relating to environmentally/ climate friendly design and construction are addressed in paragraph P1.5 under 'efficient' and the 'resource efficient' columns in the table in appendix 8 (Successful Placemaking Guidance). No modification is required.

Paragraph P1.1

5. Representees are concerned that the requirement for all housing proposals for over 50 homes to go through a design review process would cause delays. The council has explained that the term "design review process" is intended to cover a range of measures and not just a requirement to participate in a design panel.

6. Scottish Planning Policy states that "planning should take every opportunity to create high quality places by taking a design-led approach". It also states that "planning should support development that is designed to a high-quality, which demonstrates the six qualities of successful place."

7. I consider that the design review process for larger developments required by paragraph P1.1 would provide a collaborate, focussed approach to help improve design quality, consistent with the aspirations of Scottish Planning Policy. Taking account of the explanation provided by the council above, I consider it appropriate that there would be an element of flexibility in terms of the form of "design review process" required. This would allow matters such as the complexity and sensitivity of the proposal, availability of council resources and implications for timescales to be taken into account. No modification to the wording is required.

Paragraph P1.2

8. Paragraph 57 in Scottish Planning Policy promotes the use of design tools, including master plans, to guide the quality of development in and across places to promote positive change. Its states that this can help to provide certainty for stakeholders as a contribution to sustainable economic growth and should focus on delivering the six qualities of successful places.

9. Representees consider masterplans to be time consuming and a duplication of what is required as part of the pre-application engagement process, contrary to the aims of creating a streamlined planning system. However, it is recognised that master plans do have value for larger strategic sites involving a number of developers and a number of phases. It is suggested that the policy should be amended to only require a masterplan for proposals of more than 200 homes and/or 10 hectares.

10. I agree with the council that, in many of the settlements in Aberdeenshire, a proposal for 50 homes or a two hectare site would raise issues which would benefit from being addressed through a masterplan.

11. Scottish Planning Policy states that the role of a masterplan is to "describe and illustrate how a proposal will meet the vision and how it will work on the ground". I do not

consider this tool to have the same function as the pre-application engagement process or a design and access statement. I agree with the council that time and resources spent in preparing a masterplan can make for a smoother and faster process at planning application stage. I acknowledge that the successful implementation of paragraph P1.2 does require considerable commitment from the developer, council and the local community. However, I would expect masterplans for smaller sites to be more straightforward and less time consuming than those for large strategic sites. I conclude overall that the thresholds set out in paragraph P1.2 are appropriate in the context of the Aberdeenshire local development plan area. No modification is required in this regard.

12. The council has explained that the purpose of the phrase “deemed appropriate by the Planning Authority” is to cover the circumstances where a masterplan is considered necessary for sites below the specified threshold. I note that the council has provided one example, relating to the expansion of a small settlement which would raise issues in relation to key infrastructure provision. However, there may well be other valid reasons for requiring the preparation of masterplan and I therefore consider that highlighting one example in a footnote may be misleading. I consider the inclusion of the above phrase in paragraph P1.2 to be appropriate and that the risk of uncertainty for developers could be addressed through early engagement with the planning authority. No modification is required.

13. A planning permission can be “implemented” through activities which would not generally be described as construction, for example the creation of an access or ground works. I therefore consider that it would be potentially misleading to amend the wording of the last sentence in paragraph P1.2 as suggested. No modification is required.

14. The comments from the Scottish Environment Protection Agency (SEPA) relate to the practice of preparing and consulting on masterplans, and do not seek any changes to the wording of the policy. In response to the representation from NatureScot, the council has explained that the second part of paragraph P1.2 sets out the expectation that proposals coming forward on relevant sites will be consistent with the previously agreed masterplan or development framework. The council has also confirmed that there is a typographical error at the start of the footnote on page 47 of the proposed plan. Subject to a modification to amend the first word to read “For”, I do not consider that further clarification is required.

Paragraph P1.5

15. The six qualities of successful places are listed in paragraphs 41 - 46 of Scottish Planning Policy. These are replicated in paragraph P1.5 of the proposed plan, with the exception of the final bullet point which has been changed from “easy to move around and beyond” to “well connected”. I agree with Nestrans that the wording of the “well connected” bullet point is unclear and I do not consider that it aligns with paragraph 46 in Scottish Planning Policy.

16. The council has suggested the addition of a footnote to direct the reader to the glossary. However, I do not consider this suggestion would necessarily add clarity. I note that the six qualities of a successful place are also referred to in appendices 8 and 9, where the ‘well connected’ bullet point states “to create well connected places that promote intermodal shifts and active travel and are easy to move around.”

17. I find this wording to be more easily understood and in line with paragraph 46 in Scottish Planning Policy. In the interests of clarity and consistency, I recommend a modification to replicate the wording used in appendices 8 and 9 in paragraph P1.5.

18. The comment made by Nestrans regarding the importance of safe and attractive access arrangements, active travel links and safe connections to local facilities is not seeking a change to paragraph P1.5. No modification is required.

19. I do not consider that it would be appropriate to specifically mention 'green infrastructure' in paragraph P1.5, as its purpose is to provide an overview of the six qualities of successful places. No modification is required

Paragraph P1.6

20. The introduction to appendix 8 of the proposed plan explains that this guidance is intended to apply to major developments, sites which are identified as requiring a masterplan or framework, and other sites where appropriate. The introduction to appendix 9 states that it relates to proposals for single buildings or small scale developments. However, it also indicates that proposals should continue to meet the principles of a successful place outlined in appendix 8. I note that the six qualities of a successful place are listed in appendices 8 and 9.

21. I am satisfied that the wording of appendices 8 and 9 in the proposed plan address NatureScot's concern that the six qualities of successful places should apply to all development. However, I consider that the wording of paragraph P1.6 is confusing and not entirely consistent with the introductory paragraphs of appendices 8 and 9. I recommend a modification to reduce the potential for misunderstanding.

22. I note that the council does not agree with NatureScot's suggestion to include a hook for the preparation of further illustrative guidance for particular sites. Whilst I recognise that the preparation of graphics to accompany and further explain the information provided in the allocation summaries would be beneficial, I have no basis to require the council to do this. Given the council's position on this matter, it would be misleading to include the text suggested by NatureScot. No modification is recommended.

Paragraph P1.7

23. I agree with the council that matters relating to the loss of ancient woodland are more appropriately addressed in policy PR1 (Protecting Important Resources). No modification is required.

24. Paragraph 194 in Scottish Planning Policy states that the planning system should "seek benefits for biodiversity from new development where possible." Within this context, I do not consider the use of the word 'must', as suggested by RSPB Scotland, to be appropriate. I agree with the council that the identification of biodiversity enhancement opportunities may come from a range of sources, not just the applicant. No modification is required.

25. The change sought by RSPB Scotland in relation to 'off-site' enhancements is not seeking to remove the reference to these only being appropriate in rare circumstances. Instead, it points out that, where off-site enhancement is appropriate, there may be

suitable opportunities in countryside locations as well as within settlements. I do not consider that there is any policy basis to limit potential off-site enhancements only to within settlements. I therefore recommend a modification in line with RSPB Scotland's suggestion.

26. I agree with the council that it is helpful to refer to current relevant planning advice in footnotes, even if such advice may be updated and replaced during the plan period. The council has explained that the reference to the glossary is to direct the reader to the definition of planning advice and provide a web link. I note that this approach is used consistently throughout the proposed plan and I do not consider there is any overriding justification to change this. No modification is required.

Paragraph P1.8

27. Paragraph 180 of Scottish Planning Policy states that "in line with the waste hierarchy, particular attention should be given to encouraging opportunities for reuse, refurbishment, remanufacturing and reprocessing of high value materials and products." The council has explained that it has used the word 'recycle' in paragraph P1.8 of the proposed plan to cover this requirement. Whilst I recognise that there are merits in the council's wording in terms of being concise and using plain English, paragraph P1.8 does not fully align with Scottish Planning Policy. To address this matter, I recommend a modification to insert an additional sentence as suggested by Scottish Government.

Policy P2 Open Space and Access in New Development

Paragraph P2.1

28. Sportscotland requests that a reference be made in the plan to the need to keep documents on open space and pitches provision up to date. It points out that policy P2.1 includes a cross reference to appendix 10 which sets out standards for open space. In relation to organised sports facilities, it is noted that provision is to be guided by the findings of the Aberdeenshire Council Pitches Study, which was prepared in 2018 but has never been finalised or adopted by the council.

29. Paragraph 222 of Scottish Planning Policy states that development plans "should be informed by relevant, up-to-date audits, strategies and action plans covering green infrastructure's multiple functions, for example open space, playing fields, pitches..." However, I do not consider it necessary to highlight the need to keep supporting documents up to date in the plan itself. No modification is required.

30. The council has drawn my attention to the definitions of 'open space' and 'green-blue infrastructure' in the glossary of the proposed plan. Taking account of these definitions, I do not consider there is any justification to change the terminology used in paragraph P2.1. No modification is required.

31. Policy P2 relates to the provision of open space and access in new development. I agree with the council that protection of open spaces and woodland is addressed in the proposed plan, through the protected land designations in the settlement statements, where relevant, and other policies, including paragraphs PR1.7 and PR1.8. It would not be appropriate to produce "a list of green spaces that will not be granted planning permission" as proposals require to be assessed against all relevant policies in the plan. No modification is required.

32. NatureScot has requested three amendments to the wording of paragraph P2.1, two relating to biodiversity and one to active travel. I consider that the inclusion of references to biodiversity and the opportunity to connect open spaces to paths and active routes would be consistent with Scottish Planning Policy and other parts of the plan. However, I agree with the council that it would not be appropriate to include “rich in biodiversity” alongside the qualities of successful places in the first sentence. I accept the council’s suggestion that this should be included in the second sentence instead. A modification to paragraph P2.1 to address these matters is set out below.

Paragraphs P2.2 and P2.3

33. These paragraphs set out the expected open space requirements in major developments and on sites of less than 50 homes. A number of representees, including Homes of Scotland consider the expectation for 40% open space in a major development site, and the requirement for at least 120m² public open space in smaller developments, to be excessive and contrary to the move towards higher density development. They also consider that the provision of large amounts of open space places a financial burden on homeowners and housing associations.

34. The council has explained that the open space requirements set out in paragraphs P2.2 and P2.3 were introduced in previous local development plans. I have not been presented with any specific monitoring evidence to indicate that this level of provision is no longer appropriate. I agree with the council that open space is important for health, biodiversity, climate resilience and active travel. It can also contribute to the six qualities of successful places.

35. I note the evidence presented in relation to a comparison with the six acre standard provided by Fields in Trust. However, given the particular geographical and settlement characteristics of Aberdeenshire, I consider the Aberdeenshire Parks and Open Space Strategy 2010, referred to by the council, to be of more direct relevance. Paragraphs P2.2 and P2.3 both provide an element of flexibility to reflect the circumstances of particular sites and proposals. I consider that this wording allows specific concerns, such as those raised in representations, to be taken into account on a case by case basis.

36. The Woodland Trust Scotland is seeking 30% increase in native tree canopy cover as part of the 40% open space requirement, in line with its Emergency Tree Plan. Whilst there are recognised environmental benefits in increasing tree coverage, there is no national or strategic planning policy basis for me to include this as a requirement. Furthermore, this amount of tree cover may not be appropriate on all development sites.

37. I conclude that no modifications are required in relation to paragraphs P2.2 and P2.3

Paragraph P2.4

38. I agree with the council that the inclusion of the word ‘temporary’ is consistent with Scottish Planning Policy. However, the relevant paragraph is 229 not 220. No modification is required.

Paragraph P2.5

39. I note the concern raised by RSPB Scotland regarding the long term retention and

maintenance of temporary open space, which then forms part of a development proposal. However, I agree with the council that this would be a matter to be addressed at planning application stage or in the preparation of a masterplan. No modification is required.

Paragraph P2.6

40. Paragraph 5.14 of National Planning Framework 3 encourages local authorities to develop at least one exemplar walking and cycling friendly settlement. The Scottish Government is concerned that this matter is not addressed in the proposed plan. In its response, the council has referred to a number of settlement related cycle initiatives which have been introduced in Aberdeenshire. These would suggest that the aspirations of National Planning Framework 3 are being met. I do not consider there is any requirement for this matter to be specifically addressed through the local development plan. No modification is recommended.

41. I agree with the council that the word 'or' should not be changed to 'and' in the second sentence, as not all proposals which protect or promote paths and cycle routes will have masterplans/ design frameworks. No modification is required.

42. Policy P2.6 relates to the protection and promotion of access routes. I recognise that community led management plans may provide one means of implementing this policy but there may be others. I agree with the council that it would not be appropriate to refer to these in the policy itself. No modification is required.

43. I consider that the term "existing and potential public access routes" covers the various types of route referred to by Meldrum Paths Group. It would not be appropriate to list every potential type of route in a local development plan policy. No modification is required.

44. The wording of paragraph P2.6 only promotes opportunities for cycling and walking. I agree with Meldrum Paths Group and NatureScot that the wording should be amended to better reflect the different uses of access routes, in line with the national transport strategy. The council has suggested a form of words in its response above, which I consider would address both representations. A modification is recommended.

45. Policy P2.6 only relates to the protection and promotion of access routes in relation to new development. Formartine Rural Partnership is concerned that the plan does not promote access routes within and between adjacent communities and in their vicinities. This matter has also been raised in representations in relation to specific settlement statements in appendix 7, which are included in other schedule 4s.

46. Paragraph 228 in Scottish Planning Policy states that "local development plans should safeguard access rights and core paths, and encourage new and enhanced opportunities for access linked to wider networks." I agree with the council that the local development plan is not a framework or tool to promote footpaths, cycleways and active travel networks within and between settlements. There are other council documents, such as the Core Path Plan and the Outdoor Access Strategy (mentioned in a representation) which would fulfil this role. The local development plan can protect existing routes, promote good access from new development to these routes and, where appropriate, promote the enhancement or extension of existing routes as part of development proposals. It is within this context, that planning applications may be able to

help deliver proposals set out in community action plans. No modification is required to the wording of policy P2.6.

47. The reason why reference is made to the council's Open Space Strategy in paragraph P2.1 is that it provides the standards against which proposals are measured in terms of adequate provision of open space. The Outdoor Access strategy indicates that its purpose is "the efficient and effective management and enhancement of existing paths and associated infrastructure." As such, it is not directly relevant to the use and interpretation of policy P2.6. I agree with the council that information on access proposals can be presented in a range of ways and it would not be appropriate for the plan to prescribe a particular format. No modifications are required.

Policy P3 Infill Developments within Settlements and Householder Developments

48. SEPA's representation in relation to the wording of policy C4 Flooding regarding change of use proposals and their potential vulnerability to flood risk is addressed in Issue 11. A modification is recommended to reflect SEPA's representation on this matter. On this basis, SEPA's suggested amendment to policy P3 is not required. No modification is recommended.

Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land

General

49. I note that the council considered whether to include the pipeline consultation zones on the proposals map in response to comments made at the main issues report stage. However, it decided that this was not necessary as they are already mapped in separate planning advice, and other constraints such as flooding are also not shown in the proposals map. I note that following the previous local development plan examination, the council has produced planning advice on pipelines and hazardous development consultation zones which includes maps of the consultations zones. The council has suggested that a footnote be added to paragraph P4.2 to alert the reader to this planning advice with a link provided in the glossary.

50. In seeking the inclusion of pipeline consultation zones on the proposal maps, a representee has indicated that the strategic development plan examination reporter concluded that this is a matter for the local development plan. I find that the council's consideration of this matter in the preparation of the proposed plan is consistent with the reporter's expectation. I have not been provided with any specific evidence to demonstrate that the approach used in the existing local development plan is problematic. Subject to a modification making it clear where maps showing hazard consultation zones can be found (which I set out below), I do not consider it necessary for these to be shown on the proposals map.

51. I note the council's suggestion that any recommended changes to settlement boundaries or new allocations would require consideration to be given to the implications of pipeline consultation zones and that an oil and gas section would need to be added to the settlement statement, where appropriate. We have considered this matter in relation to modifications recommended elsewhere in the plan. However, no subsequent modifications to the settlement statements were found to be necessary. No specific modification to policy P4 is required.

Paragraphs P4.1 and P4.5

52. P4.1 states that permission will be refused if there is a risk of significant pollution, including impacts on noise and air quality. P4.5 states that if there is a significant impact on air quality or noise, developers will have to provide appropriate mitigation. I agree with the representee that the two paragraphs are not entirely consistent. The council states that paragraph P4.5 is intended to require mitigation measures, if the need for these have been identified through a noise impact assessment or air quality assessment. However, this is not what the wording of the policy in the proposed plan says. I suggest a modification to paragraph P4.5 in the interests of consistency and clarity.

Paragraph P4.2

53. I note that the main issues report does not include any suggested changes to the wording of the existing policy P4 and specifically states that “the policy remains sound and no changes are proposed”. The council has indicated that the wording of paragraph P4.2 in the proposed plan mistakenly omits text included in the equivalent paragraph in the adopted plan. I agree with the council that paragraph 4.2 should be amended to address this error. A modification is required.

Policy P5 Digital Infrastructure

54. The council has explained that paragraph 300 of Scottish Planning Policy makes clear that emissions of radiofrequency radiation are controlled and regulated under other legislation. It is therefore not necessary for planning authorities to treat radiofrequency radiation as a material consideration. I note that paragraph P5.4 in the proposed plan seeks to provide reassurance that the relevant guidelines on public exposure to radiofrequency radiation, where necessary. I do not consider that any modifications are required to policy P5 in response to this representation.

Policy P6 Community Facilities and Public Amenities

General

55. I recognise that the provision of cultural and arts facilities can make a positive contribution to the creation of vibrant, diverse communities and high quality places. I note that these are referred to in policy B1 as an appropriate town centre use. The representee has not requested any specific amendment to section 9 (Shaping Places) and I agree with the council that no change is required to policy P6. No modification is required.

56. I agree with the council that it would not be appropriate to address matters relating to paths, cycleways and active travel in policy P6. No modification is required.

Paragraph P6.1

57. A representee considers that the wording of paragraph P6.1 is inappropriate for large settlements. However, no explanation has been provided. I understand the term “is available to all community residents” to include the residents of the development and the existing community. I am unclear how an appropriate “target community” would be identified at planning application stage. No modification is required.

Paragraph P6.2

58. The council points out that the definition of community facilities in the glossary includes health facilities. I therefore agree that there is no requirement for health care infrastructure to be specifically mentioned in paragraph P6.2. No modification is recommended.

Appendices 8, 9 and 10

General

59. The material presented in appendices 8, 9 and 10 provides guidance on design and related matters in the context of the policies contained in section 9 and elsewhere in the plan. As such, the content of the appendices is not intended to be read in isolation. Nor is it necessary or appropriate for the appendices exhaustively to attempt to identify all matters that may potentially be relevant to the consideration of particular development proposals, as a number of representations seek. For these reasons I have not needed to deal separately with each of such matters raised in representations.

Appendix 8 - Successful Placemaking Design Guidance and Appendix 9 - Building Design Guidance

60. The council's car parking standards are set out in a separate document and are not contained in the proposed local development plan itself. The standards were the subject of revision in 2019 and are expressed as taking account of national guidance in the form of Scottish Planning Policy as well as reflecting local experience revealed in parking accumulation studies. These standards are able to be reviewed as may be appropriate during the plan period and I am satisfied that there is no need for any modification to the plan in this regard.

61. Appendix 8 explicitly seeks to promote accessibility and connectivity in and to new development, including to open spaces, and that paths and networks should be accessible for all and well lit. Achieving such attributes are matters of detail to be addressed in relation to specific proposals for new development, including through the preparation of masterplans where appropriate and the consideration of applications for planning permission. It is not appropriate for the plan to be overly prescriptive in this respect. There is accordingly no need for any modification to the table in appendix 8 in this regard.

62. The policy approach to considerations of the effect that new development may have in terms of visual or landscape impact is dealt with elsewhere in the plan, including in policy E2 in section 10 (Natural Heritage and Landscape). The "Safe and pleasant" and "Welcoming" qualities which are addressed in appendices 8 and 9 encompass noise, privacy and allied considerations. These, and related matters are in any event amongst the factors which would be taken into account at development management stage, when the particular circumstances and design solutions can be fully addressed. There is no need for appendices 8 or 9 to be modified in response to these representations. Nor would it be appropriate for the plan to specify that only low-level development would be acceptable in elevated locations.

63. The plan emphasises that development should be resource efficient, especially in section 13 (Climate Change). Policy C1 addresses water, energy and other resources in this regard, and the tables in appendices 8 and 9 lay further stress on this in the columns headed “Resource efficient”, referring to places and buildings respectively. There is no need for the entries in appendices 8 and 9 to duplicate these matters. However, I agree with the council’s suggestion that the addition of a further entry in the glossary to include a definition of the term “Low Carbon Design” would add clarity and assist in the interpretation and application of policy. I make a recommendation accordingly, but I have altered the council’s suggested wording to permit new technological solutions that may emerge over the plan period, and beyond, to be embraced.

64. Although the “Building with Nature” benchmarking regime may be useful in helping to ensure that development fosters nature conservation and related objectives, it is separate from the statutory development plan process. Policies elsewhere in the plan, especially in section 10 (Natural Heritage and Landscape), seek the protection and enhancement of natural heritage, including protected species and habitats and wider biodiversity. I agree with the council that no modification is required to the plan to require adherence to the external Building with Nature regime.

65. Appropriate internal design, including ensuring appropriate provision for people with mobility and other challenges standards, is appropriate. However, the provisions of separate legislation and control, including the Disability Discrimination Act 1995, the Equality Act 2010 and the Building Standards, provide a more specific framework to ensure appropriate measures are integral to new development. No modification to the plan is necessary in this regard.

66. Clarification that the six qualities of successful places is to apply to all development is addressed in the context of paragraph P1.6 above. No further modification is required to appendices 8 or 9 in this regard.

67. The references to a design review process in connection with the promotion of new development is addressed in the context of paragraph P1.2 above. No further modification is required to appendices 8 or 9 in this regard.

68. Although it is appropriate for new development to be connected to the public water supply and public sewer, this may not be possible in all cases. In such circumstances ensuring that reliance on alternative private provision is necessary and adopts established standards is appropriate. The additional wording and footnote suggested by SEPA in this regard, which the council accepts, would emphasise the need to justify such provision and adhere to relevant technical standards, including arrangements for future maintenance. I recommend modifications to include SEPA’s amended wording and additional footnote.

Appendix 10 Standards for Open Space

69. The reference in Table 1 of the appendix to Neighbourhood Streets having minimum parking does not preclude the prioritisation of provision for people with mobility or other challenges. No modification is required in response to representation made on this topic.

70. The nature and scale of the provision of open space, including green-blue networks and SuDS infrastructure, in connection with new development is covered in policy P2 as recommended to be modified, and appropriately reflected in appendix 10. Section 10 of

the plan (Natural Heritage and Landscape) contains specific provisions aimed at safeguarding biodiversity and section 13 (Climate Change) makes reference to buffer strips adjacent to waterbodies. In view of this and the provisions of paragraph P1.7 which also refers to biodiversity, there is no need for appendix 10 to be further modified in response to the representations by Sustrans and SEPA on these aspects.

71. The inclusion of a reference to placemaking in the introductory text before Table 1 of appendix 10, as SEPA suggests would helpfully emphasise linkages to the policies within Section 9 (Shaping Places). I agree that the council's suggested wording would more concisely address the representation by SEPA in this regard and I recommend a modification accordingly.

72. Greater clarity in connection with the provision of buffer strips alongside water courses, emphasising that in individual cases the detail of these would be a matter of individual assessment, would be achieved by including the amended wording suggested by SEPA. Acknowledging, in the text, that buffer strips can facilitate river restoration as well as maintenance, is also appropriate. I recommend modifications to Table 1 to address these aspects, but including alterations from the council's suggested wording to aid clarity.

73. Making reference to the need for appropriate ground testing to be undertaken in connection with any proposal for the establishment of new burial grounds, to safeguard groundwater quality, is appropriate as SEPA seeks and the council accepts. A modification is recommended accordingly.

Reporter's recommendations:

Modify the local development plan by:

1. Replacing the first word in the footnote on page 47 (referred to in paragraph P1.2) with "For..."
2. Replacing the last bullet point in paragraph P1.5 on page 48 with:
"well connected - to create well connected places that promote intermodal shifts and active travel and are easy to move around."
3. Replacing paragraph P1.6 on page 48 in its entirety with:
"Further design guidance on how to meet these qualities is provided in the allocation summaries in Appendix 7, Appendix 8 Successful Placemaking Guidance and Appendix 9 Building Design Guidance."
4. Replacing the second sentence in paragraph P1.7 on page 48 with:
"In very rare circumstances, when it is not practical to meet biodiversity net gain within a development site, we may require off-site contributions towards biodiversity enhancement within the settlement or near to the site."
5. Inserting the following new penultimate sentence into paragraph P1.8 on page 49:
"In line with the waste hierarchy, particular attention should be given to encouraging opportunities for reuse, refurbishment, remanufacturing and reprocessing of high value materials and products."

6. Replacing the last two sentences in paragraph P2.1 on page 49 with the following three sentences:

“Open space may make a significant contribution to green-blue networks in communities, particularly when it is natural in form, rich in biodiversity and has a significant impact in both the area and the edges it presents to other land uses. It should also seek to connect to paths and active travel routes in the area. The provision and types of open space should be considered early in the design process, and biodiverse, low maintenance community woodlands and community food growing areas, such as allotments are encouraged.”

7. Replacing the first sentence of paragraph P2.6 on page 50 with:

“Existing and potential public access routes (including core paths and other routes, such as public rights of way) should be protected and new developments must include appropriate opportunities for informal recreation and safe active travel, including walking and cycling, wheeling (travelling by wheelchair), riding etc.”

8. Replacing paragraph P4.2 on page 51 with:

“In determining planning applications for development within the consultation zones for hazardous installations (including oil and gas pipelines), we will consult with, and take full account of advice from the Health and Safety Executive (HSE), the Competent Authority (in the case of Control of Major Accident Hazardous sites) and the facility’s owners and operators, and will seek to ensure that any risk to public safety is not increased. Prospective applicants should check whether their proposed development is within the consultation zone of a major hazard site or a major accident hazard pipeline, and should seek further advice if this is the case. This confirmation and advice can be obtained from the HSE Planning Advice Web App at www.hse.gov.uk/landuseplanning/developers.htm or in Planning Advice, Pipeline and Hazardous Development Consultation Zones”.

9. Adding the following footnote to the end of the modified paragraph P4.2:

“see Planning Advice Pipeline and Hazardous Development Consultation Zones – see Glossary.”

10. Replacing paragraph P4.5 on page 51 with:

“Where an Air Quality Assessment or a Noise Impact Assessment indicates that a proposed development could have a significant detrimental impact on air quality or noise levels, appropriate mitigation measures must be provided.”

11. Adding a new definition in the appropriate alphabetical position in the Glossary of the plan, as follows:

“Low carbon design: The concept of designing to minimise greenhouse gas emissions and energy use. This may include using technologies such as free cooling/heating, thermal store/exchange, wind turbines, photo-voltaic and solar thermal collectors, biomass heating, energy storage, district heating, combined heat and power, ground, water and air source heating and cooling, fuel cells. Technological advancements may increase the range of potential contributions in this regard over time.”

12. Replacing the second sentence of the seventh entry in the “Safe and Efficient” column of Appendix 9 on page 883 with:

“Where a private water supply or drainage arrangement is proposed, all technical information and reasons for not connecting to a public water supply or sewer, as well as details of adoption agreements with Scottish Water or lifetime maintenance proposals

should be provided¹”

13. Adding a new footnote on page 883 beneath the table in Appendix 9 (linked to the modified second sentence of the seventh entry in the “Safe and Efficient” column of the table), as follows:

“¹. Please refer to SEPA’s “Planning Advice on Waste Water Drainage (Land Use Planning System Guidance Note 19), for guidance on technical information requirements.”

14. Adding the following text, at the end of the second sentence before Table 1 of Appendix 10 (page 887), after “delivered”:

“... as part of the design of a development to achieve successful placemaking.”

15. Replacing the first bullet point in the “Notes” column of Table 1 of Appendix 10 on page 887 (relating to Green-Blue Networks) with the following;

“Buffer strips should be a minimum of six metres wide, but may need to be wider in response to local factors including hydro-geomorphology, pollution control, nature conservation and active travel considerations.”

16. Adding ‘and river restoration.’ after ‘long term maintenance’ at the end of the 4th bullet point in the “Notes” column of Table 1 of Appendix 10 on page 887 (relating to Green-Blue Networks).

17. Adding the following new footnote linked to the reference to “ground testing” in the first sentence of the “Notes” column of the “Burial Grounds” row in Table 1 in Appendix 10 on page 889:

“Ground testing shall be in accordance with SEPA’s Guidance on assessing the impacts of cemeteries on groundwater (LUPS GU32).”

Issue 8	Section 10 – Natural Heritage and Landscape and Appendix 12 Local Nature Conservation Sites and Appendix 13 Aberdeenshire Special Landscape Areas	
Development plan reference:	Proposed LDP, Section 10, Page 57-61 Appendix 12 Local Nature Conservation Sites, Page 905-1031 Appendix 13 Aberdeenshire Special Landscape Areas, Page 1035-1122	Reporter: Rob Huntley
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Natural Heritage and Landscape Introduction PP0588 Scottish Renewables PP0641 Renewable Energy Systems Ltd PP0733 Paul Davison PP0877 The Woodland Trust Scotland</p> <p>Policy E1 Natural Heritage PP0077 Martin Gilbert PP0422 Coriolis Energy Limited PP0464 Statkraft PP0589 Scottish Renewables PP0597 ESB Asset Development UK PP0641 Renewable Energy Systems Ltd PP0736 RWE Renewables UK PP0877 The Woodland Trust Scotland PP0879 The Woodland Trust Scotland PP0974 Frederick Parkinson PP1188 Falck Renewables Wind Ltd PP1196 Stephenson Halliday PP1219 Scottish Environment Protection Agency PP1252 RSPB Scotland PP1253 RSPB Scotland PP1254 RSPB Scotland PP1255 RSPB Scotland PP1256 RSPB Scotland PP1273 RSPB Scotland PP1300 NatureScot (Scottish Natural Heritage)</p> <p>Appendix 12 Local Nature Conservation Sites PP1219 Scottish Environment Protection Agency</p> <p>Policy E2 Landscape PP0733 Paul Davison PP1194 Stephenson Halliday PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage)</p> <p>Appendix 13 Aberdeenshire Special Landscape Areas PP0929 Bancon Homes Ltd PP1219 Scottish Environment Protection Agency</p>		

Policy E3 Forestry and Woodland

PP0733 Paul Davison
 PP0876 The Woodland Trust Scotland
 PP0877 The Woodland Trust Scotland
 PP0879 The Woodland Trust Scotland
 PP1207 Hallam Land
 PP1219 Scottish Environment Protection Agency
 PP1300 NatureScot (Scottish Natural Heritage)
 PP1353 CALA Homes

Natural Heritage and Landscape Policy Map

PP0302 Crathes, Drumoak and Durriss Community Council

Provision of the development plan to which the issue relates:

Natural Heritage and Landscape Introduction
 Natural Heritage and Landscape Policy E1 Natural Heritage Nature Conservation Sites
 Appendix 12 Local Nature Conservation sites
 Natural Heritage and Landscape Policy E1 Protected Species
 Natural Heritage and Landscape Policy E1 Wider Biodiversity and Geodiversity
 Natural Heritage and Landscape Policy E2 Landscape
 Appendix 13 Aberdeenshire Special Landscape Areas
 Natural Heritage and Landscape Policy E3 Forestry and Woodland
 Natural Heritage and Landscape Natural Heritage and Landscape policy map

Planning authority’s summary of the representation(s):

Natural Heritage and Landscape Introduction

An Environmental Impact Assessment (EIA) Report alongside a planning application may identify ‘significant’ environmental impacts however this does not necessarily make a proposal unacceptable in land use terms. A representee has suggested that a common theme across the Proposed Local Development Plan (PLDP) 2020 is that policies are discussed in terms of ‘acceptability’ of environmental effects, whereas others are not. This inconsistency sets different ‘bars’ for different receptors (PP0588, PP0641, PP0733 and PP0736). One representee has suggested amending the introductory text to read, “All major developments and other developments where development is likely to have significant effects...” (PP0733). The policy should be reviewed and amended to ensure consistency with SPP and to ensure that the correct policy test is applied to each topic. (RD0086.A) (PP0588).

Section 10 needs to explicitly mention ancient woodland throughout the entire section. Recognition of the importance of ancient woodland along with other woodland is key to ensuring it is protected from development (RD0160.A) (PP0877).

Policy E1 Natural Heritage

Nature Conservation Sites

The continued protection of the River Dee Special Area of Conservation (SAC) and Local

Nature Conservation Site (LNCS) is supported. No modification sought (PP0077).

Support was expressed for the intention of the PLDP not to allow new development where it may have an unacceptable adverse effect on nature conservation. No modification sought (PP0974).

Paragraph E1.1

A representee has highlighted that although SACs, Special Protection Areas (SPAs) and Ramsar sites contribute to biodiversity, they may be designated for just a single species and therefore it is suggested that “species and habitat” is used in addition to “biodiversity” (PP1273).

Paragraph E1.2

Clarity was sought concerning what is being referred to by the term “internationally designated nature conservation site” as it is not included within the Glossary. The wording should reflect the requirements of the Habitat Regulations, with the criteria listed in the order they appear in the regulations. Regarding appropriate assessments, the last sentence states “in all cases”, it is not clear whether this refers to all proposals, or proposals affecting international sites. It is also inaccurate as an appropriate assessment is not required in all cases. An appropriate assessment is of a “proposal”, not of the “site”, therefore wording should clarify this. The mitigation should always be followed. It should also be made clear that the Council is required to undertake the appropriate assessment, but the applicant must supply the information to inform it. The representee has suggested revising the wording of paragraph E1.2 (PP1273).

NatureScot has suggested that the current wording is not comprehensive, and it could also lead to confusion over the legislative requirements. NatureScot has suggested revising the wording of paragraph E1.2. Specifically, the final sentence of the NatureScot’s proposed wording would clarify that an appropriate assessment is needed for those proposals that are considered likely to have a significant effect on any European site (RD0255.B) (PP1300).

Paragraph E1.3

A representee has suggested adding additional text to the paragraph to account for ancient woodland (RD0160.A) (PP0877).

A representee has suggested that the wording should be revised to define “nationally designated sites” as it is not currently included in the Glossary and it should be clear in the body of the text what is meant by this. Furthermore, an additional sentence regarding adverse impacts being satisfactorily mitigated should be included to emphasise the need to follow the mitigation hierarchy. The representee has suggested revising the wording of paragraph E1.3 (PP1252).

NatureScot has also suggested that paragraph E1.3 requires amending to make clearer the type of nationally designated sites being considered and include reference to the Cairngorms National Park as the LDP area abuts it and it would be possible for developments within the LDP area to affect the setting and special qualities of the Park. NatureScot has noted that the final sentence in paragraph E1.3 primarily discusses cases

where a proposal may be permitted despite having an adverse impact, and so for these the mitigation would be seeking to minimise impacts (RD0255.B) (PP1300).

Paragraph E1.4

A representee has suggested amending paragraph E1.4 as the loss of ancient woodland cannot by definition be mitigated against and reference should also be made to the Native Woodland Survey Scotland (NWSS) to identify the location, extent, type and condition of native woodlands within the area. This would then allow unacceptable developments to be directed away from these areas (RD0160.A) (PP0877).

Another representee has suggested that the policy wording should be altered regarding the proposals that public benefits must outweigh the nature conservation value of the site, as it is not believed it would be possible to ascertain whether public benefits outweigh the nature conservation value of the site, an assessment should be whether they outweigh any adverse impacts on the site. In addition, the wording should make clear that the mitigation hierarchy must be followed (PP1253).

NatureScot has suggested amending the final sentence in paragraph E1.4 as it is primarily discussing cases where a proposal may be permitted despite having an adverse impact, and so for these the mitigation would be seeking to minimise impacts. The amendment emphasises the importance of protecting ancient woodland (RD0255.B) (PP1300).

Paragraph E1.6

Policy E1.6 seeks to avoid any detrimental impact on protected species and does not introduce consideration of acceptability. All protected species are protected by Policy E1.6, therefore even a minor impact would result in conflict with policy. It is not consistent with the wording of other policies E1.1 – E1.5 and C2.2 in this regard where “avoid unacceptable environmental effects” is used. By introducing ‘unacceptable’ rather than having to avoid ‘any’ detrimental impact, would allow for decision-making that is reflective of the differing scale of legislative protection according to species (PP0422, PP0464, PP0597, PP0641, PP0736, PP1188 and PP1196). A representee has included an Appendix in support of their submission (RD0212.A) (PP1188).

There are differing scales of legislative protection given to different protected species. To accord with SPP the policy wording should reflect this, and that development proposals should be determined in accordance with those protections (RD0087.A) (PP0589).

A representee has sought clarification as to when a protected species survey is required. It is unclear if the text refers to European Protected Species alone or all protected species. The wording of the policy refers to the Conservation (Natural Habitats) Regulations 1994, however the wording should reflect the Habitat Regulations. It must be the site characteristics and the proposed development that are assessed in combination, alterations to the design and implementation of the proposed development may make it possible to carry out the development on the same site without detrimental impacts on protected species (PP1254).

NatureScot has requested replacing the third sentence in paragraph E1.6 on protected species to simplify the policy and avoid potential confusion and conflation over licencing tests (RD0255.B) (PP1300).

NatureScot has also suggested that if the Council wish to clarify the distinction between the licensing tests for European Protected Species and those for other protected species such as red squirrels, then additional wording could be added to this effect (RD0255.B) (PP1300).

Paragraph E1.7

A representee has highlighted that the current wording means the submission of a baseline survey is optional and request that the wording should be replaced with 'must' to strengthen the policy and make it clear that this is not optional. In addition, an ecological survey would not determine the presence of geological features and therefore it is suggested that 'geological' and 'geologist' are inserted (PP1255).

Paragraph E1.8

A representee has requested that the policy wording requires clarification, replace the word 'may' with 'must' as there are no circumstances where the criteria would not apply. In addition, ensure wording is less vague and ambiguous to protect the important sites. Ensure the use of the mitigation hierarchy to achieve 'no net loss' (PP1256).

NatureScot has suggested alternative text in order to clarify the relevant legislation in the context of EU Exit, and also consider it helpful to clarify that this clause is intended to support consideration of biodiversity and geodiversity impacts of development (RD0255.B) (PP1300).

NatureScot has suggested inserting a footnote to the first mention of the word "geodiversity" within paragraph E1.8 to point towards a link to SNH information on un-notified Geological Conservation Review (GCR) sites (RD0255.B) (PP1300).

The Scottish Environment Protection Agency (SEPA) has requested that the first sentence in paragraph E1.8 is amended to correct typographical errors (RD0214.A) (PP1219).

SEPA has indicated that they object to Policy E1 Natural heritage unless the second sentence in paragraph E1.8 is amended to include Groundwater Dependent Terrestrial Ecosystems to ensure it is consistent with, and reinforces, Policy PR1.4 (RD0214.A) (PP1219).

SEPA has indicated that they object to Policy E1 Natural heritage unless the third bullet point in paragraph E1.8 is amended to include net ecological gain to ensure it is consistent with, and reinforces, Policy P1.7 (RD0214.A) (PP1219).

Paragraph E1.9

The commitment against fragmentation is welcomed but it is believed that the policy should also seek ways to reverse the fragmentation of habitats and acknowledge that the loss of even individual trees and small woods, albeit gradually, has a high impact on natural heritage and biodiversity (RD0162.A) (PP0879).

Paragraph E1.10

It is requested that this paragraph includes a reference to woodlands after “biodiversity” as it is essential for woodlands to be included within the definition of biodiversity (RD0162.A) (PP0879).

NatureScot has welcomed the overall intent of paragraph E1.10 to enhance biodiversity, and that repetition across policies should be minimised, but has suggested the requirements for on or off-site delivery or contributions should be repeated, as in contrast to paragraph E1.10, paragraph P1.7 clearly states that where delivery is not practical within a development site, contributions towards off-site delivery may be required (RD0255.B) (PP1300).

Appendix 12 Local Nature Conservation sites

SEPA has no comments on Appendix 12 (RD0214.A). No modification sought (PP1219).

Policy E2 Landscape

SEPA has no comments on Policy E2 Landscape (RD0214.A). No modification sought (PP1219).

Paragraph E2.1

A representee has noted that Landscape and Visual Impact Assessment (LVIA) is a core part of the EIA process and provides a systematic approach but is currently ad hoc and unsatisfactory. The representee has suggested revising the policy wording (PP0733).

The inclusion of the word “historic” in the first sentence of E2.1 should be omitted as it risks identified effects on heritage automatically also being treated as effects on landscape. Impacts on the historic landscape should be dealt with in the Historic Environment policies. The phrase “should not otherwise significantly erode” is not a clear policy test and should be deleted from this policy (PP1194).

With respect to landscape character, apart from the reference to ‘characteristics’ included in the third sentence there is no obvious distinction between the first sentence and the third of E2.1 given that the landscape character as defined in the SNH Landscape Character Areas (LCAs) is the only clear description of the “key natural landscape elements, features or the composition or quality of the landscape character”. It is submitted that the third sentence of E2.1 is not required. The final sentence of E2.1 is unclear and requires revision, therefore, this sentence should be deleted and be better covered by E2.2 with the rest of the SLA policy (PP1194).

Paragraph E2.2

A representee has noted that large developments bordering on a Special Landscape Area (SLA) can have significant visual impact on the SLA. They suggest amending wording “Developments located within SLAs” to “Developments located within SLAs or bordering a SLA.” (PP0733).

Paragraph E2.2 describes the acceptability threshold, and it is submitted that this sentence could be worded more briefly for clarity. The requirement that adverse effects be “clearly outweighed” by benefits is excessive, it should be sufficient that they are

outweighed. The final sentence that deals with LVIA is considered to be non-sequitur and as drafted, carries no policy weight and should either be amended to become E2.3 – noting that the Council may require LVIA for developments anticipated to have landscape and visual effects – or be omitted. The representee has suggested revising the wording of paragraph E2.2 (PP1194).

NatureScot has suggested amending the second sentence in paragraph E2.2 to avoid the suggestion that the policy only applies to development within the SLAs, but that it may also apply to development outside an SLA (RD0255.B) (PP1300).

NatureScot has suggested adding a new sentence at the end of paragraph E2.2 to make further reference to Appendix 13, which can help guide assessment; and to set out that there are high expectations in terms of design etc (drawing on the wording at Section 3.4 of the SNH draft guidance on Local Landscape Areas) (RD0255.B) (PP1300).

Appendix 13 Aberdeenshire Special Landscape Areas

SEPA has no comments to make on Appendix 13 (RD0214.A). No modification sought (PP1219).

An amendment has been sought to Map 2 of Appendix 13 to move the South East Coast SLA boundary to the east to follow the line of the Coastal Tourist Route, before connecting with the A92 at the junction south of Dunnottar Woods. The importance of the SLA is recognised however removing the small area from it will pose no conflict with the general aims and objectives of the SLA designation. Due to the topography of the site, there is not a panoramic view of the coastline which you do get from the coastal route and that allows all of the elements of the SLA to be seen. It was noted that development on the bid site would not have a detrimental impact on the coastal setting. It is therefore maintained that the area makes no significant contribution to the special characteristics of the landscape and the area can be removed from the boundary of the SLA. The representee has included an Appendix (RD0176.A) in support of their submission (PP0929).

Policy E3 Forestry and Woodland

SEPA has no comments on Policy E3 Forestry and Woodland (RD0214.A). No modification sought (PP1219).

Forestry operations and woodland clearances for development often leave felled trees and debris and ruts from forestry vehicles blocking paths through the wood. The representee suggests adding a new paragraph to the policy text (PP0733).

A representee has suggested that similar wording to that used in Section 11 The Historic Environment should be applied to the whole of Section 10, specifically for Policy E3, especially the inclusion of "ensure that [green infrastructure and woodlands] understanding and enjoyment, as well as its benefits, are secured for present and future generations." (RD0162.A) (PP0879).

Paragraph E3.1

A representee has requested paragraph E3.1 specifies "native and semi-natural woodland" to reflect and recognise the importance of ancient woodland, ancient trees,

veteran trees, other trees of special interest and planted ancient woodland sites, including the urgent requirement to ensure they are protected from development (RD0162.A) (PP0879).

The representee has also requested that paragraph E3.1 be amended from "continue to protect and enhance" to "be protected and enhance" to reinforce the commitment to provide active support to the protection and enhancement of green infrastructure (RD0162.A) (PP0879).

Paragraph E3.2

A representee has suggested that paragraph E3.2 needs to be stronger and clearer wording used to make specific mention to native woodland and trees specifically (RD0160.A) (PP0877).

NatureScot has indicated that although paragraph E3.2 establishes a policy hook for the Planning Advice formed by the Forestry and Woodland Strategy, it is considered that more detail on requirements is needed which would give the necessary weight to key requirements that the Planning Advice itself will not have. An amendment to Paragraph E3.2 is therefore suggested that more clearly establishes the Council's stated commitment to the role of forests and woodlands in Aberdeenshire (RD0255.B) (PP1300).

Paragraph E3.3

There is a need for acknowledgement of the dual role of trees, especially native trees in the battle against both the nature and climate crisis. The majority of tree cover expansion should be delivered with native woods and trees, due to the importance of tackling the nature and climate crisis together. There needs to be an urgency of the scale of action to conserve and create landscapes that will welcome wildlife in a time of rapid climate change, and a number of changes are required (RD0159.A) (PP0876).

The term "strongly" is unnecessary and creates ambiguity in terms of its relative importance to other policies. It is also the case that in many housing developments a more appropriate and sustainable layout can be created with the removal and replacement of trees (PP1207 and PP1353).

Natural Heritage and Landscape Policy Map

Crathes, Drumoak and Durriss Community Council has highlighted that red kites are resident in the Drumoak area and are a highly protected species. As the species is included in Annex 1 of the EC Birds Directive as in danger of extinction, vulnerable to changes in their habitat and considered rare due to small populations or restricted local distribution, the Directive requires their most suitable territories in number and size be conserved as Special Protection Areas (PP0302).

Modifications sought by those submitting representations:

Natural Heritage and Landscape Introduction

Modify the PLDP to ensure all policies in Section 10 are consistent with each other and across the PLDP in terms of the 'acceptability' of environmental effects (PP0588 and

PP0641).

Modify the PLDP to amend the introductory wording of Section 10 from: “Where development is likely to have significant effects.” to “All major developments and other developments where development is likely to have significant effects...” (PP0733).
Modify the PLDP to ensure the policy is consistent with SPP, with the correct policy test applied to each topic (PP0588).

Modify the PLDP to ensure explicit reference is made to ancient woodland throughout Section 10 (PP0877).

Policy E1 Natural Heritage

Paragraph E1.1

Modify the PLDP to amend paragraph E1.1 to read: “We will not allow new development where it may have an unacceptable adverse effect on a nature conservation site designated for its biodiversity, species, habitat or geodiversity importance, except where the following circumstances apply.” (PP1273).

Paragraph E1.2

Modify the PLDP to amend paragraph E1.2 to read: “In the case of an internationally designated nature conservation site Special Protected Areas (SPA’s), Special Areas of Conservation (SACs), proposed SACs and SPAs and Ramsar Sites) we will not allow development which may have an adverse effect on a site’s integrity, except where there are no alternative solutions and there are imperative reasons of overriding public interest. In all cases, where there is likely to be a significant effect on a site, the Council carry out an appropriate assessment and the applicant must supply sufficient information to inform this”. Or alternative wording for the last sentence: “In all cases where there may be an effect on an internationally designated nature conservation site, the Council will carry out a Habitat Regulations Appraisal and the applicant must supply sufficient information to inform this.” (PP1273).

Modify the PLDP to amend paragraph E1.2 to read: “In the case of an existing or proposed Special Protection Area (SPA), existing, proposed or candidate Special Area of Conservation (SAC) or Ramsar Site, if it cannot be ascertained that the development would not adversely affect the integrity of the site, development will only be permitted where:

- there are no alternative solutions;
- there are imperative reasons of overriding public interest, that may, for sites not hosting a priority habitat type and/or priority species, be of a social or economic nature; and
- compensatory measures have been identified and agreed to ensure that the overall coherence of the European site network is protected.

“Where the site hosts a priority habitat type and/or a priority species, the reasons must relate to human health, public safety or beneficial consequences of primary importance to the environment, or other reasons which, in the opinion of Scottish Ministers, are imperative reasons of overriding public interest. It should be noted that development not directly connected with, or necessary to, the conservation management of a European site

and which is likely to have a significant effect on the site (either individually or in combination with other plans or projects) will require to be subject to an appropriate assessment in order to ascertain whether the development would not adversely affect the integrity of the site.” (PP1300).

Paragraph E1.3

Modify the PLDP to amend paragraph E1.3 by inserting, “except for ancient woodland” (PP0877).

Modify the PLDP to add, “(Site of Special Scientific Interest or a National Nature Reserve)” after “For nationally designated sites” (PP1252).

Modify the PLDP to revise the second sentence of paragraph E1.3 to read, “If adverse impacts cannot be avoided or satisfactorily mitigated, it must be demonstrated that any significant adverse effects ...” (PP1252).

Modify the PLDP to revise the second sentence of paragraph E1.3 to read, “For other recognised nature conservation sites (such as Local Nature Conservation Sites, nature reserves, designated wetlands, woodland in the Scottish Natural Heritage Ancient Woodland Inventory and the Native Woodland Survey of Scotland) the proposal’s public benefits must clearly outweigh the adverse impact on the site. In all cases impacts should be avoided if possible then mitigated against or compensated for.” (PP1253).

Modify the PLDP to amend paragraph E1.3 to read, “Development that affects Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs) or the Cairngorms National Park will only be permitted where a thorough assessment demonstrates that the objectives of the designation and the overall integrity of the site will not be compromised, or any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. In all cases, any impacts should be minimised through careful design and mitigation measures.” (PP1300).

Paragraph E1.4

Modify the PLDP to amend paragraph E1.4 reference to “Scottish Natural Heritage Ancient Woodland Inventory” to “ancient woodland, including ancient semi-natural woodland (ASNW) and long-established woodland of plantation origin (LEPO).” (PP0877).

Modify the PLDP to amend paragraph E1.4 to reference the Native Woodland Survey Scotland (NWSS) (PP0877).

Modify the PLDP to amend paragraph E1.4 to read, “In all cases, impacts must be minimised through careful design and mitigation measures. There will be a strong presumption against removing ancient seminatural woodland or Plantations on Ancient Woodland Sites (PAWS). Where such woodland is present on or beside a development site, proposals should be designed to seek to accommodate and protect the woodland rather than remove it in part or entirely.” (PP1300).

Paragraph E1.6

Modify the PLDP to amend paragraph E1.6 to include the word “acceptability” (PP0422, PP0464, PP0597, PP0641, PP0736 and PP1188). A representee has included an Appendix in support of their submission (RD0092.A) (PP0597).

Modify the PLDP to amend paragraph E1.6 to read, “Development must seek to avoid any unacceptable detrimental impact on protected species ... Development affecting European Protected Species or likely to have an unacceptable detrimental impact on protected species ...” (PP1196).

Modify the PLDP to amend paragraph E1.6 to reflect the differing scales of legislative protection given to different species (PP0589).

Modify the PLDP to amend paragraph E1.6 to read, “Development must seek to avoid detrimental impact on protected species. A protected species survey to inform the assessment of impacts will be required where there is reason to believe protected species may exist on the site. The submission of species protection plans detailing appropriate avoidance and mitigation measures may be required. Development effecting European Protected Species or likely to have detrimental impact on protected species will not be approved unless a thorough assessment of the site and the proposed development has demonstrated that the development is required for imperative reasons of overriding public interest, there is no satisfactory alternative and the protected species population will be maintained at a favourable conservation status in its natural range. Lists of species protected by legislation are available from Scottish Natural Heritage.” (PP1254)

Modify the PLDP to replace the third sentence in paragraph E1.6 with, “Development affecting any protected species will only be permitted when it can be justified in accordance with the relevant protected species legislation.” (PP1300).

Modify the PLDP to add a new paragraph following E1.6 to read, “Species listed on Schedule 5 of the wildlife and countryside act will not be approved unless: (a) the proposal will give rise to, or contributes towards the achievement of, a significant social, economic or environmental benefit; and (b) there is no other satisfactory solution; and (c) there is no significant negative impact on the conservation status of the species. Development affecting any European Protected Species will not be approved unless: (a) it is required for imperative reasons of overriding public interest; and (b) there is no other satisfactory solution; and (c) the population will be maintained at a favourable conservation status in its natural range.” (PP1300).

Paragraph E1.7

Modify the PLDP to amend paragraph E1.7 to read, “A baseline ecological or geological survey must be prepared for all major developments and for small proposals where there is evidence to suggest that a habitat, geological feature or species of importance may exist on the site. This baseline survey must be provided by a suitably qualified ecologist or geologist, as appropriate.” (PP1255).

Paragraph E1.8

Modify the PLDP to amend paragraph E1.8 to read, “A number of criteria will be used to consider the biodiversity impacts of a development and these include whether it will affect habitats or species listed in: Schedule 2 or 4 of the Habitats Regulations; or the Scottish

Biodiversity List; or North East Scotland Biodiversity Partnership Local Important Species; or other species or habitats of importance to biodiversity; or areas. We will only approve ...” (PP1300).

Modify the PLDP to amend the first sentence of paragraph E1.8 to read, “The following criteria may apply if development may affect the undesignated habitats or habitats and species listed in Annex I and Annex II of the EC Habitats Directive, or species listed in Annexes I and II of the EC Birds Directive (RD0214.A) (PP1219).

Modify the PLDP to amend the second sentence of paragraph E1.8 to read, “Similar tests will apply to habitats, species on the Scottish Biodiversity List, North East Scotland Biodiversity Partnership Local Important Species, and other species of importance to biodiversity and Groundwater Dependent Terrestrial Ecosystems (GWDTE).” (RD0214.A) (PP1219).

Modify the PLDP to amend paragraph E1.8 to read, “The following criteria will apply if development may affect the undesignated habitats or species listed in Annex I, Annex II of the EC Habitat Directive, or species listed in Annexes I and II of the EC Birds Directive. The criteria also will apply to habitats, species on the Scottish Biodiversity List, North East Scotland Biodiversity Partnership Local Important Species, and other species of importance to biodiversity. Areas of importance to geodiversity, or seminatural habitats are also given this protection. We will only approve development when a baseline ecological survey has been carried out, when the development has been designed to avoid impacts where possible, and where impacts cannot be reasonably avoided, an ecological or geological management plan demonstrates acceptable mitigation and/or compensation measures. If there are remaining adverse effects, the applicant must demonstrate that there will be public benefits that outweigh the impacts on the habitat, species or site.” (PP1256).

Modify the PLDP to amend the third bullet point of paragraph E1.8 to read, “where impacts cannot reasonably be avoided, an ecological or geological management plan demonstrates public benefits that outweigh the ecological or geological value of the site and includes necessary mitigation and compensation measures to result in net ecological gain.” (RD0214.A) (PP1219).

Modify the PLDP to include a new footnote to the first mention of the word “geodiversity” within paragraph E1.8 to point towards a weblink to SNH information on un-notified Geological Conservation Review (GCR) sites and includes a link to SNH Natural Spaces website that allows map-based searches to be made for GCR sites. See <https://www.nature.scot/landforms-and-geology/protecting-our-geodiversity/placesand-plans-safeguard-geodiversity/geological-conservation-review-sites> (PP1300).

Paragraph E1.9

Modify the PLDP to amend paragraph E1.9 to seek ways to reverse the fragmentation of habitats and acknowledge that the loss of even individual trees and small woods, albeit gradually, has a high impact on natural heritage and biodiversity (PP0879).

Paragraph E1.10

Modify the PLDP to amend paragraph E1.10 to add “(including woodlands)” after

“biodiversity” (PP0879).

Modify the PLDP to add a new sentence at the end of paragraph E1.10, “In circumstances when it is not practical to deliver positive effects for biodiversity within a development site, we may require off-site contributions towards biodiversity enhancement within the settlement. These obligations may be controlled by conditions.” (PP1300).

Policy E2 Landscape

Paragraph E2.1

Modify the PLDP to amend paragraph E2.1 to read, “The landscape impact should be determined by a systematic Landscape and Visual Impact Assessment (LVIA) in accordance with the Landscape Institute’s guidance GMLVIA.” (PP0733).

Modify the PLDP to replace the first sentence in Policy E2.1 with, “We will refuse development that causes unacceptable effects through its scale, location or design on key characteristics, natural landscape elements, features or the composition or quality of the landscape character as defined in the Landscape Character Assessments produced by Scottish Natural Heritage. These impacts can be either alone or cumulatively with other recent developments.” (PP1194).

Modify the PLDP to move the final sentence of paragraph E2.1 to include it as the final sentence in Policy E2.2 (PP1194).

Modify the PLDP to remove the third sentence from paragraph E2.1 (PP1194).

Paragraph E2.2

Modify the PLDP to amend paragraph E2.2 wording from, “Developments located within SLAs” to “Developments located within SLAs or bordering a SLA.” (PP0733).

Modify the PLDP to amend the first sentence of paragraph E2.2 to read, “Boundaries and qualifying criteria for Special Landscape Areas are identified in Appendix 13, Aberdeenshire Special Landscape Areas. Developments located within, or affecting, Special Landscape Areas will only be permitted if adverse effects of the development on the qualifying interests are outweighed by social, environmental or economic benefits of at least local importance.” (PP1194).

Modify the PLDP to remove the final of paragraph E2.2 and include it as the final sentence in paragraph E2.3 (PP1194).

Modify the PLDP to amend the second sentence in paragraph E2.2 to read, “Development that has a significant adverse impact on the qualifying interests of a Special Landscape Area will not be permitted unless it is adequately demonstrated that these affect developments located within Special Landscape Areas and will only be permitted if the qualifying interests are not being adversely affected or effects of the development are clearly outweighed by social, environmental or economic benefits of at least local importance.” (PP1300).

Modify the PLDP to add a new sentence at the end of paragraph E2.2 to, “Appendix 13 on Special Landscape Areas is also intended to be used as a guide by prospective

developers in assessing potential impact. Development, in terms of its location, scale, design, materials and landscaping, should be of a high standard and enhance the special qualities and character of the Special Landscape Area." (PP1300).

Appendix 13 Aberdeenshire Special Landscape Areas

Modify the PLDP to amend the boundary of Map 2 of Appendix 13 to move the boundary to the east to follow the line of the Coastal Tourist Route, before connecting with the A92 at the junction south of Dunnottar Woods (PP0929).

Policy E3 Forestry and Woodland

Modify the PLDP to include a new paragraph stating that, "Developments involving tree felling will not be approved unless arrangements are in place to remove felled trees and debris and ruts from forestry vehicles from cleared areas, and to ensure all existing public paths through woodland are retained, or acceptable alternative paths are provided." (PP0733).

Modify the PLDP to use similar wording as used in Section 11 The Historic Environment to, "ensure that [green infrastructure and woodlands] understanding and enjoyment, as well as its benefits, are secured for present and future generations." (PP0879).

Paragraph E3.1

Modify the PLDP to amend paragraph E3.1 to include, "native and semi-natural woodland" (PP0879).

Modify the PLDP to amend paragraph E3.1 by replacing "continue to protect and enhance" with "be protected and enhance" (PP0879).

Paragraph E3.2

Modify the PLDP to amend paragraph E3.2 to make it stronger and clearer with specific reference to native woodland and trees (PP0877).

Modify the PLDP to amend paragraph E3.2 to read, "We will promote and support the forestry industry while strongly protecting and enhancing trees and woodlands in the planning and construction of built development. To achieve this, there will be a presumption against the removal of safe and healthy trees, non-commercial woodlands and hedgerows. Criteria in the Scottish Government's policy on Control of Woodland Removal will be used to determine the acceptability of woodland removal. Development is also required to continue to ensure that opportunities are taken to promote the role of woodlands in providing opportunities for community development, education and recreational access, protecting and enhancing environmental quality and biodiversity, landscape and historic assets." (PP1300).

Paragraph E3.3

Modify the PLDP to amend the second bullet point of paragraph E3.3 to read, "Promote native trees and woodlands to aid Scotland in mitigating and adapting to climate and nature emergencies." (PP0876).

Modify the PLDP to amend the fifth bullet point of paragraph E3.3. to read, “where appropriate protect and enhance trees and woodland in the planning and construction of built development.” (PP1207 and PP1253).

Natural Heritage and Landscape Policy Map

Modify the PLDP to designate the Drumoak area as a Special Protection Area (PP0302).

Summary of responses (including reasons) by planning authority:

Natural Heritage and Landscape Introduction

The Council have attempted to ensure consistency throughout the PLDP. The ‘acceptability’ of any adverse environmental effects from proposed developments will be determined on a case-by-case basis reflecting the merits of the proposal brought forward. No change is required.

The comment for the representee is noted with regards to concerns about compliance with SPP. When the policies are drafted and reviewed SPP is taken into consideration to ensure all of the policies included within the LDP are consistent with the policies in SPP. No change is required.

The Council agree with the minor amendments suggested by representees and as such paragraphs 3 and 4 should be amended accordingly. The Council confirms that it intends to address this through non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

Policy E1 Natural Heritage

Paragraph E1.1

The Council confirms that it intends to address this through non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

Paragraph E1.2

The Council acknowledge the changes sought by representees, including NatureScot in respect of paragraph E1.1. The Council believe that the revised text provided by NatureScot would also satisfy the changes sought by the other representee commenting on this section of the PLDP. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph E1.2 could be modified to read, “In the case of an existing or proposed Special Protection Area (SPA), existing, proposed or candidate Special Area of Conservation (SAC) or Ramsar Site, if it cannot be ascertained that the development would not adversely affect the integrity of the site, development will only be permitted where:

- there are no alternative solutions;
- there are imperative reasons of overriding public interest, that may, for sites not hosting a priority habitat type and/or priority species, be of a social or economic nature; and

- compensatory measures have been identified and agreed to ensure that the overall coherence of the European site network is protected.”

“Where the site hosts a priority habitat type and/or a priority species, the reasons must relate to human health, public safety or beneficial consequences of primary importance to the environment, or other reasons which, in the opinion of Scottish Ministers, are imperative reasons of overriding public interest. It should be noted that development not directly connected with, or necessary to, the conservation management of a European site and which is likely to have a significant effect on the site (either individually or in combination with other plans or projects) will require to be subject to an appropriate assessment in order to ascertain whether the development would not adversely affect the integrity of the site.” could be added as a new paragraph (E1.3) with subsequent paragraph numbering being adjusted accordingly.

Paragraph E1.3

The representee does not make it clear within their representation where exactly within the paragraph the text “except for ancient woodland” should be added. In any case, the Council do not believe that it is important to make this distinction within the policy text. No change is required.

The Council acknowledge the changes sought by representees, including NatureScot in respect of paragraph E1.3. The Council believe that the revised text provided by NatureScot would also satisfy the changes sought by the other representee commenting on this section of the PLDP. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph E1.3 could be modified to read, “Development that affects Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs) or the Cairngorms National Park will only be permitted where a thorough assessment demonstrates that the objectives of designation and the overall integrity of the site will not be compromised, or any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. In all cases, any impacts should be minimised through careful design and mitigation measures.”

Paragraph E1.4

The Council note that NatureScot has not commented or sought changes to the first sentence of paragraph E1.4. As such, the Council believe this part of the policy text to be sound and as such no change is required.

The Council acknowledge the changes sought by representees, including NatureScot in respect of the second sentence of paragraph E1.4. The Council believe that the revised text provided by NatureScot would also satisfy the changes sought by the other representee commenting on this section of the PLDP. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph E1.4 could be modified to read, “In all cases, impacts must be minimised through careful design and mitigation measures. There will be a strong presumption against removing ancient seminatural woodland or Plantations on Ancient Woodland Sites (PAWS). Where such woodland is present on or beside a development site, proposals should be designed to seek to accommodate and protect the woodland rather than remove it in part or entirely.”

Paragraph E1.6

The Council acknowledge the changes sought by representees, including NatureScot in respect of the second sentence of paragraph E1.6. The Council see merit in attempting to revise this part of Policy E1 to address matters raised by representees. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph E1.6 could be modified to read, "Development must seek to avoid any unacceptable detrimental impact on protected species. A Protected Species Survey to inform the assessment of impacts will be required where there is reason to believe protected species may exist on or adjacent to the site. The submission of Species Protection Plans detailing appropriate avoidance and mitigation measures may be required. Development affecting any protected species will only be permitted when it can be justified in accordance with the relevant protected species legislation. Lists of species protected by legislation are available from NatureScot."

The Council agree with the inclusion of additional text as proposed by NatureScot. If the Reporter is minded, to make an amendment, then the Council recommend the following text be added as a new paragraph to follow paragraph E1.6, "Species listed on schedule 5 of the wildlife and countryside act will not be approved unless: (a) the proposal will give rise to, or contributes towards the achievement of, a significant social, economic or environmental benefit; and (b) there is no other satisfactory solution; and (c) there is no significant negative impact on the conservation status of the species. Development affecting any European Protected Species will not be approved unless: (a) it is required for imperative reasons of overriding public interest; and (b) there is no other satisfactory solution; and (c) the population will be maintained at a favourable conservation status in its natural range." Subsequent paragraph numbering would need to be adjusted accordingly.

Paragraph E1.7

The Council agree with the wording and rationale proposed by the representee with the exception of the text "for small". If the Reporter is minded, to make an amendment, then the Council recommend that paragraph E1.6 could be modified to read, "A baseline ecological or geological survey must be prepared for all major developments and other proposals where there is evidence to suggest that a habitat, geological feature or species of importance may exist on or adjacent to the site. This baseline survey must be provided by a suitably qualified ecologist or geologist, as appropriate."

Paragraph E1.8

There are several suggestions regarding how paragraph E1.8 should be amended, including those from SEPA and NatureScot. The Council see most merit in revising the first part of the policy text to align with that suggested by NatureScot with the inclusion of reference to Groundwater Dependent Terrestrial Ecosystems (GWDTE) as suggested by SEPA. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph E1.8 could be modified to read, "A number of criteria will be used to consider the biodiversity impacts of a development and these include whether it will affect habitats or species listed in: Schedule 2 or 4 of the Habitats Regulations; or the Scottish Biodiversity List; or North East Scotland Biodiversity Partnership Local Important Species; or other species or habitats of importance to biodiversity; or Groundwater Dependent Terrestrial Ecosystems (GWDTE). We will only approve development proposals..."

The Council see merit in the suggestion put forward by SEPA to amend the 3rd bullet point. If the Reporter is minded, to make an amendment, then the Council recommend that the 3rd bullet point of paragraph E1.8 could be modified to read as two separate bullet points, “where impacts cannot be avoided the public benefits clearly outweigh the ecological or geological value of the site; and [insert new bullet point] an ecological or geological management plan is provided that includes necessary mitigation and compensation measures to result in ecological net gain.”

The Council see merit in the suggestion put forward by NatureScot to include a footnote associated with the term “geodiversity”. However, if the changes above are recommended by the Reporter, there will be no reference to geodiversity in paragraph E1.8. Therefore, if the Reporter is minded, to make an amendment, then the Council recommend that a footnote is insert following reference to geodiversity in paragraph E1.1 could be modified to provide a URL to SNH Natural Spaces website that allows map-based searches to be made for Geological Conservation Review sites.”

Paragraph E1.9

The Council acknowledge the change requested by the representee, but we do not believe it is appropriate to amend the PLDP to require that development seek to reverse fragmentation of habitat. No change is required.

Paragraph E1.10

The Council confirms that it intends to address this through non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

The Council agree with the inclusion of additional text as proposed by NatureScot. If the Reporter is minded, to make an amendment, then the Council recommend the following text be added as new paragraph to follow paragraph E1.10, “In circumstances when it is not practical to deliver positive effects for biodiversity within a development site, we may require off-site contributions towards biodiversity enhancement within the settlement. These obligations may be controlled by conditions.”

Appendix 12 Local Nature Conservation sites

The Council note comments made by SEPA. No change is required.

Policy E2 Landscape

Paragraph E2.1

The Council see some merit in revising the policy text in the most part as the representees suggest. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph E2.1 could be modified to read, “We will refuse development that causes unacceptable effects through its scale, location or design on key characteristics, natural landscape elements, features or the composition or quality of the landscape character as defined in the Landscape Character Assessments produced by Scottish Natural Heritage. These impacts can be either alone or cumulatively with other recent developments. A “Landscape and Visual Impact Assessment” (LVIA) may be required to assess the effects of change on a landscape that could be experienced should a development proposal be

approved. Appropriate mitigation should be identified.”

The above suggested change would account for representations that seek to move reference to SLAs to paragraph E2.2 which are taken into account below.

Paragraph E2.2

There are several suggestions regarding how paragraph E2.2 should be amended, including from NatureScot. The Council see most merit in revising the first part of the policy text to align with that suggested by NatureScot but revise the remainder of the text to take into account of suggested changes to the structure of the text as outlined above. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph E2.2 could be modified to read, “Development that has a significant adverse impact on the qualifying interests of a Special Landscape Area will not be permitted unless it is adequately demonstrated that these effects are clearly outweighed by social, environmental or economic benefits of at least local importance. Appendix 13 on Special Landscape Areas is also intended to be used as a guide by prospective developers in assessing potential impact. Development, in terms of its location, scale, design, materials and landscaping, should be of a high standard and enhance the special qualities and character of the Special Landscape Area.”

Appendix 13 Aberdeenshire Special Landscape Areas

The Council do not believe that the amendment sought to the boundary of map two of the South East Aberdeenshire Coast SLA is necessary. The SLA was identified following a Local Landscape Designation Review carried out in 2016, (AD0113). This study identified the extent of the coastal influence which clearly includes the area identified by the representee. No change is required.

Policy E3 Forestry and Woodland

The Council do not agree with the proposed inclusion of a new paragraph concerning the removal of felled trees, etc. and retreatment of public paths. These are matters that can be appropriately addressed through condition as part of the development management process. No change is required.

The representee suggests amending text under Policy E3. However, the Council see some merit in adding such a statement to the introductory text of the Natural Heritage and Landscape Section. If the Reporter is minded, to make an amendment, then the Council recommend that the second paragraph of the Natural Heritage and Landscape introductory text could be modified to read, “Our natural environment should ensure that its understanding and enjoyment, as well as its benefits, are secured for present and future generations. These policies ensure...”.

Paragraph E3.1

The Council see merit in the minor changes sought by the representee. The Council confirms that it intends to address this through non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

Paragraph E3.2

The Council agree with the inclusion of additional text as proposed by NatureScot. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph E3.2 could be modified to read, “We will promote and support the forestry industry while strongly protecting and enhancing trees and woodlands in the planning and construction of built development. To achieve this, there will be a presumption against the removal of safe and healthy trees, non-commercial woodlands and hedgerows. Criteria in the Scottish Government’s policy on Control of Woodland Removal will be used to determine the acceptability of woodland removal. Development is also required to continue to ensure that opportunities are taken to promote the role of woodlands in providing opportunities for community development, education and recreational access, protecting and enhancing environmental quality and biodiversity, landscape and historic assets.”

Paragraph E3.3

The Council do not agree that the second bullet point of paragraph E3.3 should be amended to reflect “climate and nature emergencies”. As outlined in Schedule 4 Issue 1: Policy Symbols, Foreword, Section 1 – How to use this Plan, Section 2 – Influences on the Plan, Section 3 – Vision for the Plan and its Purpose and Section 4 – The Purpose of the Local Development Plan, Aberdeenshire Council has chosen not to formally declare a climate emergency. The Council has not been asked to declare a nature emergency. As such it would be inappropriate to use these terms within the policy text. No change is required.

The Council believe the modification sought to the fifth bullet point would dilute the emphasis placed within the policy text to protect and enhance trees and woodland through development. No change is required.

Natural Heritage and Landscape Introduction Policy Map

Designation of SPAs is not a statutory function held by the Council. No change is required.

Reporter’s conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan, or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue that is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” to Section 10 (Natural Heritage and Landscape) and to the related appendices 12 and 13. However, where such matters arise from representations made to the proposed plan they are required to be addressed in the examination. I therefore address these as appropriate below.

Introductory paragraphs

3. The initial paragraphs of section 10 of the plan do not themselves contain specific policies, and I see no inconsistency with the provisions of Scottish Planning Policy as is suggested in some representations. Any distinction between acceptability and significance, in the context of the consideration of environmental effects, is a matter which may relate to the more specific provisions addressing natural heritage, landscape and forestry considerations which follow and which I address below.

4. Modification to the wording of the second, third and fourth introductory paragraphs, along the lines that the council proposes, would appropriately emphasise the importance of woodland and forestry in this context and provide greater clarity around the assessment of environmental impacts. The modifications I recommend are consistent with those the council has suggested, but with minor alterations to assist clarity. With these modifications, no further changes are required to the introductory paragraphs of section 10.

Policy E1 Natural Heritage

5. The inclusion, in paragraph E1.1, of reference to species and habitat, in addition to biodiversity and geodiversity, would appropriately clarify the factors which may be relevant in the context of the designation of a nature conservation site. The addition of a footnote referring to the map-based search facility of NatureScot's "Natural Spaces" website would provide appropriate additional clarity in this regard. I recommend modifications accordingly.

6. The inclusion of fuller details in the text of paragraph E1.2 would add clarity and more accurately reflect the statutory protection afforded to internationally designated nature conservation sites and be consistent with Scottish Planning Policy (paragraphs 207 – 210). I recommend modifications as suggested by NatureScot and which the council accepts.

7. Greater clarity and the reflection of statutory protection afforded to nationally designated nature conservation sites would similarly be provided by inclusion of the fuller details in paragraph E1.3 as suggested by NatureScot and accepted by the council. The modification I recommend in this regard would be consistent with paragraphs 212 and 213 in Scottish Planning Policy and also address the representation on similar lines made by RSPB Scotland.

8. The additional text in paragraph E1.4, as suggested in the representation by NatureScot, would appropriately clarify the approach to be taken to the minimisation of effects on nature conservation sites (other than those internationally or nationally designated). The modification I recommend in this regard would also address the representation on similar lines made by RSPB Scotland. Subject to the recommended modification, the paragraph would include reference to the Native Woodland Survey of Scotland and to Plantations on Ancient Woodland Sites (PAWS). The recommended modifications to this paragraph, as well as those to the paragraphs of policy E3, would appropriately respond to the representations by Woodland Trust Scotland.

9. Consistent with recommended modifications to other parts of the proposed plan, it is appropriate for the wording of paragraph E1.6 to reflect that decision making on development proposals involves the balancing of positive and negative potential effects. The modification I recommend, in accordance with the council's suggestion, would be consistent with paragraph 214 in Scottish Planning Policy and address the

representations made in this regard by a number of respondents, including NatureScot.

10. Avoiding potential confusion between the different assessment and licencing regimes applying to European Protected Species and those protected under other legislation is appropriate. This would, as NatureScot suggests, be conveniently done by identifying the relevant requirements separately. Adding a new paragraph to achieve this, as the council suggests, would be appropriate and address the representations by NatureScot and others. I make a recommendation in this regard accordingly.

11. Making clear in paragraph E1.7 that baseline surveys may need to address geological as well as ecological considerations, as RSPB Scotland suggests, is appropriate and accepted by the council. However, the need for such surveys should be in response to the potential presence of the elements to be safeguarded, rather than be determined by the scale of the development involved. The modification I recommend reflects this.

12. The criteria to be taken into account in assessing the acceptability of development proposals in wider biodiversity and geodiversity terms derive from a range of legislative provisions and policy guidance. In this regard, following EU exit, making reference in paragraph E1.8 to the Habitats Regulations enshrined in domestic legislation would provide greater clarity, as NatureScot suggests, rather than citing the European Habitats and Birds Directives. This would also beneficially simplify the interpretation of policy. The amended wording suggested by NatureScot in this regard, the thrust of which the council accepts, would also address representations made by the Scottish Environment Protection Agency (SEPA) and RSPB Scotland on similar lines. I recommend modifications accordingly. The inclusion of reference to Groundwater Dependent Terrestrial Ecosystems, as sought by SEPA is addressed by my recommendation to include a footnote linked to paragraph E.1.

13. The extent to which development may rectify or alleviate pre-existing habitat fragmentation would be likely to be a potential benefit to be taken into account in an overall assessment of the merits of a particular development proposal. No modification to the wording of paragraph E1.9 is required in this regard.

14. Although involving some duplication with the provisions of paragraph P1.7, including reference in paragraph E1.10 to the mechanisms available to secure off-site biodiversity mitigation is appropriate. So too is making clear that biodiversity enhancements may include woodlands. I recommend a modification to paragraph E1.10 accordingly, although I have altered the council's suggested wording referring to conditions and obligations, for clarity.

Policy E2 Landscape

15. Rewording and altering the structure of paragraphs E2.1 and E2.2, as several representees suggest and the council accepts, would more clearly express the role of Landscape and Visual Impact Assessment and the Special Landscape Areas identified in Appendix 13. I recommend modifications accordingly, with retention of the footnotes linking to information provided by NatureScot on definitions and descriptions and guidance on landscape and visual impact assessment.

Appendix 13 Aberdeenshire Special Landscape Areas

16. I note that a representee (Bancon Homes) seeks an amendment to the boundary of the Special Landscape Area south of Stonehaven linked to its promotion of residential development on a site close to Braehead at East Newtonleys. I note that the indicative layout provided by the representee shows open space on the part of the site which lies within the Special Landscape Area. The provision of open space would not be likely to have a significant effect on the Special Landscape Area and it is not necessary to modify its boundary in this connection. The representee's proposed identification of bid site KN078 for residential development is addressed under issue 46. No modification is therefore required to the Special Landscape Area illustrated in Appendix 13.

Policy E3 Forestry and Woodland

17. The rewording of paragraph E3.1, as Woodland Trust Scotland seeks and the council supports, would add clarity to the intention to safeguard and seek to enhance woodlands, especially those of a native and semi natural character. I recommend a modification accordingly, although I have reworded the council's suggestion in the interests of readability.

18. Including additional wording in paragraph E3.2 to convey more clearly the strength of commitment to safeguarding trees and woodlands as sought by several representees, including NatureScot, would be consistent with Scottish Planning Policy (paragraphs 216 – 218). As is the inclusion of reference to the Scottish Government's Control of Woodland Removal policy. I recommend modifications as suggested by the council. The paragraph, subject to the recommended modification, promotes public access to woodlands, which would encompass the avoidance of obstructing public paths. The method of working in forestry operations is not susceptible to control through a policy provision in the proposed plan. I therefore agree with the council that a new paragraph to address these aspects, as sought by a representee, is not appropriate or necessary.

19. The bullet point criteria in paragraph E3.3 consists of a list of themes of the council's Forestry and Woodland Strategy. This, the paragraph explains, is prepared as Planning Advice which does not form part of this examination. It is therefore not appropriate for me to recommend any modification in this regard.

20. As the council explains, the designation of a Special Protection Area, as the representee community council seeks, is not a matter for the local development plan. Such designations are governed by separate specific legislative provisions and no modification is therefore appropriate in this regard.

Reporter's recommendations:

Modify the local development plan by:

1. Adding the following sentence at the start of the second introductory paragraph to section 10 on page 57:

"Our natural environment should ensure that its understanding and enjoyment, as well as its benefits, are secured for present and future generations."

2. Replacing the first sentence of the third introductory paragraph to section 10 on page 57, with the following text:

“We continue to be concerned about the loss of, or damage to, landscapes, habitats, forestry and woodlands (including ancient woodlands), and biodiversity due to construction, quarrying and environmental engineering for controlling floods and the cumulative effects of incremental changes.”

3. Replacing the first sentence of the fourth introductory paragraph to section 10 on page 57, with the following text:

“Environmental Impact Assessment (EIA) will be required in connection with all major and other developments likely to have significant effects on the environment.”

4. In paragraph E1.1 on page 57, inserting “, species, habitat” between “biodiversity” and “or geodiversity”.

5. Adding a footnote linked to the word “geodiversity” in paragraph E1.1 as follows:

“The Natural Spaces website provided by NatureScot allows map-based searches of Geological Conservation Review sites (insert weblink).”

6. Replacing paragraph E1.2 on page 57 with the following text:

“In the case of an existing or proposed Special Protection Area (SPA), existing, proposed or candidate Special Area of Conservation (SAC) or Ramsar Site, if it cannot be ascertained that the development would not adversely affect the integrity of the site, development will only be permitted where:

- there are no alternative solutions;
- there are imperative reasons of overriding public interest, that may, for sites not hosting a priority habitat type and/or priority species, be of a social or economic nature; and
- compensatory measures have been identified and agreed to ensure that the overall coherence of the European site network is protected.”

7. Inserting a new paragraph between paragraphs E1.2 and E1.3 as follows:

“Where the site hosts a priority habitat type and/or a priority species, the reasons must relate to human health, public safety or beneficial consequences of primary importance to the environment, or other reasons which, in the opinion of Scottish Ministers, are imperative reasons of overriding public interest. It should be noted that development not directly connected with, or necessary to, the conservation management of a European site, and which is likely to have a significant effect on the site (either individually or in combination with other plans or projects) will require to be subject to an appropriate assessment, in order to ascertain whether the development would not adversely affect the integrity of the site.”

8. Replacing paragraph E1.3 on page 57 with the following text:

“Development that affects Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs) or the Cairngorms National Park will only be permitted where a thorough assessment demonstrates that the objectives of designation and the overall integrity of the site will not be compromised, or any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. In all cases, any impacts should be minimised through careful design and mitigation measures.”

9. Replacing the last sentence of paragraph E1.4 on page 58 with the following three sentences:

“In all cases, impacts must be minimised through careful design and mitigation measures.”

There will be a strong presumption against removing ancient semi-natural woodland or Plantations on Ancient Woodland Sites (PAWS). Where such woodland is present on or beside a development site, proposals should be designed to seek to accommodate and protect the woodland rather than remove it in part or entirely.”

10. Replacing paragraph E1.6 on page 58 with the following text:

“Development must seek to avoid any unacceptable detrimental impact on protected species. A Protected Species Survey to inform the assessment of impacts will be required where there is reason to believe protected species may exist on or adjacent to the site. The submission of Species Protection Plans detailing appropriate avoidance and mitigation measures may be required. Development affecting any protected species will only be permitted when it can be justified in accordance with the relevant protected species legislation. Lists of species protected by legislation are available from NatureScot.”

11. Inserting a new paragraph after paragraph E1.6 on page 58 as follows:

“Development affecting species listed in schedule 5 of the Wildlife and Countryside Act will not be approved unless:

- the proposal will give rise to, or contributes towards the achievement of, a significant social, economic or environmental benefit; and
- there is no other satisfactory solution; and
- there is no significant negative impact on the conservation status of the species.

Development affecting any European Protected Species will not be approved unless:

- it is required for imperative reasons of overriding public interest; and
- there is no other satisfactory solution; and
- the population will be maintained at a favourable conservation status in its natural range.”

12. Replacing paragraph E1.7 on page 58 with the following text:

“A baseline ecological or geological survey must be prepared for all developments and other proposals where there is evidence to suggest that a habitat, geological feature or species of importance may exist on or adjacent to the site. This baseline survey must be provided by a suitably qualified ecologist or geologist, as appropriate.”

13. Replacing paragraph E1.8 on page 58 with the following text:

“A number of criteria will be used to consider the biodiversity impacts of a development, including whether it will affect habitats or species listed in: Schedule 2 or 4 of the Habitats Regulations; or the Scottish Biodiversity List; or North East Scotland Biodiversity Partnership Local Important Species; or other species or habitats of importance to biodiversity; or Groundwater Dependent Terrestrial Ecosystems (GWDTE). We will only approve development proposals:

- when a baseline ecological survey has been carried out;
- when the development has been designed to avoid impacts where possible;
- where impacts cannot be avoided the public benefits clearly outweigh the ecological or geological value of the site; and
- where an ecological or geological management plan is provided that includes necessary mitigation and compensation measures to result in ecological net gain.”

14. Replacing paragraph E1.10 on page 59 with the following text:

“Policy P1 also says that all developments should identify measures that will be taken to

enhance biodiversity (including woodlands) in proportion to the development opportunities available and the scale of the development. In circumstances when it is not practical to deliver positive effects for biodiversity within a development site, we may require off-site contributions towards biodiversity enhancement within the settlement. Such measures may be secured by planning obligations or conditions.”

15. Replacing paragraph E2.1 on page 59 with the following text (retaining the footnote linked to Landscape Character Assessment):

“We will refuse development that causes unacceptable effects through its scale, location or design on key characteristics, natural landscape elements, features or the composition or quality of the landscape character as defined in the Landscape Character Assessments produced by Scottish Natural Heritage. These impacts can be either alone or cumulatively with other recent developments. A Landscape and Visual Impact Assessment (LVIA) may be required to assess the effects of change on a landscape that could be experienced should a development proposal be approved. Appropriate mitigation should be identified.”

16. Replacing paragraph E2.2 on page 59 with the following text (retaining the footnote linking to NatureScot’s guidance on LVIA):

“Development that has a significant adverse impact on the qualifying interests of a Special Landscape Area will not be permitted unless it is adequately demonstrated that these effects are clearly outweighed by social, environmental or economic benefits of at least local importance. Appendix 13 on Special Landscape Areas is also intended to be used as a guide by prospective developers in assessing potential impact. Development, in terms of its location, scale, design, materials and landscaping, should be of a high standard and enhance the special qualities and character of the Special Landscape Area.”

17. Replacing paragraph E3.1 on page 59 with the following text:

“Aberdeenshire’s forests and native and semi-natural woodland areas are valued and enjoyed by both residents and visitors and must continue to be resilient to the effects of climate change. They must be protected and, where appropriate, enhanced to safeguard the environment, habitats, species and local culture, whilst benefitting and supporting the local and national economy.”

18. Replacing paragraph E3.2 on page 59 with the following text:

“We will promote and support the forestry industry while strongly protecting and enhancing trees and woodlands in the planning and construction of built development. To achieve this, there will be a presumption against the removal of safe and healthy trees, non-commercial woodlands and hedgerows. Criteria in the Scottish Government’s policy on Control of Woodland Removal will be used to determine the acceptability of woodland removal. Development is also required to continue to ensure that opportunities are taken to promote the role of woodlands in providing opportunities for community development, education and recreational access, protecting and enhancing environmental quality and biodiversity, landscape and historic assets.”

Issue 9	Section 11 – The Historic Environment and Appendix 11 Conservation Areas	
Development plan reference:	Proposed LDP, Section 11, Page 63-70, Appendix 11 Conservation Areas, Page 893-902	Reporter: Rob Huntley
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>The Historic Environment Introduction PP0743 Historic Environment Scotland</p> <p>Policy HE1 Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites (including other historic buildings) PP0423 Coriolis Energy Limited PP0465 Iain Robertson PP0578 Scottish Government Planning and Architecture Division PP0589 Scottish Renewables PP0597 ESB Asset Development UK PP0642 Renewable Energy Systems Ltd PP0689 Stewart Milne Homes PP0736 RWE Renewables UK PP0743 Historic Environment Scotland PP0954 Stewart Milne Homes PP1188 Falck Renewables Wind Ltd PP1193 Stephenson Halliday PP1201 Hallam Land PP1219 Scottish Environment Protection Agency PP1306 Homes for Scotland</p> <p>Policy HE2 Protecting Historic, Cultural and Conservation Areas PP0743 Historic Environment Scotland PP0877 The Woodland Trust Scotland PP1201 Hallam Land PP1306 Homes for Scotland PP1355 CALA Homes</p> <p>Policy HE3 Helping to Reuse Historic Buildings at Risk PP0743 Historic Environment Scotland PP1142 Mr George Pearson PP1306 Homes for Scotland</p> <p>Appendix 11 Conservation Areas PP1219 Scottish Environment Protection Agency</p>		
Provision of the development plan to which the issue relates:	Policies relating to historic environment	
Planning authority's summary of the representation(s):		

The Historic Environment Introduction

Historic Environment Scotland (HES) has expressed concern regarding the introduction of a policy that includes listed buildings, scheduled monuments and archaeological sites together. This is seen as problematic, as the policy areas are separate in the SPP, reflecting the different types of protection each designation affords, which can result in confusion in terms of what may or may not be permitted or justified in policy terms (PP0743).

Policy HE1 Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites (including other historic buildings)

General

SEPA confirms that they have no comments on Policy HE1. No modification sought (PP1219).

Paragraph HE1.1

Several representees have stated that paragraph HE1.1 is overly restrictive and are concerned with the 'negative effect' terminology used, with some noting that it is not consistent with Scottish Planning Policy (SPP), namely paragraphs 141 and 145 (PP0423, PP0589, PP0597, PP0642, PP0689, PP0736, PP0743, PP0954, PP1188, PP1193, PP1201, PP1306 and PP1355). Some representees have stated that they understand its objective, but that the paragraph should recognise that there may be material considerations that outweigh the negative impacts (PP0743, PP1201 and PP1355). Other representees are concerned this paragraph sets the bar too high in decision-making because there is no scenario under which a development could be approved with a negative effect no matter how minor in EIA terms (PP0597, PP0589, PP0642 and PP0736). Several representees have suggested that the wording is rewritten to present a more balanced approach that considers the individual circumstances of a particular site. The current wording, "we will not allow" is not helpful and is too inflexible. They also note, SPP paragraph 137 states "change should be sensitively managed to avoid or minimise adverse impacts", which make it clear that adverse impacts of development are not a reason for refusal and rounded consideration is necessary (PP0689, PP0954, PP1188 and PP1306). Alternative text is suggested including:

- Removing paragraph HE1.1 and use paragraphs HE1.3 and HE1.5 instead (PP0423 and PP0642).
- Paragraph HE1.1 introduces 'exceptional circumstances' for scheduled monuments as noted by SPP paragraph 145 and has 'special regard' to SPP paragraph 141 for circumstances where works to listed buildings (e.g., for retention) may have a negative effect but be deemed acceptable as part of a balanced approach (PP0423 and PP0642).
- Amending paragraph HE1.1 to be consistent with SPP and other PLDP policies dealing with specific named assets (PP0589 and PP0736).
- Incorporating an 'acceptability' test into paragraph HE1.1 (PP0736 and PP1193).
- Aligning paragraph HE1.1 with Section 11 introduction and reflect SPP and Historic Environment Policy for Scotland (HEPS), in particular, to replace the words "a negative effect" (PP0743).

- The wording is rewritten to present a more balanced approach that considers the individual circumstances of a particular site (PP0954 and PP1188).
- Amending paragraph HE1.1 so that it recognises that there may be material considerations that outweigh negative impacts (PP1201 and PP1355).
- Amending paragraph HE1.1 so that it states development should avoid or minimise adverse impacts, on weighting and exceptions (PP1306).

Three representees also raised issues over ‘setting’ and its meaning in Policy HE1. They note there is a clear distinction between setting and integrity of setting which is absent from Policy HE1. Paragraph 145 of SPP states that where there are exceptional circumstances where permission may be granted for development where it affects a scheduled monument or the integrity of its setting (PP0423, PP0597 and PP0642). It is requested that the policy is amended to be consistent with SPP or removed (PP0423 and PP0642).

Paragraph HE1.2

The Scottish Government has suggested that paragraph HE1.2 uses the ‘statutory list of Buildings of Special Architectural or Historic Interest’ terminology and that this should also be applied to scheduled monuments. This will ensure there is consistency with the description of each statutory process, suggesting using both references or referring to it as “designated Listed Buildings and Scheduled Monuments” (PP0578).

Paragraph HE1.3 (Listed Buildings)

It is requested that paragraph HE1.3 is amended to remove the requirement for a ‘Design Statement’ to demonstrate that a proposal will not have any negative impact on the listed building, but that it refers to paragraph HE1.1, as amended by the representee above. They also note that the relevant issues will need to be addressed at the planning application stage as they do not all relate to design (PP1306).

Paragraph HE1.4 (Listed Buildings)

HES has requested amending paragraph HE1.4 to require clear evidence, reference to socio-economics and on adaptation to tie it in better with HES Managing Change twin guidance on Demolition of Listed Buildings and Use and Adaptation of Listed Buildings (PP0743).

Paragraphs HE1.5 and HE1.6 (Scheduled Monuments and Archaeological Areas)

Several representees, including HES, raised concerns over the terminology and meaning of “impact on the integrity of the setting” in relation to HE1.5 and HE1.1, and the wording of SPP stating that HE1.5 does not recognise the difference between setting and integrity of setting of Scheduled Monuments. They note these are two separate matters and should be modified to reflect SPP paragraph 145 (PP0578, PP0423, PP0465, PP0597, PP0642, PP0589 and PP0743).

Two representees have stated that paragraph HE1.5 goes beyond the legislative standard, and it should be amended to be consistent with legislation related to heritage assets and SPP, and/or delete paragraph HE1.1. They have stated that it is not appropriate to apply the “imperative reasons of overriding public interest” (IROPI) test to

cultural heritage assets, as this was derived from the Habitats and Wild Birds Directive. They suggested that the Council seeks legal advice on the appropriateness of this wording and provide clarity about which policies apply, how they are to be applied, and to avoid confusion (PP0589 and PP0736).

The Scottish Government has requested that the requirement for Scheduled Monument Consent should be highlighted as it is a separate consent process, which is sought from HES. They argue, this would align with SPP paragraph 145, as HES are the consenting Authority for direct works affecting Scheduled Monuments (PP0578).

Policy HE2 Protecting Historic, Cultural and Conservation Areas Conservation Areas

General

SEPA has no comments on Policy HE2. No modifications sought (PP1219).

Paragraph HE2.1 (Conservation Areas)

HES has requested amending paragraph HE2.1 to create a clearer demolition policy on unlisted buildings in conservation areas that reflects HES current guidance, to avoid onerous consent criteria, and to allow a simpler approach (PP0743).

In order to accord with the Planning Act, it is requested that the paragraph recognises that there may be material considerations that outweigh negative impacts (PP1201 and PP1355).

A representee has requested amending paragraph HE2.1 to allow for a balanced approach to assessing the positives and negatives of a development proposal and avoid it being overly restrictive (PP1306).

Paragraph HE2.2 (Conservation Areas)

A representee has requested that additional text on veteran or trees outside of woodlands is included. They argue these are special because of their size, age or condition and retaining the trees will enhance any development (PP0877).

Paragraph HE2.3 (Battlefields, Inventory Gardens and Designed Landscapes)

HES has recommended that separate wording is considered between battlefield and designed landscapes in the first bullet point, as setting is not normally considered a distinct impact type for battlefields (PP0743).

Policy HE3 Helping to Reuse Historic Buildings at Risk

HES has welcomed the refinement of this policy as it sets a robust decision-making framework but have suggested it may be clearer to rename the policy to “Enabling Development to Help to Rescue Historic Buildings at Risk”, as it is largely focused on enabling development rather than other types of re-use such as adaptation or extension (PP0743).

A representee has requested that this policy is amended to allow enabling development to cross-fund business proposals in exceptional cases. They argue it would not conflict with SPP and refer to a DPEA decision on PPA-390-2042 (visitor centre in Dunblane) that stated there may be circumstances where enabling development is acceptable to cross-fund a business proposal. They refer to paragraph 28 in Planning Advice Note 73 Rural Diversification, which states “Occasionally, new housing is proposed as a mechanism to cross-fund a business proposal.” They identify other examples of enabling developments to cross subsidise commercial proposals based on economic benefits (Ury Estate and Menie Estate) and suggest the exclusion of enabling development for commercial development is not consistent with national planning policy and previous positive economic development decisions (PP1142).

SEPA has no comments on Policy H3 Helping to Reuse Historic Buildings at Risk. No modifications sought (PP1219).

A representee is concerned that the policy lacks clarity, as it is not evident to what its intention is. They argue it could be read as taking a very narrow view of what enabling development is – to make a building wind and watertight, which would be a short-sighted approach (PP1306).

A representee has requested further clarify on the last sentence of paragraph HE3.1, “This policy does not apply to enabling new commercial developments.” They argue it is unclear as any enabling development will still need to be commercially viable (PP1306).

Appendix 11 Conservation Areas

SEPA has no comments on Appendix 11. No modifications sought (PP1219).

Modifications sought by those submitting representations:

The Historic Environment Introduction

Modify the PLDP to split Policies HE1 and HE2 into separate policies on the different historic designations (PP0743).

Policy HE1 Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites (including other historic buildings)

Paragraph HE1.1

Modify the PLDP to ensure consistency with SPP in paragraph HE1.1 (PP0423 and PP0597).

Modify the PLDP to incorporate an ‘acceptability’ test into policy HE1.1, in paragraph HE1.1 (PP0589 and PP0736).

Modify the PLDP to allow for ‘exceptional circumstances’ for Scheduled Monuments, and ‘special regard’ for Listed Buildings in scenarios where development may be considered acceptable in paragraph HE1.1 (PP0642).

Modify the PLDP to take account of the need for a balanced decision-making process in

paragraph HE1.1 (PP0689).

Modify the PLDP to make it consistent with SPP and other policies dealing with specific named assets in paragraph HE1.1 (PP0736).

Modify the PLDP to amend paragraph HE1.1 from, “We will not allow development that would have a negative effect on the character, integrity or setting of listed buildings, or scheduled monuments, or other archaeological sites.” to “We will not allow development that would have [an] adverse impact on the character, integrity or setting of listed buildings, or scheduled monuments, or other archaeological sites. If adverse impact is unavoidable, it should be minimised and justified.” (PP0743).

Modify the PLDP to consider a more balanced approach that takes into account the individual circumstances of a particular site in paragraph HE1.1 (PP0954 and PP1188).

Modify the PLDP to replace paragraph HE1.1 with, “We will not allow development that would have an unacceptable negative effect on the character, integrity or setting of listed buildings, or scheduled monuments, or other archaeological sites.” (PP1193).

Modify the PLDP to add: “...unless the benefits of the proposed development outweigh the negative impacts.” in paragraph HE1.1 (PP1201 and PP1355).

Modify the PLDP to amend paragraph HE1.1 from, “We will not allow development that would have a negative effect on the character, integrity or setting of listed buildings, or scheduled monuments, or other archaeological sites.” to “Development should avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced. Significant weight will be given to the asset’s conservation. Where development will cause adverse impacts, this will require clear and convincing justification. In addition, any adverse impact must be clearly outweighed by reasons of public interest, including those of a social or economic nature.” (PP1306).

Modify the PLDP to recognise that setting and integrity are two separate matters to reflect SPP in paragraph HE1.1. Amend HE1.1 to reference ‘exceptional circumstances’ for impact on heritage resources and include ‘integrity of setting’ for Scheduled Monuments or delete paragraph HE1.1 (PP0423).

Modify the PLDP to reflect distinction between ‘setting’ and ‘integrity of setting’ or delete the paragraph in paragraph HE1.1 (PP0642).

Paragraph HE1.2

Modify the PLDP to amend the second sentence in paragraph HE1.2 from, “We will protect all listed buildings contained on the statutory list of Buildings of Special Architectural or Historic Interest for Aberdeenshire, archaeological sites and scheduled monuments.” to “We will protect all listed buildings contained on the statutory list of Buildings of Special Architectural or Historic Interest for Aberdeenshire, all scheduled monuments contained on the statutory schedule of Monuments for Aberdeenshire and undesignated archaeological sites in Aberdeenshire.” (PP0578).

Paragraph HE1.3 (Listed Buildings)

Modify the PLDP to amend the second sentence in paragraph HE1.3 from, “A Design Statement is required to support any proposed development and demonstrate that it would not have any negative impact on the listed building.” to “A Design Statement is required to support any proposed development. The application documentation should fully address Policy HE1.1.” (PP1306).

Paragraph HE1.4 (Listed Buildings)

Modify the PLDP to amend paragraph HE1.4 from, “The demolition of a listed building will not be permitted unless the building is no longer of special interest, is incapable of repair or there are overriding environmental or economic reasons not to retain. It must be satisfactorily demonstrated that every effort has been made to continue the present use or find a suitable new use.” to “The demolition of a listed building will not be permitted unless there is clear evidence to show that the building is no longer of special interest, is incapable of repair or there are overriding environmental or socio-economic reasons not to retain. It must be satisfactorily demonstrated that every effort has been made to continue the present use or find a suitable new use with or without an appropriate adaptation of the building.” (PP0743).

Paragraph HE1.5 and HE1.6 (Scheduled Monuments and Archaeological Areas)

Modify the PLDP to bring them into line with SPP to include reference to ‘integrity of setting’ in paragraphs HE1.1 and HE1.5 (or HE1.1 deleted) (PP0423, PP0465, PP0578, PP0589, PP0597 and PP0642).

Modify the PLDP to amend paragraph HE1.5 from, “Development on nationally or locally important monuments or archaeological sites, or impacting on their setting, will only be allowed if ...” to “Development on nationally or locally important monuments or archaeological sites, or having an adverse impact on the integrity of their setting, will only be allowed if ...” (PP0743).

Modify the PLDP to include: “Any works directly affecting a designated Scheduled Monument requires Scheduled Monument Consent (SMC) which is obtained from Historic Environment Scotland. Advice on the SMC process and any requirements should be sought at an early stage from the Heritage Directorate, Historic Environment Scotland, Longmore House, Salisbury Place, Edinburgh, EH9 1SH. Telephone: 0131 668 8716 or email: hmenquiries@hes.scot” in paragraphs HE1.5 and HE1.6 (PP0578).

Review policy wording to ensure there is consistency with SPP and clarity in relation to the assessment criteria to be applied (PP00589).

Seek legal advice on the appropriateness of policy wording in relation to the stated ‘IROPI’ test (PP0736).

Policy HE2 Protecting Historic, Cultural and Conservation Areas

Paragraph HE2.1 (Conservation Areas)

Modify the PLDP to add at the end of the paragraph, “We will seek retention, restoration, and sympathetic adaptation of unlisted buildings which contribute positively to the special

architectural or historic interest of the area, prior to allowing their demolition.” in paragraph HE2.1 (PP0743).

Modify the PLDP to include, “...unless the benefits of the proposed development outweigh the negative impacts.” in paragraph HE2.1 (PP1201 and PP1355).

Modify the PLDP to amend paragraph HE2.1 from, “We will not allow development, including change of use or demolition that would fail to preserve or enhance the character or appearance of a conservation area. This applies both to developments within the conservation area and proposals outwith that would affect its character or appearance.” to “Development should seek to preserve or enhance the character and appearance of the conservation area. Significant weight will be given to the preservation and enhancement of the conservation area. Where development will cause adverse impacts, this will require clear and convincing justification. In addition, any adverse impact must be clearly outweighed by reasons of public interest, including those of a social or economic nature.” (PP1306).

Paragraph HE2.2 (Conservation Areas)

Modify the PLDP to amend the third sentence to add after the word “trees” insert “(including veteran or trees outside of woodlands)” in paragraph HE2.2 (PP0877).

Paragraph HE2.3 (Battlefields, Inventory Gardens and Designed Landscapes)

Modify the PLDP to change the first bullet point from, “the proposal would not have an adverse impact that compromises the objectives of the designation or the overall integrity, character and setting of the designated area, OR” to “the proposal would not have an adverse impact that compromises the objectives of the designation of an inventory garden and designed landscape or the key landscape characteristics and special qualities of an inventory battlefield OR;” in paragraph HE2.3 (PP0743).

Policy HE3 Helping to Reuse Historic Buildings at Risk

Modify the PLDP to amend the title of Policy HE3 from, “Helping to reuse listed buildings at risk” to “Enabling development to help to rescue historic Buildings at Risk.” (PP0743).

Modify the PLDP to amend paragraph HE3.1 from, “This policy does not apply to enabling new commercial developments.” to “Enabling development to cross fund business proposals will be considered in exceptional circumstances.” (PP1142).

Modify the PLDP to review the second sentence so that it is clearer and does not preclude more extensive heritage led regeneration that returns the heritage asset to use in paragraph HE3.1 (PP1306).

Modify the PLDP to review the last sentence, “This policy does not apply to enabling new commercial developments.” for the purpose of clarity in paragraph HE3.1 (PP1306).

Summary of responses (including reasons) by planning authority:

The Historic Environment Introduction

Comments from HES on separating the historic assets into their own policies is noted. However, the Council is content with the approach it has adopted with its groups of the historic environment policies into designated sites (Policy HE1) and designated areas (Policy HE2) (AD0034.A, pages 51-52). This had been considered at the 2017 LDP Examination and no change was proposed by the Reporter. No change is required.

Policy HE1 Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites (including other historic buildings)

General

Comments from SEPA are noted. No change is required.

Paragraph HE1.1

The purpose of paragraph HE1.1 is to set the overall tone of this policy. However, the Council agrees that its policies should be consistent with SPP. As the comments mostly relate to the restrictive nature of this paragraph, the Council accepts HES's suggested amendments. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph HE1.1 could be modified to read, "We will not allow development that would have an adverse impact on the character, integrity or setting of listed buildings, or scheduled monuments, or other archaeological sites. If adverse impact is unavoidable, it should be minimised and justified".

The Council is satisfied with its wording regard the comments on setting and the integrity of setting for battlefields. Paragraph HE1.1 reads "character, integrity or setting" as it refers to more than just archaeological sites. This issue is also discussed below (see Paragraph HE1.5). No change is required.

Paragraph HE1.2

The Council confirms that it intends to address the Scottish Government's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Paragraph HE1.3 (Listed Buildings)

The Council does not support removing the need for a Design Statement to demonstrate a proposal will have no negative effect on a listed building. The evolution of the design of a proposal and its impact on historic assets is an important consideration. However, this paragraph could be amended to ensure consistency with the proposed amendment to paragraph HE1.1. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph HE1.3 could be modified to change the second sentence to read, "A Design Statement is required to support any proposed development and demonstrate that it would not have any adverse impacts on the listed building".

Paragraph HE1.4 (Listed Buildings)

The Council confirms that it intends to address HES's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Paragraphs HE1.5 and HE1.6 (Scheduled Monuments and Archaeological Areas)

The Council confirms that it intends to address HES's comments and other representees comments on the terminology used in paragraph HE1.5 and consistency with SPP through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council is satisfied with using "imperative reasons of overriding public interest" in paragraph HE1.5. SPP, paragraph 145 states "...permission should only be granted where there are exceptional circumstances." Paragraph HE1.5 sets out what these exceptions are. As such, it does not conflict with SPP and HES has not objected to this statement. No change is required.

The Council confirms that it intends to address the Scottish Government's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Policy HE2 Protecting Historic, Cultural and Conservation Areas

General

Comments from SEPA are noted. No change is required.

Paragraph HE2.1 (Conservation Areas)

The Council does not support adding a caveat to allow the demolition of buildings in a conservation area. SPP places a strong presumption on retaining buildings that make positive contribution to a conservation area (AD0012, paragraph 143). Introducing a caveat would weaken paragraph HE2.1. However, the Council agrees with HES's comment to create a clearer demolition policy on unlisted buildings in conservation areas. If the Reporter is minded, to make an amendment, then the Council recommends that paragraph HE2.1 could be modified to add at the end, "We will seek retention, restoration, and sympathetic adaptation of unlisted buildings which contribute positively to the special architectural or historic interest of the area, prior to allowing their demolition."

Paragraph HE2.2 (Conservation Areas)

While Tree Preservation Orders can be used to protect trees of cultural and historic interest, the Council would support including a reference to veteran or trees outside of woodlands in paragraph HE2.2. SPP notes the importance of veteran trees, and that individual trees should be protected (AD0012, paragraph 216). If the Reporter is minded, to make an amendment, then the Council recommends that paragraph HE2.2 could be modified to change the third sentence to read, "All details must be provided under the cover of a full application and any trees (including veteran or trees outside of woodlands) contributing to the character and appearance should be retained. Homeowners and business owners within the conservation area boundaries automatically have certain Permitted Development Rights removed."

Paragraph HE2.3 (Battlefields, Inventory Gardens and Designed Landscapes)

The Council confirms that it intends to address HES's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Policy HE3 Helping to Reuse Historic Buildings at Risk

Comments from SEPA are noted. No change is required.

The Council would support amending the title of the policy as suggested by HES, as it would help resolve the issues of clarity raised by the other representees and confirm this policy is not for enabling development to fund commercial/business proposals. If the Reporter is minded, to make an amendment, then the Council recommend that the title of Policy HE3 is changed to “Enabling development to help to rescue Historic Buildings at Risk”.

The language used in the policy, i.e., to make a listed building “wind and watertight”, has been written this way to encourage developers to keep costs to a minimum and avoid the use of more expensive fixtures to do the same job. To bring a building back into use may require fixing the walls, windows, roof and any other internal or external works. Therefore, the policy is not short-sighted. No change is required.

Appendix 11 Conservation Areas

Comments from SEPA are noted. No change is required.

Reporter’s conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan, or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue that is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” to Section 11 (The Historic Environment) and to Appendix 11 (Conservation Areas). However, where such matters arise from representations made to the proposed plan they are required to be addressed in the examination. I therefore address these as appropriate below.

Policy HE1 Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites (including other historic buildings)

3. Including reference in paragraph HE1.1 to the minimisation and justification of any adverse impacts on the historic environment is appropriate, as Historic Environment Scotland (HES) seeks, and the council accepts. Inclusion of this qualification would more closely reflect the need for adverse effects to be balanced against any potential benefits. However, the wording of the paragraph requires further modification to correct the impression that there would be an absolute bar to development which gave rise to any adverse effect, irrespective of any beneficial effects. Without such a further modification the paragraph would be internally inconsistent, giving rise to confusion as to its overall effect. The modification I recommend to paragraph HE1.1 would avoid this, and address the representations made by a number of respondents that, as drafted, the paragraph is too inflexible and not wholly consistent with Scottish Planning Policy, particularly in terms of paragraph 137.

4. An effect on the setting of a heritage asset may be capable of being distinct from an effect on the integrity of that asset or of its setting. However, as both setting and integrity are included in the paragraph, any such fine nuance would be capable of being taken into account in the consideration of a specific proposal. In any event, the modification I recommend to paragraph HE1.5 addresses this aspect and no further modification is needed in this regard.

5. Modifying paragraph HE1.2 so as to ensure consistency of terminology in referring to heritage assets, as Scottish Government seeks, is appropriate. This is reflected in my formal recommendation. Although the text of my recommended modification below does not include the footnote references 2 and 3 at the bottom of page 65 of the plan, I consider that these should be retained.

6. Consistent with my recommended modification to paragraph HE1.1, assessing proposals for alterations to listed buildings would involve a balancing of negative and positive effects. Paragraph HE1.2 would also apply to alterations to listed buildings. I consider that the wording of paragraph HE1.3 should be amended to provide a consistent approach with paragraphs HE 1.1 and HE1.2 and to qualify what a design statement should seek to demonstrate. The modification I recommend in this respect would more simply address what the representee seeks in this regard, without diluting the principles that paragraph HE1.3 embodies.

7. I note that the council accepts the modification that HES proposes be made to paragraph HE1.4 with regard to demolition of listed buildings. I agree that the proposed text would ensure appropriate consistency with the Managing Change guidance published by HES. I recommend a modification to this effect.

8. Drawing attention in paragraph HE1.5 to considering any effect on the integrity of the setting of an archaeological asset, and using wording more aligned to that of the relevant legislation would, as HES and others comment, more appropriately reflect national policy and improve clarity. I agree that inclusion in the paragraph of the phrase “imperative reasons of overriding public interest” could lead to confusion in view of the specific legal connotation of that test as applied by the Habitats and Wild Birds Directive. Paragraph 145 of Scottish Planning Policy refers to “exceptional circumstances” in this context and use of that phrase instead would align with national policy in that regard. My recommendation for modification to paragraph HE1.5 reflects these matters.

9. The inclusion of a footnote to paragraph HE1.6, as the council proposes, to draw attention to the separate Scheduled Monument Consent process would appropriately respond to the Scottish Government’s representation in that regard. I recommend a modification accordingly.

Policy HE2 Protecting Historic, Cultural and Conservation Areas

10. As the council rightly explains, Scottish Planning Policy (paragraph 143) seeks to ensure that development, and any proposals for demolition, preserves or enhances the appearance, character or setting of conservation areas. However, as presently worded, paragraph HE2.1 establishes an absolute bar to proposals that would fail to do that. This would exclude the carrying out of a balanced assessment of any harm in that respect against potential benefits that may exist. The council accepts the addition to the

paragraph suggested by HES, to ensure that consent criteria applying in conservation areas should not be more onerous than for listed buildings. Adopting HES's suggested addition, which I endorse, also requires a modification to the first sentence of the paragraph to acknowledge that a balancing of potential positive effects against any negative ones is required in decision making. However, use of the words "prior to" would be capable of misinterpretation and "in preference to" is clearer in this regard. I recommend modifications to paragraph HE2.1 accordingly. These recommended modifications would also address the criticisms raised by several other representees on these aspects.

11. Although paragraphs PR1.7 and PR1.8 in section 12 of the proposed plan seek to safeguard trees and woodlands, I agree that making reference in paragraph HE2.2 to the specific circumstances of trees in conservation areas, as the Woodland Trust seeks and the council supports, is appropriate. I recommend a modification to that paragraph accordingly.

12. More clearly distinguishing between the considerations relevant to battlefields as opposed to inventory gardens and designated landscapes in paragraph HE2.3, as HES suggests, is appropriate. To ensure consistency with the last part of the paragraph, it is also necessary to alter the first part of it to make clear that the paragraph applies to proposals which may affect the identified heritage asset and is not confined to development within such areas. I recommend modifications to paragraph HE2.3 accordingly.

Policy HE3 Helping to Reuse Historic Buildings at Risk

13. As the policy focusses on enabling development where historic buildings are at risk, I agree with HES that altering its title would serve to clarify that intention. However, use of the more generic word "safeguard" would be preferable to "help to rescue" in this context and I recommend a modification accordingly.

14. I note that some representees suggest that the intention and overall thrust of the policy lacks clarity, and that reference to making the building at risk wind and watertight represents a short-sighted approach. I disagree. The text of paragraphs HE3.1, HE3.2 and HE3.3 together provides a robust set of criteria to guide consideration of any proposal that may exceptionally be sought on the basis that it would be justified to secure the preservation of a building at risk. Nor do I regard the reference to minimising the extent of works to what may be necessary to secure the fabric of the building, to be unreasonably restrictive in this regard. As the policy overall makes clear, very particular circumstances would need to be demonstrated for an enabling development proposal to potentially come within its ambit. However, I do not see that excluding the consideration of commercial development adds anything of significance to the intention of the policy. The last sentence of paragraph HE3.1 should therefore be deleted, consistent with representations made in that regard, and I recommend a modification accordingly.

Reporter's recommendations:

Modify the local development plan by:

1. Replacing paragraph HE1.1 on page 65 with:

"We will resist development that would have an adverse impact on the character, integrity

or setting of listed buildings, or scheduled monuments, or other archaeological sites. If adverse impact is unavoidable, it should be minimised and justified.”

2. Replacing the first sentence of paragraph HE1.2 on page 65 with:

“We will protect all listed buildings contained on the statutory list of Buildings of Special Architectural or Historic Interest for Aberdeenshire, all scheduled monuments contained on the statutory schedule of Monuments for Aberdeenshire and undesignated archaeological sites in Aberdeenshire.”

3. In the first sentence of paragraph HE1.3 on page 65, replacing “will only be permitted if they are” with “should be”, and replacing the second sentence of the same paragraph with:

“A Design Statement is required to support any proposed development and demonstrate how the proposal addresses paragraphs HE1.1 and HE1.2.”

4. Replacing paragraph HE1.4 on page 66 with:

“The demolition of a listed building will not be permitted unless there is clear evidence to show that the building is no longer of special interest, is incapable of repair or there are overriding environmental or socio-economic reasons not to retain it. It must be satisfactorily demonstrated that every effort has been made to continue the present use or find a suitable new use, with or without an appropriate adaptation of the building.”

5. Replacing paragraph HE1.5 on page 66 with:

“Development on nationally or locally important monuments or archaeological sites, or having an adverse impact on the integrity of their setting, will only be allowed if there are exceptional circumstances, including those of a social or economic nature, and there is no alternative site. It is the developer’s responsibility to provide information on the nature and location of the archaeological features, including details of any mitigation measures proposed, prior to determination of the planning application.”

6. Adding a footnote linked to paragraph HE1.6 on page 66, as follows:

“Any works directly affecting a designated Scheduled Monument requires Scheduled Monument Consent (SMC), which is obtained from Historic Environment Scotland. Advice on the SMC process and any requirements should be sought at an early stage from Historic Environment Scotland.”

7. Replacing paragraph HE2.1 on page 66 with:

“We will resist development, including change of use or demolition, which would fail to preserve or enhance the character or appearance of a conservation area. This applies both to developments within the conservation area and proposals outwith that would affect its character or appearance. We will seek retention, restoration, and sympathetic adaptation of unlisted buildings which contribute positively to the special architectural or historic interest of the area, in preference to allowing their demolition.”

8. Replacing the third sentence in paragraph HE2.2 on page 66 with:

“All details must be provided under the cover of a full application and any trees (including veteran trees and trees outside of woodlands) contributing to the character and appearance should be retained.”

9. In the first line of paragraph HE2.3 on page 67, replacing “within” with “affecting”.

10. Replacing the first bullet point of paragraph HE2.3 on page 67 with:
"• the proposal would not have an adverse impact that compromises the objectives of the designation of an inventory garden or designed landscape, or the key landscape characteristics and special qualities of an inventory battlefield; or,"
11. Replacing the title of Policy HE3 on page 67 with:
"Policy HE3 Enabling development to safeguard Historic Buildings at Risk"
12. Deleting the last sentence of paragraph HE3.1 on page 67.

Issue 10	Section 12 – Protecting Resources and Appendix 14 Areas Safeguarded or Identified as Areas of Search for Minerals Development	
Development plan reference:	Proposed LDP, Section 12, Page 73-78, Appendix 14 Areas Safeguarded or Identified as Areas of Search for Minerals Development, Page 1125-1154	Reporter: Rob Huntley
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Policy PR1 Protecting Important Resources</p> <p>PP0193 Inverurie Loco Works Football Club PP0235 Sportscotland PP0424 Coriolis Energy Limited PP0427 David Jack PP0460 Mr E Mitchell PP0466 Statkraft PP0467 Statkraft PP0556 Newtonhill, Muchalls and Cammachmore Community Council PP0578 Scottish Government Planning and Architecture Division PP0589 Scottish Renewables PP0597 ESB Asset Development UK PP0643 Renewable Energy Systems Ltd PP0733 Paul Davison PP0736 RWE Renewables UK PP0843 CALA Homes (North) Limited PP0863 Bennachie Community Council PP0877 The Woodland Trust Scotland PP0878 The Woodland Trust Scotland PP0879 The Woodland Trust Scotland PP1124 CALA Homes PP1125 Barratt North Scotland PP1188 Falck Renewables Wind Ltd PP1213 Hallam Land PP1219 Scottish Environment Protection Agency PP1257 RSPB Scotland PP1258 RSPB Scotland PP1306 Homes for Scotland PP1356 CALA Homes</p> <p>Policy PR2 Reserving and Protecting Important Development Sites</p> <p>PP0431 Pale Blue Dot Energy Limited PP0444 Network Rail PP0503 Scottish Enterprise PP0573 Chrysaor PP0598 National Grid Gas plc PP0615 Monymusk Land Company PP0762 Total E&P UK Ltd PP0881 Meldrum Paths Group PP0899 Peterhead Port Authority PP1145 Shell UK Limited</p>		

PP1219 Scottish Environment Protection Agency
 PP1222 NHS Grampian
 PP1241 Nestrans

Policy PR3 Reuse, Recycling and Waste

PP1219 Scottish Environment Protection Agency

Protecting Resources Policy Map

PP0614 Corsindae Estate

Appendix 14 Areas Safeguarded or Identified as Areas of Search for Minerals Development

PP0224 CHAP Group (Aberdeen) Ltd
 PP0985 Leiths (Scotland) Ltd
 PP0986 Leiths (Scotland) Ltd
 PP1121 Alistair Cruickshank
 PP1219 Scottish Environment Protection Agency

Provision of the development plan to which the issue relates:

Policies relating to protecting resources

Planning authority's summary of the representation(s):

Policy PR1 Protecting Important Resources

Paragraph PR1.1

The safeguarding of prime agricultural land in accordance with Scottish Planning Policy (SPP) within this policy section is welcomed. No modification sought (PP0460).

It is considered that current wording is too restrictive and not sufficiently flexible to permit developments where only a minor, and not significant effect is identified on resources. 'Acceptability' of environmental impacts needs to be factored in and policy wording needs to make provision for permitting development with no 'significant adverse impacts'. Also, the requirement to demonstrate that there are no alternative sites is excessive and unwarranted (PP0424, PP0466, PP0589 (see additional paper RD0212.A), PP0597, PP0643, PP0736, PP1125 and PP1188). A representee has included an Appendix (RD0185.A) in their representation which provides further detail to support their position (PP1125). If the benefits outweigh the negative effects, those projects should not be refused planning permission (PP0589). Negative environmental effects (whether significant in Environmental Impact Assessment (EIA) terms or not) are not always unacceptable in policy terms, and in fact it is unusual for a large-scale EIA to identify no significant effects to some degree (PP0424 and PP0466). The addition of 'unacceptable' to the policy wording and 'significant adverse impacts' would enable a balancing exercise in decision-making (PP0466 and PP0589).

It is recognised that the policy wording set out in paragraph PR1.1 is not a renewables specific policy, and therefore that any changes made to this policy section must recognise that the primary point of assessment is against the renewables/wind energy policies (PP0424).

Policy wording is inconsistent with Table 1 of SPP and sets a much higher test than SPP, particularly in relation to wind farm developments on peat and carbon rich soils, (PP0424, PP0466 and PP0597). In SPP the key test is whether any significant effects can be substantially overcome by siting, design, or other mitigation, but this is a different test to the one set out in paragraph PR1.1 which requires developers to avoid any negative impacts whatsoever, or demonstrate there is no alternative site (PP0424, PP0466, PP0597 and PP0643).

Carbon sinks and stores are protected by Policies C3, PR1.1 and PR1.10 but are inconsistent and not in accordance with SPP which groups carbon rich soils as Group 2 interest in terms of SPP Table 1, and as such significant effects should be substantially overcome. This is a different and less stringent test than set by Policy C3 which simply notes protection from disturbance or destruction. There needs to be consistency as they each apply to wind farm developments (PP0467).

Whilst the commitment to protect peat, carbon rich soils and trees and woodland is welcomed, paragraph PR1.1 is contradictory. The first sentence states that development having a negative impact will not be approved, whilst the second sentence gives criteria by which development would allow such an approval. There would be a need for mitigation and compensation if a negative effect is to be accepted and therefore the need for such measures should be included. The mitigation hierarchy should always be followed. There is also a concern that the policy could allow for inappropriate development on irreplaceable habitat such as peat. There are no criteria in the current policy which state that biodiversity impacts will also be considered (PP1257).

Paragraph PR1.2 (Air Quality)

Scottish Environment Protection Agency (SEPA) has noted their requested amendments have been made to paragraph PR1.2 and have no further comments. No modification sought.

There is conflict between paragraphs PR1.2 and PR1.1, as PR1.2 introduces more flexibility through the wording “significant”, yet both policy tests would apply to the same development. Clarification is required as to how two different policy tests for air quality (paragraph PR1.1 and PR1.2) can apply to the same development (PP0424 and PP0466).

In EIA terms ‘significant adverse impact’, as referenced in paragraph PR1.2, can still be deemed acceptable in the planning process. The addition of ‘acceptable’ to the policy would allow for more balanced decision-making (PP0736).

Paragraph PR1.3 (Water Environment)

Whilst SEPA has supported the rewording of paragraph PR1.3, the policy is objected to unless it includes a better reference to the Scottish River Basin Management (RBMP) in this policy or elsewhere in the Plan. It is noted that although the RBMP is cited as an important document relevant to the Plan on Page 10, there is no reference to it elsewhere in the Plan. Also notes that not all waterbodies have been ‘classified’ therefore reference to the RBMP should be made in Policy PR1 and suggests adding a footnote at paragraph PR1.3 (RD0214.A) (PP1219).

SEPA has also requested that the existing footnote 1 in paragraph PR1.3 is amended to emphasise what the required construction method statement needs to specifically address for these sites. Also notes that construction method statements may be required for any development site close to a water body that has the potential to cause pollution to that waterbody, and not just sites adjacent to the River Dee (RD0214.A) (PP1219).

Paragraph PR1.5 (Prime Agricultural Land)

The Scottish Government has requested modifications to policy wording in paragraph PR1.5 in order to meet paragraph 80 of SPP which sets out development considerations for development on prime agricultural land. SPP is clear that development should not be permitted, except where essential within a range of given circumstances, and that where it is necessary to use good quality land for development, the layout and design should minimise the amount of such land that is required (PP0578).

It has been highlighted that there is relatively little prime agricultural land, class 3.1, in Aberdeenshire. Good quality land, class 3.2, is more prevalent and more important to the rural agricultural economy in Aberdeenshire and should be protected from development where possible. Wording should be amended such that “prime agricultural land” is referred instead to “prime and good quality agricultural land”. Also, class 3.2 should be included in the description (PP0733).

Prime agricultural land is a resource that is fundamental to food production and biodiversity, and Bennachie Community Council is concerned that the wording within Policy PR1 does not sufficiently protect prime agricultural land from rural development. The policy is objected to on the basis that testing only the headland (edge of a field), which is already compacted and of poorer quality, gives misleading results to the overall quality of the soil (PP0863).

It is considered that the current wording in paragraph PR1.5 needs to be qualified in respect of other considerations which might outweigh the need to protect prime agricultural land, e.g., where there is a shortfall in the 5-year housing land supply or some other overriding consideration (PP1213 and PP1356).

It is considered that policy wording in paragraph PR1.5 is unnecessarily restrictive, and this precludes the decision maker to undertake a rounded assessment of the proposal. SPP paragraph 29 refers to giving due weight to net economic benefit and responding to economic issues, challenges, and opportunities. It also includes a presumption in favour of sustainable development. These policies set a clear expectation that the decision taker should balance various considerations in their decision, including economic benefits, which will be significant for housing development. It is notable that such wording is included in PR1.1 “In all cases development which impacts on any of these features will only be permitted when public economic or social benefits clearly outweigh any negative effects on the protected resource, and there are no reasonable alternative sites.” This wording should also be included in Policy PR1.5. This change is necessary to make it compatible with SPP paragraph 29 which refers to giving due weight to net economic benefit and responding to economic issues, challenges, and opportunities (PP1306).

Paragraph PR1.6 (Open Space)

There has been an objection to the policy statement that only ‘exceptionally’ would the

development of 'essential community infrastructure' be allowed. It is considered that this would significantly impact on the potential improvements of existing facilities or development that would benefit existing community infrastructure. There is also a concern that some sites are being deemed 'important' areas of open space on sites when they are not 'open space' (PP0193, PP0427, PP0843 and PP1124). It is acknowledged that new areas have been protected in the PLDP for consistency of the policy across Aberdeenshire, however, there remain football pitches, namely at Banff and Pitmedden, that are not protected (PP0193). The words 'exceptional', and 'essential community infrastructure' should be removed from the policy wording (PP0193, PP0427, PP0843 and PP1124).

A change has been sought in the policy wording to account for open spaces which are not specifically identified in the Settlement Statement maps. SPP states that all outdoor facilities should be identified in a LDP (Paragraph 226). This should be rectified by adding the text they have suggested or by undertaking a review of the Settlement Statement maps to ensure these are picked up. It is also requested that reference to sports pitches is replaced with "outdoor sports facilities" to ensure consistency with SPP and the Development Management Planning Regulations (2013), and to ensure that the facilities are covered by national policy provisions (PP0235).

It has been requested that the first sentence in paragraph PR1.6 on developing open space, provides a clear definition of "open" and "green" space, which should include woodland areas (PP0879). It is requested that paragraph PR1.6 includes woods in a list of green spaces that will not be granted planning permission (PP0879).

SEPA has noted and welcomed the amendments they previously requested that have been made to Policy PR1.6 and have no further comments to make. No modification sought (RD0214.A) (PP1219).

SEPA has supported the use of protected land in Appendix 7 to ensure that land which functions as a flood plain for rivers and watercourses is protected from inappropriate development. This ensures that communities have greater resilience to climate change, but also ensures the land continues to serve as green-blue networks within communities, providing amenity and habitat and supporting the health of places. No modification sought (RD0214.A) (PP1219).

Paragraph PR1.7 and Paragraph PR1.8 (Trees and Woodlands)

The policy should refer to the fact that the loss of ancient woodland cannot be mitigated for and also add in text to the first sentence in paragraph PR1.7 so that It is not only woodland on the site but also near development sites that should be protected to acknowledge that development may adversely affect adjacent woodlands through indirect edge effects (PP0877). In the same vein the RSPB have asked for protection of individual trees. They have also asked that the full title of the British Standard should also be included to benefit members of the public who may not be familiar with the publication. The tree survey would aid the assessment of the amenity value of the trees rather than the ecological survey and therefore revised wording is suggested to reflect this. In terms of the ecological survey, the word 'should' should be replaced with 'must' to make it clear that this is not optional (PP1258).

A representee would welcome acknowledgment that the loss of even individual trees and

small woodlands gradually has a high impact on the natural environment. There needs to be a stronger commitment to protect ancient woodland and this should be done with a clear statement in planning documents. Reference should be made to the number of different mapping resources available in order to look at the data available and use this when preparing the Local Development Plan (PP0878). Ancient woodland is a product of centuries of habitat continuity and cannot be replaced. It is requested that paragraph PR1.8 is amended to include “and woodland” in the first sentence after “...damage to existing trees...” and before “...must be minimised...” (PP0877).

Paragraph PR1.10 (Peat and Carbon Rich Soils)

It is considered this policy inclusion is unnecessary and should be deleted as it simply directs you to Policy C3, notes these resources are protected under that policy, and provides no basis for assessing applications. Paragraph PR1.10 also fails to mention these resources are protected under paragraph PR1.1 (PP0424, PP0466, PP0589, PP0643 and PP0736).

Carbon sinks and stores are protected by Policies C3, PR1.1 and PR1.10 but are inconsistent and not in accordance with SPP which groups carbon rich soils as Group 2 interest in terms of the SPP Spatial Framework. SPP which notes significant effects should be substantially overcome. This is a different and less stringent test than set by Policy C3 which simply notes protection from disturbance or destruction. There needs to be consistency across the policies and in terms of how they apply to wind farm developments (PP0467).

SEPA has objected to Policy PR1 on the basis that the additional text and footnote that had been previously requested has not been added to paragraph PR1.10 (or Policy C3 Carbon Sinks and Stores) to ensure that developers are required to carry out a soil or peat survey and management plan, in order to comply with Scottish Government Guidance and be transparent in terms of developer requirements where peat is likely to be present. The requested additional text and footnote should now be included (PP1219).

Education

There is concern that Scotland’s world education rankings continue to fall, and Scotland will drift into ‘below average’ status as Developer Obligations do not fully consider the impact that overcrowding in schools has on the quality of our children’s education. As such, proposes a new policy under Section 12 Protecting Resources to protect educational resources (PP0556).

Policy PR2 Reserving and Protecting Important Development Sites

Paragraph PR2.1

SEPA has welcomed the inclusion of cemeteries within paragraph PR2.1 and that they have also been identified as protected sites in the Settlement Plans. No modification sought (PP1219).

Nestrans has welcomed the first bullet point but suggest that the Strategic Development Plan is also referenced, in particular Schedule 1 “Summary of Potential Transport Intervention Options”. Policy wording should be amended accordingly (RD0227.A)

(PP1241).

Nestrans has highlighted that with regard to the treatment of disused railway lines (notably Formartine and Buchan Way). Aberdeenshire has a number of continuous lengths of disused railway line in its area, some of which have been adopted as Core Paths and provide strategic long-distance recreational routes (Deeside Line, Formartine and Buchan Way), whilst others remain clearly visible on the landscape but have been returned to private ownership (e.g., Ellon to Cruden Bay/Boddam). These assets are referred to in paragraph PR2.1. Some of these stretches of railway line have also been the subject of recent interest regarding the potential to re-open them as railway lines, which in some cases would also entail the creation of alternative recreational routes. The draft Regional Transport Strategy recognises this interest (with work recently undertaken on the section between Dyce and Ellon) but has concluded for the time being it would be difficult to justify the re-opening of currently disused rail lines in the area, but that the lines should continue to be safeguarded from development. No modification is sought in respect of Policy PR2 (RD0227.A) (PP1241).

Concern has been raised about the strength of the policy in protecting disused railway cuttings for the purposes of active travel projects. In particular, the removal of cuttings and embankments that were planned to be part of a community led active travel route along the former railway between Oldmeldrum and Inverurie is an issue. This infrastructure should be protected, and its removal should only be permitted once it has been established this would not hinder potential active travel development. The delivery of the Oldmeldrum/Inverurie travel route has the longstanding support of both Community Councils and Aberdeenshire Council, and was a top priority for Meldrum, Bourtie and Daviot Community Council's future vision consultation (2017). Many disused rail routes are not designated as core paths or currently in use but could provide excellent active travel routes between communities in the north east of Scotland (PP0881).

Whilst the overall intent of the Policy PR2 is supported, it is considered a Map should be appended in the PLDP to show the routes of the "closed railways" which will be protected under the policy. This would be beneficial for the avoidance of doubt, and to add confidence and certainty. This is in line with the desire for map based LDP's. The reinstatement of new local/rural railway services elsewhere in Scotland has been extremely successful, noting in particular the Kintore to Alford line (track bed largely intact). Such services in Aberdeenshire could bring significant benefits in terms of the sustainability of rural communities and future development within them. This would also serve to reduce the pressure on the Aberdeen green belt by providing attractive alternatives to car-based commuting and potentially take significant freight movements off the local road network with associated carbon saving, reduction in congestion and wear and tear on the network. The representee has included a map as an Appendix to their representation which provides further detail to support their position (RD0100.A) (PP0615).

Network Rail generally supports the approach of Policy PR2 and highlights that the continued support of the Council is needed in safeguarding and improving the railway network. There is a potential need for land in proximity to Drumlithie and Laurencekirk to allow formation of new rail loops in connection to Aberdeen and Central Belt rail improvements. These are at an early stage of design. It is requested that the policy wording provides for the general use of land to support future improvements to railway infrastructure (PP0444).

NHS Grampian requests that “health care infrastructure” is included as an additional bullet point within Policy PR2. It should also be recognised that existing social care sites will need to expand in the future and consideration must be given to the expansion requirements of health and social care facilities (PP1222).

Paragraph PR2.2

Scottish Enterprise has highlighted the importance of the ability to import and export carbon dioxide via Peterhead Port and produce hydrogen from natural gas at St Fergus. These are major components of the Acorn Project, this being a critical project for Aberdeenshire and in order to achieve emission reduction targets and maximise the economic benefits of a low carbon future (PP0503). This view is supported by other representees and an appropriate and suitable policy context for, and representation of, the full extent of the Acorn carbon and storage (CCS) and hydrogen projects is sought within the PLDP. Policy wording should be amended to include hydrogen production and identify the need for pipeline corridors associated with the movement of CO² by ship via Peterhead Port (PP0431, PP0503, PP0573, PP0762, PP0899 and PP1145).

Whilst supportive of the policy, acknowledgement is needed that the land at St Fergus Gas Terminal land should be reserved for major oil, gas and carbon capture and storage related development. It is considered the policy wording should confirm that a wider range of low carbon/renewable energy technologies would be supported on the reserved land site at the terminal. This change is required to better reflect the Scottish Government’s ambitions for tackling climate change and net-zero greenhouse gas emissions by 2045. The representee has included a location plan in their representation which provides further detail to support their position (RD0087.A) (PP0598).

Policy PR3 Reuse, Recycling and Waste

SEPA has supported the rewording of the policy section. No modification sought (RD0214.B) (PP1219).

Protecting Resources Policy Map

It is considered that Policy PR1 should acknowledge that the mapping of the Ancient Woodland Inventory is “provisional” and “not definitive” and should “be used with care”, and the Ancient Woodland designation should be removed from the Safeguarding Resources map. Of particular note is the SNH Guidance on Ancient Woodland Inventory (AWI) which states the following: that ancient Woodland comprises land that is “currently wooded and has been continuously wooded, at least since 1750”; there is “no legislation specifically protecting ancient woodland” but, despite this, SNH will seek to use the planning system to protect ancient woodland; the mapping shows the location of “many” of our most valuable woodlands (but not all); the inventory is a “provisional guide to the location of Ancient Woodland” and the inventory is “not definitive” and should be “used with care”. This does not provide a sufficiently accurate or concise base on which to include this in the LDP, does not add certainty and should not be included. It is noted that the Council have historically resisted identifying the SEPA Indicative Flood Map on the Proposals Map on the basis that the mapping is not theirs, could change in-between LDPs, and this would result in confusion. The representee does not see why this would be any different (particularly given the significant uncertainties highlighted about the

mapping) (PP0614).

Appendix 14 Areas Safeguarded or Identified as Areas of Search for Minerals Development

SEPA has confirmed that they have no comments on Appendix 14. No modification sought (PP1219).

The identification of Muirtack (map 38) is supported as an Area of Search on account of there being a shortage of sand and gravel resources in the Aberdeen area. Recent planning applications have shown there are no technical reasons to prohibit mineral extraction in this location (PP0224). However, another representee has objected to the site on account of the pollution from dust and having an adverse impact on the health of nearby residents. This is not a suitable site for a large quarry. Planning applications were previously refused as it was deemed there was no demand for an additional quarry site in the district (PP1121).

There has been an objection to the omission of Nether Park Quarry, Drumoak as a safeguarded mineral resource. The land in question was granted consent for a 10-year period for the continuation of sand and gravel (planning application reference APP/2016/0257, granted on 5 June 2018). As a working gravel quarry, it should be protected from inappropriate development in line with policy PR1 and PR1.9 in particular. It is not clear why this land does not appear in the list included in the Plan. Paragraph 238 of SPP requires LDPs to support the maintenance of a land bank of permitted reserves for construction aggregates of at least 10 years at all times. The principle of development remains acceptable on the site. Therefore, it is requested that Nether Park Quarry is included as a safeguarded mineral resource in Table 2, Appendix 14. In addition, it is requested that land to the west of the site is included as a further area of search in Table 1, Appendix 14 to ensure no other form development takes place that might sterilise the potential working. Also, considering the progressive restoration of the current quarry, it is not envisaged there would be, unacceptable environment impacts should extraction continue to the west of the currently consented area. The representee has included a site plan (RD0182.A) in their representation which provides further detail to support their position (PP0985).

The inclusion of the Blackhills Quarry site within Table 2, Appendix 14 (Map 16) is supported but it is requested that the boundaries are changed to reflect the area granted permission under planning application APP/2019/2369 (approved 31/3/2020). The site will be in line with SPP in terms of keeping the landbank of permitted reserves for construction aggregates of at least 10 years. The representee has included an Appendix (RD0183.A) in their representation which provides further detail to support their position (PP0986)

Modifications sought by those submitting representations:

Policy PR1 Protecting important resources

Paragraph PR1.1

Modify the PLDP to remove reference to the need to demonstrate there are no alternative sites, add a reference to the acceptability of impacts (PP0424, PP0466, PP0589 (additional Paper RD0087), PP0597, PP0643, PP0736 and PP1188), and amend existing wording as follows: "We will not approve developments that have an unacceptable

significant effect upon important environmental resources, or where significant effects cannot be substantially overcome ...” (PP0424, PP0466, PP0589, PP0597 and PP0643).

Modify the PLDP to amend paragraph PR1.1 to, “Developments that have a negative effect on important environmental resources associated with air quality, the water environment, important mineral deposits, prime agricultural land, peat and other carbon rich soils, open space, and important trees and woodland, will only be permitted when public economic or social benefits outweigh any negative effects on the protected resource or it has been demonstrated that appropriate mitigation can be put in place to address any impacts.” (PP1125).

Modify the PLDP to amend paragraph PR1.1 to, “There is a very strong presumption against developments that have a negative effect on important environmental resources associated with air quality, the water environment, important mineral deposits, prime agricultural land, peat and other carbon rich soils, open space, and trees and native and ancient woodland. In all cases development which impacts on any of these features will only be permitted when there are no reasonable alternatives and public and social benefits clearly outweigh any negative effects on the resource and there is appropriate mitigation or compensation. In considering such benefits, the carbon impact of the development and its likely effect on biodiversity shall be considered.” (PP1257).

Modify the PLDP to bring policy wording under paragraph PR1.1 (together with paragraph PR1.10 and policy C3) in line with SPP in terms of how they relate to wind farm developments, and to ensure consistency across the policies (PP0467).

Paragraph PR1.2 (Air Quality)

Modify the PLDP to address the conflict between paragraphs PR1.1 and PR1.2 and clarify how both policy tests would apply to a development (PP0424 and PP0466).

Modify the PLDP to amend policy wording under PR1.2 to insert “unacceptable” before “significant adverse impact” (PP0736).

Paragraph PR1.3 (Water Environment)

Modify the PLDP to add a new (first) footnote at the end of the first sentence, “The current status of a classified waterbody can be found via SEPA’s River Basin Management Planning webpage: <https://www.sepa.org.uk/environment/water/riverbasin-management-planning/>” in paragraph PR1.3 (PP1219).

Modify the PLDP to amend the first footnote to, “Development proposals within the River Dee catchment area may require a Construction Method Statement which addresses the interests of the River Dee SAC.” in paragraph PR1.3 (PP1219).

Paragraph PR1.5 (Prime Agricultural Land)

Modify the PLDP to revise the second sentence in paragraph PR1.5 to, “... For clarity, this includes, as a component of a settlement strategy or necessary to meet an established need, such as essential infrastructure where no other suitable site is available, for renewable energy generation or mineral extraction providing the site will be restored and returned to its original status.” and add a new sentence at the end of paragraph PR1.5 to

read, “Where it is necessary to use good quality land for development, the layout and design should minimise the amount of such land that is required.” (PP0578).

Modify the PLDP to amend “... prime agricultural land” to “...prime and good quality agricultural land.” and include class 3.2 in the description in policy sections PR1.1 and PR1.5 (PP0733).

Modify the PLDP to strengthen policy wording on prime agricultural land to protect quality soil by ensuring test pits are undertaken outwith the headland part of a field to give a more accurate measurement of soil quality (PP0863).

Modify the PLDP to amend the wording in paragraph PR1.5 to reflect that there may be considerations which outweigh the need to protect prime agricultural land (PP1213 and PP1356).

Modify the PLDP to amend the wording in paragraph PR1.5 to include, “In all cases development which impacts on any of these features will only be permitted when public economic or social benefits clearly outweigh any negative effects on the protected resource, and there are no reasonable alternative sites.” (RD025.A) (PP1306).

Paragraph PR1.6 (Open Space)

Modify the PLDP to remove the words “exceptional” and “essential community infrastructure” from the policy wording (PP0193, PP0427, PP0843 and PP1124).

Modify the PLDP to either add the following text to the policy wording or conduct a review of the Settlement Statement maps “Other areas of open space not specifically identified are still protected under this policy.” (PP0235).

Modify the PLDP to replace the phrase “sports pitches” with “outdoor sports facilities” in the second last sentence of the current policy (PP0235).

Modify the PLDP to provide a clear definition of “open” and “green” space, to include woodland areas in the first sentence in paragraph PR1.6 (PP0879).

Modify the PLDP to include woods in a list of green spaces that will not be granted planning permission in paragraph PR1.6 (PP0879).

Paragraph PR1.7 and Paragraph PR1.8 (Trees and Woodlands)

Modify the PLDP to include a statement that the loss of ancient woodland cannot be mitigated against and change the first sentence in paragraph PR1.7 inserting “and near” before “development sites” so that it reads, “This policy establishes a strong presumption in favour of retaining woodland on and near development sites.” (PP0877).

Modify the PLDP to amend wording to paragraph PR1.7 to, “This policy establishes a strong presumption in favour of retaining trees and woodland on and adjacent to development sites. There will be a strong presumption against development resulting in the loss of, or serious damage to, trees and woodlands of significant ecological, recreational, historical, landscape or shelter value. If there are trees or woodland on or adjacent to the application site, the applicant must submit a Tree Survey in accordance with British standard BS:5837 Trees in relation to design, demolition, and construction, to

determine the quality and amenity value of the trees. Where necessary an Ecological Survey and assessment by a suitably qualified professional of the biodiversity of the woodland and habitat, including both its current and potential future benefits, must be submitted. There may be instances where woodland removal is acceptable, for instance, where this would enhance priority habitats and their connectivity or allow peat bog restoration. For any proposals involving the removal of woodland, the Scottish Government Control of Woodland Removal Policy will apply.” (PP1258).

Modify the PLDP to ensure the Ancient Woodland Inventory, Historic OS maps and the Native Woodland Survey of Scotland are referenced and used when preparing the LDP (PP0878).

Modify the PLDP to insert “and woodland” after “existing trees” so that it reads, “Where development is considered appropriate, damage to existing trees and woodland must be minimised and there must be no unnecessary fragmentation of existing or potential woodlands networks.” in the first sentence of paragraph PR1.8 (PP0877).

Paragraph PR1.10 (Peat and Carbon Rich Soils)

Modify the PLDP to delete paragraph PR1.10 (PP0424, PP0466, PP0589, PP0643 and PP0736).

Modify the PLDP to review paragraph PR1.10 together with PR1.1 and policy C3 and where necessary amend these to be in line with SPP in relation to wind farm developments and for consistency with each other (PP0467).

Modify the PLDP to add the following text to paragraph PR1.10 as a new second sentence or include new wording in Policy C3 Carbon Sinks and Stores, “Where this resource is present, a soil or peat survey will be required to demonstrate that the highest quality of soil or deepest peat have been avoided. A soil or peat management plan will also be required to demonstrate that any unnecessary disturbance, degradation, or erosion has been minimised, and includes proposed mitigation measures” and insert a new footnote, “Further information on how to undertake a peat survey can be found in the Scottish Government’s Guidance on “Developments on Peatland: Peatland Survey (2017).” (PP1219).

Education

Modify the PLDP to add a new policy under Section 12, “Policy PR4 Protecting Education Resources. We will not approve developments that have a negative effect on important resources associated with the pre-school, primary or secondary education. In all cases development which impacts on any of these features will only be permitted when public economic or social benefits clearly outweigh the value of the educational resources to the local community, and there are no reasonable alternative sites. The developer will need to provide an eight-year prediction of school roll, class sizes and class numbers that highlights any loss of amenity.” (PP0556).

Policy PR2 Reserving and Protecting Important Development Sites

Paragraph PR2.1

Modify the PLDP to amend first bullet point to insert, “Strategic Development Plan” after “... Local or Regional Transport Strategy.” in paragraph PR2.1 (PP1241).

Modify the PLDP to strengthen the protection of sites needed in the future under Policy PR2 and ensure that disused railway infrastructure is protected in the interests of promoting active travel development (PP0881).

Modify the PLDP to include a Map, as an Appendix, to show the routes of the “closed railways” which will be protected under the Policy, for the avoidance of doubt in Policy PR2 (PP0615).

Modify the PLDP to add a new bullet point in paragraph PR2.1 “Health Care Infrastructure” (PP1222).

Paragraph PR2.2

Modify the PLDP to amend policy wording to provide for the general use of land to support future improvements to railway infrastructure (PP0444).

Modify the PLDP to amend the first sentence in paragraph PR2.2 to, “National Developments that directly affect the area covered by this Plan include proposals for the contribution to capturing and storing carbon, the production of hydrogen from natural gas as a low carbon fuel and making heat generation. Carbon capture and hydrogen production is specifically promoted at the St Fergus gas terminal but also at other locations and pipeline corridors associated with the movement of CO² by ship via Peterhead Port and pipelines from the central belt to St Fergus.” (PP0431, PP0503, PP0573, PP0762, PP0899 and PP1145).

Modify the PLDP to add an additional sentence to paragraph PR2.3 to state, “In addition, appropriate low carbon and renewable energy generation proposals will also be supported at the St Fergus Gas Terminal.” (PP0598).

Protecting Resources Policy Map

Modify the PLDP to remove or amend Policy PR1 (p73) “Protecting Important Resources” to acknowledge that the mapping on the Ancient Woodland Inventory is “provisional” and “not definitive” and should “be used with care”. Remove the Ancient Woodland designation from the Map (p78) (PP0614).

Appendix 14 Areas Safeguarded or Identified as Areas of Search for Minerals Development

Modify the PLDP to remove the Muirtack quarry site (map 38) from Appendix 14 (PP1121).

Modify the PLDP to include the land at Nether Park Quarry, Drumoak as a safeguarded mineral resource in Table 2, Appendix 14, and also include an additional area to the west of the quarry as an area of search for minerals (sand and gravel reserves) to be included in Table 1, Appendix 14 (PP0985).

Modify the PLDP to amend the boundaries of the Blackhills Quarry site at Blackhills of

Cairnrobin within Table 2, Appendix 14 (Map 16) to reflect the area approved in planning application APP/2019/2369 (PP0986).

Summary of responses (including reasons) by planning authority:

Policy PR1 Protecting Important Resources

Paragraph PR1.1

Paragraph PR1.1 is a general statement that sets the policy context for the subsections that follow, and any “important resources” which have not been considered in the remainder of the policy. For different resources these sections provide appropriate relaxation from the overall intent of the policy, to protect critical environmental capital.

The Council notes the support given to the safeguarding of prime agricultural land. No change required.

Introducing flexibility into the policy is not accepted. While it may be the case that an individual application has only minor adverse impact on protected resources, or the impacts may not be significant, the Council contend that impacts may have a cumulative impact and as such the prohibition on development is appropriate. Any statement that development should be allowed if the benefits outweigh the negative effects does not account for cumulative impacts on important environmental resources and runs counter to the concept stated within the second sentence of the paragraph, that there may be an alternative, benign, site for the development. In this context the introduction of additional flexibility would alter the balance in decision-making away from, first, seeking to do no harm. Comparison with the Environmental Impact Assessment methodology is inappropriate as this method is limited in the way that it anticipates potential cumulative impacts associated with other developments which may come forward, this can only be undertaken at a strategic level. The Council notes that only “important” environmental resources are protected in this way, so matters of the significance of the resource in question are embodied within the policy. No change is required

It is wrong to assume that because wind energy is not mentioned in the policy then the Policy C1 is somehow “primary”. Where relevant, all policies of the Plan apply equally. SPP Table 1 only applies to wind farms and is clear that this is consistent with SPP Table 1 Cell 2 where it identifies that wind farms in particular “may be appropriate in some circumstances”, (AD0012, page 39). It is misleading to use text in SPP regarding one development type and make wider generalisations that should apply to all development types. In any case the absolute and clear presumption against development is appropriately qualified in the second sentence of the paragraph. No change is required

The Council does not accept that the text of Policy C3 is inconsistent with paragraph PR1.1. Any development would result in “disturbance and destruction” of peat deposits. Likewise, the Council do not agree that mitigation is an appropriate and acceptable policy response to the potential loss of critical environmental capital. In exceptional cases mitigation may be appropriately considered to be a material consideration in determining a planning application in accordance with the development plan, but the Council anticipate this to be a rare occurrence and not something that should be enshrined in policy. There is no obligation that the Council know of by the Scottish Government that a “mitigation hierarchy” should always be followed. Mitigation is not always a response that

compensates for the loss of important resources. Biodiversity, while a very important element of environmental capital, is covered in its own right by policy E1 “Natural Heritage”. No change is required.

Paragraph PR1.2 (Air Quality)

The comments from SEPA are noted. No change is required.

There is no incompatibility between paragraphs PR1.1 and PR1.2. An absolute prohibition on development that has an adverse impact on air quality could be interpreted as not allowing any development to proceed at all, as impacts on air quality are inevitable, even if these are very minor. It is appropriate to have the qualifier that seeks “significant” impacts to clarify the policy. No change is required.

“Acceptable” impact is a matter of judgement in the context of the individual proposal. Each planning application is determined on its own merits. The Council believe there is a semantic difference between acceptable impacts and significant impacts. No change is required.

Paragraph PR1.3 (Water Environment)

The support from SEPA for this paragraph is welcomed. The Council do not believe that additional references to the River Basin Management Plan (RBMP) is necessary as this was one of the set of key documents that the Council has used in the formulation of the Plan, and to accept giving these documents a greater profile would lead to the argument that all the other strategies that the Council has used identified at PLDP section 2 “Influences on the Plan” should similarly be cross-referenced. While the Council acknowledge SEPA’s request to include reference to the RBMP in the form of a footnote, we see no value in making this reference. No change is required.

The Council also acknowledges SEPA’s request to amend the first footnote regarding Construction Method Statement. The Council do not believe that including a reference as to what elements a Construction Method Statement should contain is appropriate. This is an operational detail, and the standard that any submission should achieve so as to be an acceptable submission in support of a planning application is more appropriately provided through a Planning Advice note and should not be a matter of policy. No change is required.

Paragraph PR1.5 (Prime Agricultural Land)

The Council notes the Scottish Government’s requested changes to policy wording to clarify development considerations for development on prime agricultural land. The Council do not believe that such changes are necessary as the Local Development Plan echoes SPP Paragraph 80 and identifies land required to meet the settlement strategy, the policy contains a clause for the use of such land for limited life proposals and for small-scale development associated with a rural business. In the unlikely event that there be a shortfall in the 5-year housing supply then an immediate revision of the Local Development Plan would result, where impacts on prime agricultural land for any new land releases would be assessed. No change is required.

The matter of whether there should be additional flexibility to allow the development of prime agricultural land is not supported by SPP Paragraph 80 which is very clear on the

circumstances when development could take place. The Council accepts that layout and design should minimise the amount of such land that is required and if the Reporter is minded, to make an amendment, then the Council recommends that paragraph PR1.5 could be modified to add text after the final sentence to read, "...located on prime agricultural land. Where it is necessary to use prime agricultural land for development, the layout and design should minimise the amount of such land that is required."

With regard to the request to broaden the protection of prime agricultural land to class 3.2 and to amend policy wording under 'Protecting Resources' to "prime and good quality agricultural land", the Council do not believe that this would be appropriate. Due to the significant coverage of class 3.2 soil type this could increase restriction on new development dramatically. The classification of prime agricultural land is defined in a Glossary definition associated with SPP (paragraph 80). No change is required.

The Council are aware of the concerns voiced by Bennachie Community Council, and aware of the poor practice of some surveyors to only sample obviously degraded farmland. Where there is doubt in the quality of the independent assessment (insofar that it is not "independent" of the developers' aspirations), such a survey would not be accepted in support a planning application. No change is required.

Homes for Scotland are correct that weight requires to be given to net economic benefit and responding to economic issues, challenges, and opportunities, but the Council believe that this reflects material considerations which, coming to a decision for an individual planning application, may be set with the development plan. It is appropriate that this general principle is reflected in paragraph PR1.1. The position adopted by the Scottish Government at SPP paragraph 80 is clear and it would be inappropriate to add further flexibility to the policy, see AD0012, page 22. No change is required.

Paragraph PR1.6 (Open Space)

The Council note there are concerns with regard to the limits of development permitted on open space to only exceptional circumstances, and only for essential community infrastructure. The policy reflects SPP paragraph 220 which identifies that "Planning should protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking". The Council agree that green infrastructure is "an integral element of places from the outset of the planning process" and one of the cornerstones of consideration of place within Appendix 7 (Settlement Statements) was an early consideration of open space and green networks. It is always the case that proposals for the development of open space can be made as bids to the Local Development Plan and considered in the context of the wider settlement. Therefore, the controls placed on development of open space identified in the Plan to only including community infrastructure, are appropriate. In all cases the policy applies a test of whether the development is ancillary to the existing use, allowing enhancement of such areas during the course of the Plan. No change is required

A site does not need to be included in the PLDP Appendix 7 for it to be granted protection under this policy. Importance is not solely restricted to aspects of use but can equally relate to the juxtaposition of surrounding land uses, and contribution to the character of an area through its contribution to the local landscape. This is confirmed by Planning Advice Note 65: Planning and Open Space paragraph 13, (AD0007). No change is required.

Whether sites meet the test of “importance” can be tested through the protected land designations made in Appendix 7 of the PLDP. In retrospect, Deveronvale Football Club’s ground at Princess Royal Park in Banff would probably meet this test of importance (due to the contribution it makes to the setting of the town centre and Banff Conservation Area), but this would have to be something that is addressed in the Open Space Strategy associated with the next Development Plan, as its protection at this stage would represent a significant addition to the Plan, as would any review of the Settlement Statement maps to pick up all outdoor sports facilities. At this time the definition of such an area as important only provides additional clarity to the application of the policy and does not impact on the judgement, at the time of a planning application, whether an area is, or is not, protected by this policy. At Pitmedden, the site of Formartine United’s football ground is at some distance from the town of Pitmedden and would not be considered to be important to the setting and open space requirements of that village. No change is required.

The Council agree with SportScotland that amendment should be made to the term “sports pitches” within this paragraph, to read “outdoor sports facilities”. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Woodland Trust Scotland seeks definitions in the Plan for “open” and “green” space, and for those definitions to include woods. Types of open space are detailed in Table 1 “Types of Open Space” within Planning Advice Note 65: Planning and Open Space paragraph 13, (AD0007, page 4). This includes “natural and semi-natural greenspaces” which would include woodlands. There is no need to repeat PAN 65 in the Local Development Plan. Trees and woodlands are given specific protection under Policy PR1 Trees and Woodlands, and through Natural Heritage and Landscape policies. No change is required

Comments from SEPA are noted. No change is required.

Paragraph PR1.7 and Paragraph PR1.8 (Trees and Woodlands)

The Council note the request to include a statement that the loss of ancient woodland cannot be mitigated for. However, as confirmed by Scottish Forestry in their MIR response, our policies are currently in line with the Scottish Government’s policy on Control of Woodland Removal (AD0014) and MIR Issues and Actions Papers, AD0040.A, pages 130-143). No change is required.

With regard to the protection of trees and woodlands near or outside development sites, the Council are content that paragraph PR1.7 sentence two protects any serious damage to trees and woodlands that might arise from development. Landscape and recreational impacts are considered within the policy, and so the addition of the term “amenity” is not needed. No change is required.

The Council would agree that the full title of the British Standard referred to in the text (BS 5837) would assist in policy interpretation. A footnote should be included to address this issue. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

It is not considered necessary to amend policy wording with regard to the ecological survey to make it imperative, as such a survey is conditional only “where necessary” and

would be, part of the suite of information required by the development management function if it were thought necessary due to potential ecological impact (as opposed to landscape or recreational impacts). No change is required.

The requested amendment to policy wording is not required. The policy intention is clear as currently stated. Damage to many trees is synonymous with damage to a woodland. No change is required.

Paragraph PR1.10 (Peat and Carbon Rich Soils)

The Council notes the comments that question the necessity for this policy paragraph, but it is included for the purpose of completion and for signposting and therefore should remain. As it refers to Policy C3 and has no policy content in itself, it cannot be inconsistent with that policy. No change is required.

SPP Table 1 relates specifically to wind farm issues whereas the policies in the PLDP relate to all development types. SPP is a material consideration in development management decisions, but the primacy of the development plan is paramount. No change is required.

SEPA's request for additional text and a footnote that had previously been requested to stipulate the requirement for a soil or peat survey and management plan is noted. The Council would reiterate its previous response that it considers there is adequate provision made under Policy C3 to ensure there will be no unnecessary disturbance including mitigation measures MIR Issues and Actions Papers, AD0040.A, pages 130-143). No change is required.

Education

Developer Obligations cannot address matters of revenue funding for staffing of "overcrowded" schools but can, over time, provide any new buildings that allows schools to function according to their predicted school roll. Education capacity is a matter taken very seriously in both the Education Service and by the Developer Obligations Team within the Legal Service. If a need for education infrastructure is identified from a development then this is a key element of the developer obligation package, based upon a roll forecast agreed with the developer. Where a need is identified Policy RD2 requires such a contribution to be made to make the development acceptable in planning terms, and consequently allow a consent to be issued. No change is required.

Policy PR2 Reserving and Protecting Important Development Sites

Paragraph PR2.1

Comments from SEPA are noted. No change is required.

The Council would agree with Nestrans that reference to the Strategic Development Plan should be incorporated within the first bullet point of paragraph PR2.1. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council notes from Nestrans that our continued safeguarding of disused railway lines

is supported. The Council also welcomes the information clarifying the situation regarding potential interest in the re-opening of these as railway lines, but as these are not proposals then the general terms of the policy are appropriate. No change is required.

The concern raised about the protection of disused railways and the request to map the routes is acknowledged. Production of a map of protected sites would be a significant modification to the Plan, resulting in significant re-consultation and neighbour notification. The Council is content that, as railway lines are distinct landscape features, a broad policy approach is justified. No change is required.

It is notable from the representees overall that there is an unavoidable conflict of interest between protecting disused railway lines for their reinstatement as railway lines, and protection of the routes for active travel or recreational uses. The Council maintain that Policy PR2 provides an overarching protection for these interests as it stands. Development of a new rail line would be a major project in itself and issues such as the loss of rights of way and active travel routes would have to be considered in their determination, and particularly with reference to policy P2 Open Spaces and Access in New Developments (paragraph P2.6). No change is required.

At the time of writing, the location of new rail loops in proximity to Drumlithie and Laurencekirk is unknown. The Council is content that as part of a national development, lack of reference to these proposals in the LDP is not a significant omission (see NPF3, AD0004, paragraph 6.7, Key projects of national significance, No 9 High Speed Rail). No change is required.

NHS Grampian facilities are Community Facilities and as such “community infrastructure” within the terms of the policy. Expansion of existing facilities within important development sites is not precluded by this policy, which protects against alternative uses on such sites. No change is required.

Paragraph PR2.2

The importance of making provision for carbon capture and storage, renewable energy projects is acknowledged. Such developments are National Developments under NPF3. Significant land has been safeguarded south west of Peterhead (allocation R2) for servicing National Developments. In addition, substantial land is allocated for major oil and gas related developments around the St Fergus Gas Terminal, although this excludes the coastal strip included in National Grid Gas PLC’s submission site plan. Creation of hydrogen from natural gas would fall within the description of a gas related development. The Council do not believe that the introduction of a very general statement allowing a wide range of low carbon/renewable energy technologies to be developed on the site should be supported, as this devalues the site’s key strategic importance as a North Sea coastal location and the deliverability of the current extensive allocation of land south west of Peterhead which is more suitable for renewable industries that require access to pipelines and to South Peterhead Harbour. The Local Development Plan does not need to refer to a single project, as the Council can anticipate a range of projects to capitalise on Peterhead’s important location. No change is required.

Policy PR3 Reuse, Recycling and Waste

Comments from SEPA are noted. No change is required.

Protecting Resources Policy Map

In response to the comments raised about Ancient Woodland and its mapping, SPP recognises this as an important and irreplaceable national resource that should be protected and enhanced, as should other native and long-established woodlands of high conservation value. The scope of what SPP expects us to protect is wider than that shown on the Native Woodland Survey of Scotland map base. Whilst the Council note the caveats that NatureScot have made on the use of the map we still believe that it is the only tool available to show the location of sites which are likely to meet the definition of "Ancient Woodland". Given that NatureScot's analysis was undertaken using historical mapping, the Council has no reason to believe that the sites that they have identified are not robust. Other indicators of antiquity and current biodiversity may only be identified through a site survey. There is no comparison to be made with the mapping of flooding and Ancient Woodland, as flooding information is a live dataset which is managed by SEPA and will change on the basis of predicting information on the impacts of climate change, whereas the Ancient Woodland is a factual historic dataset, and is unlikely to change unless historic woodland sites are destroyed. No change is required.

Appendix 14 Areas Safeguarded or Identified as Areas of Search for Minerals Development

A position paper was produced by Aberdeenshire Council in October 2019 to analyse issues of the available land bank and the status of existing Areas of Search for Minerals Development in Aberdeenshire, so as to inform Policy R3 Minerals, Policy PR1.9 and Appendix 14 in the PLDP, (AD0181).

Comments from SEPA are noted. No change is required.

The Council welcomes the support for including the Muirtack site (map 38). The site has been subject to a number of planning applications for removal of sand and gravel (reference APP/2017/2425), for the formation of an access road (APP/2019/2724), and for mineral extraction and associated infrastructure APP/2019/2723). All three applications were recommended for approval by Officers but refused by Elected Members contrary to that advice. Member refusal of the proposal was largely based on amenity issues and a demonstrable need for the resources. All three applications were appealed (PPA-110-2359, PPA-110-2398 and PPA-110-2399). The appeal PPA-110-2359 was the first to be issued and the appeal was dismissed, and planning permission refused. The Decision Notice concluded that "Although the SPP is generally supportive of this development I do not consider this to be sufficient to set aside my concerns regarding the impact of quarry traffic on the minor road". It is clear that the mineral reserves are workable, provided difficulties associated with access and local amenity can be resolved. Particularly telling is the discussion by the Reporter in appeal PPA-110-2359 on the sand and gravel landbank where they conclude at paragraph 24 of the Decision Notice that "All indications are that the reserves of sand and gravel in the market area represent a land bank of less than 10 years supply" (AD0071, PPA-110-2359 Decision Notice pages 1-14).

The second and third appeals PPA-110-2398 and PPA-110-2399 were recently granted subject to a number of planning of conditions. It is noted, however that the boundary of the site as per the planning application and appeal differs slightly from the boundary of the map included within the LDP at map 38 which requires to be addressed. The Council

confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council acknowledges that Nether Park Quarry, Drumoak (known as “Site 15, Kirkton of Durris” in the Supplementary Guidance 6 “Areas Safeguarded or Identified as Areas of Search for Minerals Development”) is not included as a safeguarded mineral resource, (AD0034.J). The justification for this is within the position paper Areas of Search and Safeguard for Minerals where it is stated that this site should be removed as it is too small for consideration. Under the consents issued for development up to 2028, there is no land in this area that can, in addition, be safeguarded for future extraction without compromising woodland, the River Dee SAC or residential amenity at Mills of Drum. No change is required.

It is acknowledged that that Blackhills Quarry site map 16 does not reflect the boundaries of the area granted planning permission through application APP/2019/2369 as detailed in their submission. However, the Proposed Local Development Plan was written largely before consent was granted for this extension. The Plan was approved for consultation on March 5, 2020 whereas consent was granted on 31 March 2020. As the purpose of the Appendix 14 sites is to safeguard future minerals sites, and this site now has the comfort of a full planning consent, to continue its inclusion in the Plan either as the original site or with the small southern extension is somewhat meaningless. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Reporter’s conclusions:

Preliminary matter

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue that is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” to Section 12 (Protecting Resources). However, where such matters arise from representations made to the proposed plan they are required to be addressed in the examination. I therefore address these as appropriate below.

Policy PR1 Protecting Important Resources

Paragraph PR1.1

3. The overall aim of section 12 of the proposed plan is to protect natural and environmental resources and to ensure that development would safeguard these, including as a component of fostering sustainable development. A number of representations seek modified wording to component paragraphs of the policy specifically to introduce greater flexibility, for example by specifying that any negative impacts would need to be “unacceptable” for the protection afforded by the policy to bite. This would introduce a need for subjective judgement going beyond whether any effect would be positive, negative or neutral. However, the second sentence in the first paragraph of

policy PR1 recognises that negative effects are to be balanced against potential benefits. Such a balancing exercise would appropriately be undertaken at the development management stage, reflecting an assessment of the detailed information that would be expected to be available at the time of consideration of an application for planning permission. A presumption against negative effects on important environmental resources, as the policy provides, should be retained and no modification is appropriate in this regard.

4. I do not find that there is any inherent inconsistency between the considerations of potential effects on carbon rich soils deriving from policies C3 and PR1, the provisions of both of which (as well as all other relevant policies) may well require to be taken into account in assessing particular development proposals. No modification is required in this context.

Paragraph PR1.2 (Air Quality)

5. As I have commented above, policy PR1 overall acknowledges that negative effects are to be balanced against potential benefits. I do not find there to be any inherent conflict between paragraphs PR1.1 and PR1.2 in this regard. Effects that would be insignificant would be unlikely to be decisive in any assessment, so referring to significant effects in the text is appropriate. No modification is required.

Paragraph PR1.3 (Water Environment)

6. I acknowledge that it is not practicable to include explicit cross-references to all the documents mentioned in section 2 (Influences on the plan). However, highlighting the specific source of information on the classification of waterbodies would add clarity and assist in the application of the policy. Adding a footnote drawing attention to the river basin management plan website, as SEPA requests, would be appropriate and I make a recommendation to this effect. The slight alteration to the wording of footnote 1 on page 73 of the proposed plan, referring to the River Dee SAC, as suggested by SEPA (from “in the interests of” to “which addresses the interests of” this designation), would have no significant effect on the meaning of the text of this part of the policy. No modification is therefore required in that regard.

Paragraph PR1.5 (Prime Agricultural Land)

7. Scottish Planning Policy (paragraph 80) establishes a robust national policy of safeguarding the limited resource of high-quality agricultural land. It recognises that use of such land to accommodate development may be necessary, but only where this is essential. That form of words acknowledges that agricultural land quality is one aspect to be considered in this respect, albeit an important one. The wording of paragraph PR1.5 of the proposed plan would inappropriately preclude development of such land even where this was established to be essential. To be consistent with Scottish Planning Policy, the paragraph should be amended to acknowledge that development may need to be accommodated on prime agricultural land where this is essential, as the Scottish Government representation seeks. I recommend a modification to this effect.

8. With the inclusion of an essential development test, as I recommend, it is not necessary to replicate other aspects set out in paragraph 80 of Scottish Planning Policy. Consideration of these would be an inherent part of the consideration of any particular

development. The council's suggestion of the potential inclusion of text repeating that the use of any such land should be minimised is not therefore necessary. Nor would it be appropriate to modify the wording to increase flexibility in the operation of the policy. To do so, as sought by other representees, would inappropriately reduce the level of protection to be afforded to prime agricultural land, contrary to the aims of national policy.

Paragraph PR1.6 (Open Space)

9. The inclusion of the word "normally" in the first line of the paragraph, and the recognition in the second sentence of paragraph PR1.1 that negative effects are to be balanced against potential benefits, recognises that there may be circumstances where development impacting on open space areas may be appropriate. However, the overall aim of policy PR1.6 is the protection of open space. In this regard, the wording of paragraph PR1.6 is consistent with the provisions of Scottish Planning Policy paragraphs 219 to 233 concerned with maximising the benefits of green infrastructure.

10. Although some open spaces are identified in settlement statements within Appendix 7, the protection afforded by this aspect of policy PR1 is not limited to such defined areas. Although Scottish Planning Policy paragraph 226 provides that sites for new sport and recreation provision should be specified in local development plans, it does not imply that the safeguarding of such facilities provided by paragraph 220 applies only to sites specifically identified. It is not therefore necessary for paragraph PR1.6 to be modified to refer to all open space sites, nor for all such sites to be explicitly identified in the settlement statements. For clarity and to ensure consistency with Scottish Planning Policy, it is appropriate, as the council suggests, for the reference to "sports pitches" to be amended to "outdoor sports facilities", as sought by sportscotland. This would accord with the definition contained in the glossary to Scottish Planning Policy, which in turn draws attention to the provisions of the Development Management Procedure Regulations relevant to such facilities. I make a recommendation accordingly.

11. Although the plan contains no site-specific identification of the Deveronvale FC ground at Banff or the Formartine United ground at Pitmedden, policies in the proposed plan do seek to protect such facilities. Protection is afforded to open spaces generally by both paragraphs PR1.1, and PR1.6, and to sports facilities by paragraph PR1.6. It is not therefore necessary for the plan to be modified in this regard as sought by the respective representees.

12. The glossary to the proposed plan contains a definition of the term "Open Space" (on page 1178). This is wider than, but consistent with, the definition used in the glossary to Scottish Planning Policy. Both definitions draw attention to the civic function of such spaces. Trees are explicitly referred to in the plan's definition of open space, so the protection afforded by paragraph PR1.6 would equally extend to woodland areas. In any event, these are more particularly addressed in paragraphs PR1.1, PR1.7 and PR1.8. No modification is required in response to the Woodland Trust Scotland's representation in this context.

13. Representations relating to the identification of Harlaw Park in Inverurie as protected open space are addressed under issue 34, which covers the settlement statement for Inverurie and Port Elphinstone.

Paragraphs PR1.7 and PR1.8 (Trees and Woodlands)

14. Paragraphs 216 to 218 of Scottish Planning Policy set out national policy relating to ancient and other woodlands. Paragraphs PR1.7 and PR1.8 are consistent with Scottish Planning Policy in this regard but it is not necessary for the proposed plan to duplicate these provisions. The inclusion of a footnote setting out the full title of the British Standard referred to in paragraph PR1.7, as a representee seeks, would appropriately assist clarity and the interpretation of policy. I therefore make a recommendation to that effect, as the council proposes. The reference to minimising damage to trees in paragraph PR1.8 also encompasses impacts on woodlands, without needing a further modification to the text.

Paragraph PR1.10 (Peat and Carbon Rich Soils)

15. Consideration of the potential impact of development on peat and carbon rich soils would also bring into play the provisions of policy C3 (Carbon sinks and stores) in the Climate Change section of the proposed plan. However, I do not consider that paragraph PR1.10 introduces any inconsistency in this regard. The provisions of policy C3 of the proposed plan, and the related footnote on page 84, make appropriate reference to the assessment of impacts in this regard. There is no necessity for duplication in this paragraph and I agree that no modification is therefore required.

Education

16. The impact of development on education resources or capacity are matters addressed by the fourth bullet point of paragraph PR2.1 and by policy RD2 (especially paragraphs RD2.10 and RD2.11). I see no need to introduce further policy provisions in relation to protecting education provision as sought by the community council representee.

Policy PR2 Reserving and Protecting Important Development Sites

Paragraph PR2.1

17. I agree with the council that adding a reference, in the first bullet point of paragraph PR2.1, to the approved Aberdeen City and Shire Strategic Development Plan would be appropriate (in respect of safeguarding transportation projects). I recommend a modification to this effect.

18. I acknowledge, as the council comments, that there may be tensions between protecting physical infrastructure associated with closed rail lines (so as to facilitate their potential re-opening) and the opportunities for the use of such lines as active travel routes or for recreational purposes. It is not reasonably possible for the proposed plan to resolve such tensions in respect of all locations where they may arise. Nor would it be reasonably practicable, as a representee suggests, for the proposed plan to identify (on a map or otherwise) all such infrastructure to which the protective aspect of the policy would apply. Detailed consideration in this regard would be a matter for assessment in the context of any specific proposal for re-use that may come forward. In this context, I am satisfied that the protection afforded to closed rail lines and associated infrastructure in the first bullet point of paragraph PR2.1 is appropriate and that no modification is required.

19. As the council points out, health care facilities would be regarded as community

infrastructure, which the sixth bullet point of paragraph PR2.1 makes reference to. Such facilities would therefore be protected by policy PR2. However, as the definition of “Community Facilities” contained in the glossary explicitly encompasses health facilities, the inclusion of that phrase would give greater clarity as to the intention of policy in this regard, as the representee seeks. I recommend a modification to achieve this.

Paragraph PR2.2

20. Paragraph PR2.2 makes reference to national developments affecting the area covered by the proposed plan, but use of the word “include” makes clear that this is not intended to be an exhaustive list. The absence of explicit reference to hydrogen production and high-speed rail does not conflict with the inclusion of such developments in National Planning Framework 3. It is not necessary for the proposed plan to replicate the content of the National Planning Framework, a revised version of which is in any event in preparation. When approved, this will form part of the statutory development plan along with the proposed plan when adopted. It would be inappropriate for the proposed plan to adopt more prescriptive language as this could potentially conflict with the current, or any future version of the National Planning Framework and the detail associated with these, including any new rail loops that may be contemplated. No modification is required in this regard.

Safeguarding Resources map

21. Because of the small scale of the map on page 78 of the proposed plan, the representation of the areas to which the features presented on it apply is inevitably not detailed. However, the on-line version of the plan includes the ability to zoom in so as to be able to view the map at a larger scale, showing greater detail. The precise boundaries and detailed geographical extent of particular features shown on the map, including areas of ancient woodland as referred to by a representee, and the relevance of these to a development proposal, would appropriately be the subject of site-specific information and assessment through the development management process. The map, notwithstanding the small scale of the paper version, nevertheless provides a useful overview of the spatial distribution of the important elements it illustrates. I agree with the council that it would be inappropriate to remove the ancient woodland notation from the map on page 78. No modification is required to the map or to the policy wording in this regard.

Appendix 14: Areas safeguarded or identified as areas of search for minerals development

22. Planning permission has been granted for the extraction of sand and gravel at the Muirtack site referred to in Table 1 and illustrated on Map 38 on page 1141 of Appendix 14 (appeal decision references PPA-110-2398 and PPA-110-2399). It is not therefore appropriate, as a representee seeks, for the site to be excluded as an area of search for mineral extraction. However, as the council has pointed out, the boundaries of the site illustrated on Map 38 differ in detail from that covered by the planning permissions. A modification to the plan to ensure consistency with the extant permissions is therefore appropriate, as the council proposes. I make a recommendation to this effect.

23. The council acknowledges that Map 16 on page 1151 of Appendix 14 does not accurately reflect the extent of the land where planning permission has been granted for the extension of the quarry at Blackhills of Dunrobin. Deleting the map and the

corresponding entry in the list of safeguarded mineral sites in Table 2 of Appendix 14, as the council indicates had been its intention, would be inappropriate. The importance of protecting the site from development which would be inconsistent with the exploitation of hard rock, as paragraph PR1.9 provides, is rendered all the more relevant by the granting of planning permission in that regard. Modifying the plan so as to accurately to reflect the extent of the planning permission is appropriate and consistent with the approach to be followed at the Muirtack site, referred to above. I make a recommendation to this effect. The corresponding entry for the site in Table 2 of Appendix 14 should therefore be retained and no modification is required in that regard.

24. Notwithstanding my conclusions above in respect of the sites at Muirtack and Blackhills of Dunrobin, as active extraction and subsequent progressive restoration is currently taking place at Nether Park Quarry by an established minerals operator, the promotion of any development that would be inconsistent with mineral extraction would be unlikely. It is not therefore essential that the site of the existing active quarry be identified as a safeguarded minerals site. Mineral resources may exist to the west of the land where extant planning permissions authorise extraction. However, I have no clear evidence which would enable me to conclude that extending mineral extraction to the relatively small area identified in the representation would inevitably be acceptable. Identifying the further area referred to in the representation as being safeguarded for such development is therefore not appropriate. The acceptability of mineral extraction in this area would be a matter to be considered in response to an application for planning permission in that regard. Extraction would not necessarily be precluded if found to be acceptable, notwithstanding the site not being specifically safeguarded in the plan for that purpose. No modification is therefore necessary in this respect.

Reporter's recommendations:

Modify the local development plan by:

1. Adding a footnote linked to the phrase "water bodies" in the second line of paragraph PR1.3 on page 73, as follows:
"The current status of a classified waterbody can be found via SEPA's River Basin Management Planning webpage: <https://www.sepa.org.uk/environment/water/riverbasin-management-planning/>"
2. Adding "essential," before the word "allocated" in the third line of paragraph PR1.5 (Prime Agricultural Land) on page 74.
3. Replacing "sports pitches" with "outdoor sports facilities" in the penultimate sentence of paragraph PR1.6 (Open Space) on page 74.
4. Adding a footnote linked to the reference to "BS 5837" at the end of the third sentence of paragraph PR1.7 on page 75, as follows:
"British Standard for Trees in relation to design, demolition and construction – Recommendations"
5. Replacing the first bullet point of paragraph PR2.1 (Reserving and Protecting Important Development Sites) on page 76 with:
"delivering improvements to transportation including projects identified in the Settlement Statements, the Aberdeen City and Shire Strategic Development Plan, the Local or

Regional Transport Strategy, or the Strategic Transport Projects Review, routes recognised in the Core Paths Plan network, closed railways and their abutments, embankments and cuttings, existing airports and airfields and operational areas of ports and harbours;”

6. Adding the words “facilities and” between “community” and “infrastructure” in the sixth bullet point of paragraph PR2.1 (Reserving and Protecting Important Development Sites) on page 76.

7. Amending the boundary of the area of search for minerals at Muirtack as illustrated on Map 38 in Appendix 14 on page 1141, to accord with the site in respect of which planning permission has been granted for sand and gravel extraction by appeal decisions PPA-110-2398 and PPA-110-2399.

8. Amending the boundary of the area of safeguarded mineral resources at Blackhills of Cairnrobin, as illustrated on Map 16 in Appendix 14 on page 1151, to accord with the site of the planning permission granted for the lateral extension of the adjacent hard rock quarry (planning permission reference APP/2019/2369).

Issue 11	Section 13 – Climate Change	
Development plan reference:	Proposed LDP, Section 13, Page 81-86	Reporter: Rob Huntley
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Climate Change Introduction PP0420 Coriolis Energy Limited PP0590 Scottish Renewables PP0597 ESB Asset Development UK PP0639 Renewable Energy Systems Ltd PP0736 RWE Renewables UK PP0881 Meldrum Paths Group PP0924 SSE Renewables PP0994 Natural Power Consultants PP1000 Fred. Olson Renewables Ltd PP1141 Green Power International PP1188 Falck Renewables Wind Ltd PP1241 Nestrans</p> <p>Policy C1 Using Resources in Buildings PP0343 Louise Msika PP0690 Stewart Milne Homes PP0994 Natural Power Consultants PP1125 Barratt North Scotland PP1206 Hallam Land PP1219 Scottish Environment Protection Agency PP1222 NHS Grampian PP1241 Nestrans PP1306 Homes for Scotland PP1354 CALA Homes</p> <p>Policy C2 Renewable Energy PP0425 Coriolis Energy Limited PP0467 Statkraft PP0578 Scottish Government Planning and Architecture Division PP0590 Scottish Renewables PP0597 ESB Asset Development UK PP0598 National Grid Gas plc PP0603 Elgin Energy EsCo PP0644 Renewable Energy Systems Ltd PP0714 Shell UK Limited PP0736 RWE Renewables UK PP0743 Historic Environment Scotland PP0746 Bailles of Bennachie PP0924 SSE Renewables PP0994 Natural Power Consultants PP1000 Fred Olson Renewables Ltd</p>		

PP1141 Green Power International
 PP1188 Falck Renewables Wind Ltd
 PP1192 Stephenson Halliday
 PP1219 Scottish Environment Protection Agency
 PP1300 NatureScot (Scottish Natural Heritage)
 PP1311 Colin Miller

Policy C3 Carbon Sinks and Stores

PP0425 Coriolis Energy Limited
 PP0467 Statkraft
 PP0578 Scottish Government Planning and Architecture Division
 PP0590 Scottish Renewables
 PP0597 ESB Asset Development UK
 PP0644 Renewable Energy Systems Ltd
 PP0736 RWE Renewables UK
 PP0876 The Woodland Trust Scotland
 PP0877 The Woodland Trust Scotland
 PP1195 Stephenson Halliday
 PP1219 Scottish Environment Protection Agency
 PP1259 RSPB Scotland
 PP1300 NatureScot (Scottish Natural Heritage)

Policy C4 Flooding

PP1219 Scottish Environment Protection Agency

Climate Change Policy Map

PP0425 Coriolis Energy Limited
 PP0597 ESB Asset Development UK
 PP0644 Renewable Energy Systems Ltd
 PP0746 Bailies of Bennachie

Provision of the development plan to which the issue relates:

Policies relating to climate change

Planning Authority’s summary of the representation(s):

Climate Change Introduction

It has been acknowledged that the statement “possibly the greatest challenge facing the world today” remains valid (PP0924 and PP1141). However, representees have expressed considerable concerns that the climate change section has not been updated to reflect the wide range of Scottish Government climate change legislative and policy ambitions, and associated publications including those on national energy policy and strategy that set out key measures to address this challenge. In particular, the Proposed Local Development Plan (PLDP) should reflect the ‘climate emergency’ declaration and the ambition to achieve net-zero greenhouse emissions by 2045, which includes the 75% cut in emissions by 2030 (PP0420, PP0590, PP0597, PP0639, PP0736, PP0924, PP0994, PP1000, PP1141 and PP1188). Representees have included an Appendix (RD0088.A and RD0212.A) in their representation which provides further detail to support their position (PP0590 and PP1188). In particular, the Climate Change policy wording

should provide further support for renewable energy developments at the scale required to meet energy and climate change targets (PP0924, PP1000 and PP1141). The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 requires public bodies to lead by example to combat climate change and the level of ambition of the PLDP is disappointing (PP0924).

The Planning (Scotland) Act 2019 is also relevant (PP0639) as it brings in, at sections 3ZA(1) and 3ZA(2) a definition of the purpose of planning “to manage the development and use of land in the long-term public interest” that “anything which contributes to sustainable development... is to be considered as being in the long-term public interest” (PP0924). Recognition of the likely position of the emerging NPF4 is recommended to be included in the PLDP (PP0924, PP1000 and PP1141). This would give the opportunity for the PLDP to align itself with targets on climate change, emissions, sustainable development, and also economic recovery post Covid-19 (PP1141). It is also noted that the Royal Town Planning Institute (RTPI) have stated that climate change should be at the forefront of future planning policy (PP1000).

The socio-economic benefits of renewable energy development should be more broadly recognised as being key to the ‘transition economy’ in moving from oil and gas to a low carbon economy. Also, the ability of renewable energy development to utilise skills already present in the north east of Scotland in the oil and gas sector should be recognised. The representee has included an Appendix (RD0088.A) in their representation which provides further detail to support their position (PP0590)

Climate change policies should highlight the need to facilitate walking, cycling, and public transport ahead of the private car (PP0881 and PP1241). A representee has included an Appendix (RD0227.A) in their representation which provides further detail to support their position (PP1241). Concern has been expressed that the Climate Change section is ‘silent’ on this issue, and therefore policy elements should be included that encourage developments to be located and designed to increase opportunities for active travel, provide ‘low impact’ transport, and reduce ‘high impact’ road transport (PP0881). Nestrans noted that in 2017, 37% of Scotland’s greenhouse gas emissions are accounted for by transport. This emphasises the requirement for land use policies to support reductions in the need for travel, and the facilitation of walking, cycling and public transport, ahead of private car use. The representee has included an Appendix (RD0227.A) in their representation which provides further detail to support their position (PP1241).

Policy C1 Using Resources in Buildings

Paragraph C1.1 and paragraph C1.2

The decision not to seek Platinum Standard for carbon dioxide and energy cost reduction as suggested in the Main Issues Report (MIR) stage, has been welcomed (PP1206, PP0690, PP1125, PP1306 and PP1354). The Platinum Standard would have made many developments unviable (PP1206 and PP1354). However, it is still considered the requirements under Policy C1 are too onerous, and references to Silver and Gold Standards for emissions and water should be removed as these are better dealt with through the statutory Building Regulations processes which are regularly updated to reflect new standards (PP0690, PP1125, PP1206, PP1306 and PP1354). On the other hand, with regard to design/layout/construction of new buildings, it is considered that the

climate change policies are weak and should be strengthened (PP0343). Representees have included an Appendix (RD0159.A and RD0259.A) in their representation which provides further detail to support their position (PP1125 and PP1306)

There are concerns that by stipulating similar measures, as implemented through Building Regulations, this results in a duplication of work. The policy will soon be superseded by updated Building Regulations (due in 2021), and the policy presents information which Planners are not qualified to assess (PP1125 and PP1306). Representees have included an Appendix (RD0159.A and RD0259.A) in their representation which provides further detail to support their position (PP1125 and PP1306). Significant progress has already been made in reducing emissions through building standards reviews and significant further change is already planned. Adding different targets in the planning system simply complicates matters and will jeopardise the efficiencies of scale on new technology which could be achieved by pursuing a Scotland-wide approach (PP1206 and PP1354).

Policy C1 should be re-written to focus on matters which can be directly delivered (PP1125). In securing the Silver Standard measures proposed, it should be made clear that planning policy will not seek greater requirements than the Building Regulations prevailing at the time (PP0690 and PP1125). SPP encourages a holistic approach, and the 'Fabric first' approach should be adopted ahead of the requirement to install low and zero carbon generating technologies. Furthermore, the development industry is at the forefront of delivering sustainable and energy efficient new homes. The Council should focus instead on measures to improve older housing stock across Aberdeenshire which are much less energy efficient (PP1125). A representee has included an Appendix (RD0159.A) in their representation which provides further detail to support their position (PP1125).

Meeting the standards identified in the policy also requires detailed specification of materials, and this level of design detail is not available at the planning stage in most cases (PP1206, PP1306 and PP1354). A representee has included an Appendix (RD0259.A) in their representation which provides further detail to support their position (PP1306).

The Scottish Environment Protection Agency (SEPA) has strongly recommended that paragraph C1.1 should replace the "Silver" with "Gold" for the Target Emissions Rate to promote stronger sustainable design in relation to the Scottish Building Standards. They highlight that other Local Authorities, including Aberdeen City Council, Glasgow City Council, and Perth & Kinross Council have/are updating their policies/supplementary guidance requiring developments to achieve at least Gold Standards by 2020. They also note their disappointment that the preferred option in the MIR of "Platinum" sustainability label was not taken forward into the Plan. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

SEPA has requested that paragraph C1.2 replaces "Gold" with "Platinum" level for water efficiency to promote stronger sustainable design in relation to the Scottish Building Standards. They add, making more efficient use of water is important in adapting to climate change and protecting wildlife and natural resources, which is of relevance to parts of Aberdeenshire that rely on water abstracted from the River Dee which is a Special Area of Conservation. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

With reference to the refuelling of alternative fuel vehicles (paragraph C1.1), Nestrans has supported the acceleration of decarbonisation of the current fleet of road vehicles through home electric charge points etc. The representee has included an Appendix (RD0227.A) in their representation which provides further detail to support their position. No modification is sought (PP1241).

Paragraph C1.3

SEPA has welcomed the inclusion of paragraph C1.3, which identifies the circumstances where developments will be expected to consider district heating schemes. No modification sought. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

Whilst this paragraph briefly mentions alternative ways such as district heating schemes, there is however a lack of recognition that new homes will not be able to be fitted with gas boilers after 2025, and alternative ways to heat and power homes will have to be found (PP0994).

Paragraph C1.4

Whilst NHS Grampian has given their support to the policy, they highlight that health and social care facilities require specialised buildings tailored to specific needs, and therefore it is difficult to meet the requirements laid out in the policy. It is requested that a further exception is added to paragraph C1.4 to state that “specialist buildings are excluded where it can be demonstrated that it would not be possible for targets to be met for reasons related to their specialist nature.” (PP1222).

Paragraph C1.5

SEPA welcomed the inclusion of paragraph C1.5, which sets out what is expected from Energy Statements submitted at the planning application stage. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position. No modification is sought (PP1219).

Policy C2 Renewable Energy

Paragraph C2.1

Representees have welcomed the statement in paragraph C2.1 that renewable developments will be supported where these are appropriately located and sized (PP0425, PP0467, PP0590, PP0597, PP0644, PP0736, PP0924 and PP1141). However, there are concerns that the PLDP renewable energy policies do not adequately reflect the severity of the climate change emergency or the important role of the planning system in helping to achieve the net-zero target (PP0425, PP0467, PP0590, PP0597, PP0644, PP0736, PP0994, PP1141 and PP1192). This does not reflect the aims of the Council’s own Climate Change Declaration (PP0590). The policy, as drafted, does not accurately reflect the approach to renewable energy policy which is set out in Scottish Planning Policy (SPP) (PP1192). A representee has included an Appendix (RD0088.A) in their representation which provides further detail to support their position (PP0590).

A representee objects to the PLDP on the basis that a more positive and flexible approach

is required to enable renewable energy development in the region. The PLDP should align itself with the technologies best suited to delivering a low carbon energy, and the representee promotes onshore wind as being the cheapest form of low carbon electricity generation available to the UK (PP1141).

It is noted that all renewable energy proposals will be considered favourably where they avoid or address any unacceptable significant adverse impacts, and that these impacts are set out in the policy in respect of the relevant forms of renewable energy. The policy should be reworded to be generally supportive of renewable energy developments subject to detailed environmental consideration. Biomass should not be covered in this paragraph but considered in a single biomass category later in the policy (PP1192). In a similar vein SEPA has strongly recommended replacing paragraph C2.1 with a more general statement in the first sentence to cover all possible renewable energy technology, rather than limiting it to specific types of renewables. Wording has been proposed accordingly (RD0214.A) (PP1219).

In the interests of helping to achieve net-zero emissions, it is considered beneficial for the PLDP to provide support for renewable energy schemes that provide a direct supply of renewable energy to a high energy user, such as the St Fergus site (PP0598).

Historic Environment Scotland (HES) has suggested that the term 'built heritage' in paragraph C2.1 is changed to "the historic environment" to reflect all aspects of cultural heritage features and the terminology used for this policy area (PP0743).

Paragraph C2.2

The statement regarding approval of further wind development in appropriate locations is generally supported. However, there are concerns with regard to policy implementation on account of there being no set of criteria against which to assess wind farm applications as per paragraph 169 of SPP (PP0425, PP0467, PP0590, PP0597, PP0644, PP0736, PP0924, PP1141 and PP1188). Clarity is also required in terms of which other PLDP policies apply, notably policies PR1 (paragraph PR1.1), R3 and R4, and aligning with SPP paragraph 169 assessment criteria (PP0590, PP0597, PP0644, PP1141 and PP1188). Representees have included an Appendix (RD0088.A and RD0212.A) in their representations which provides further detail to support their position (PP0590 and PP1188).

It is strongly disagreed that the Strategic Landscape Capacity Assessment for Wind Energy in Aberdeenshire Final Report (2014) ("the Strategic Capacity Report") remains relevant and fit for purpose, and reference to this should be removed (PP0425, PP0467, PP0590, PP0597, PP0644, PP0736, PP0746, PP1000, PP114, PP1188 and PP1192). Although supportive of onshore wind development, and at most be a supporting technical study, the document should not be used as a primary decision-making tool but should be strengthened and updated, and the PLDP should make it clear that this Study will not be relied upon to determine acceptability of proposals (PP0425, PP0994, PP1141 and PP1192). Representees have included an Appendix (RD0088.A and RD0212.A) in their representations which provides further detail to support their position (PP0590 and PP1188).

The particular concerns raised about the Strategic Capacity Report are in relation to how it can be used to determine future applications with it having no scope or flexibility to allow

for 'large' or 'very large' turbines, and since the context has significantly changed in terms of national energy policy, climate change policy and targets, changed technologies, power output, including the cumulative situation (PP0425, PP0467, PP0597, PP0644, PP0736, PP0924, PP0994, PP1141 and PP1192). The 'preferred areas' for onshore wind development are also questioned (PP1141). It is also highlighted that without a strategy for approving renewable energy developments, it is more difficult to reach national energy and climate change targets (PP1000). Policy wording should be amended to include wording to state that a flexible approach to developments should be allowed for large wind farms and turbines (PP1141).

It is noted that whilst the Strategic Capacity Report does not form part of the PLDP, the Spatial Framework which is part of the PLDP does align with SPP Table 1. Reference to the Capacity Report should therefore be removed and with greater emphasis given to the Spatial Framework (PP0425, PP0467, PP0597, PP0644 and PP0736). Identification of large areas of strategic capacity of wind turbine development in the Spatial Framework Map (in the PLDP) highlights the policy conflict, as the 2014 Strategic Capacity Report states there are no areas of Aberdeenshire suitable for extensive wind farms with large turbines (PP0425 and PP0644).

The Scottish Government has submitted that, as written, Policy C2 does not indicate the minimum scale of onshore wind development that the Spatial Framework applies to. To comply with paragraph 161 of SPP the development plan is required to indicate the minimum scale of onshore wind development (PP0578).

Paragraph C2.3

Whilst the first sentence of this paragraph is broadly accepted, the necessity and appropriateness of the remainder of the text within this paragraph is questioned. The wording does not clearly set out the Council's position on repowering and lifetime extensions given these are likely to become increasingly common over the lifetime of the PLDP, including both physical and operational only extensions (PP0425, PP0467, PP0590, PP0644, PP0736 and PP1188). Where turbines are being repowered, policy should make provision for, and support, the best available technology including larger scale turbines (PP0590). The policy should be amended to set out the Council's 'in principle' support for such applications which should be considered on their own merits, and for consistency with the Onshore Wind Policy Statement (2017), with the policy updated to include the climate change emergency and meeting the net-zero emissions target (PP0425, PP0467, PP0590, PP0644, PP0736 and PP0924). Representees have included an Appendix (RD0088.A and RD0212.A) in their representations which provides further detail to support their position (PP0590 and PP1188).

Whilst it is considered the Council are supportive of wind energy and applications for repowering and extensions to wind farms, the policy would be better presented as a list of factors to be considered by all wind farm applications in keeping with SPP paragraph 169, taking into account positive and negative effects, with repowering and extensions separated out into a paragraph of its own, establishing the matters unique to these proposals. Detailed assessment of repowering and extensions should include consideration of the extent to which the proposal makes use of existing infrastructure and resources, and where possible, limit the need for additional footprint (PP1192).

With reference to the sentence 'Existing bases should be reused', it is suggested that this

is amended to include the wording “where possible”. It is considered unreasonable to stipulate this as a policy requirement on account of turbine foundations being of a bespoke design, with possible technical reasons why bases cannot be reused (PP0590, PP0736, PP1141, PP1188 and PP1192). It is also considered unreasonable as this does not take into account modern commercial scale turbines that require greater spacing, with a repowering ‘like for like’ situation improbable (PP1141). Representees have included an Appendix (RD0088.A and RD0212.A) in their representations which provides further detail to support their position (PP0590 and PP1188).

The wording of paragraph C2.3 should acknowledge community benefits of wind energy development, in terms of addressing zero carbon emission targets and funding available to local communities during the lifetime of wind energy developments (RD0212.A) (PP1188).

NatureScot has suggested replacing “larger nacelles” with “larger blades” in paragraph C2.3, as it is more likely that amendments will seek larger blades rather than larger nacelles. The representee has included an Appendix (RD0255.A) in their representation which provides further detail to support their position) (PP1300).

Paragraph C2.4

Whilst Policy C2 has been supported overall, it is suggested that specific reference is made to oil and gas pipelines within the text of paragraph C2.4 to ensure a consistent and clear approach to the safeguarding of oil and gas pipelines (PP0714). It is also considered that the environmental considerations set out in paragraph C2.4 should provide a criteria-based approach to support paragraph C2.3 (PP1192).

Paragraph C2.5

The policy wording for solar panel arrays is supported, however in light of the benign nature of the technology, it is considered the Council could provide more explicit support for solar sites through the PLDP. This would help gain general appreciation and acceptability of solar PV across different types of the countryside including green belt and coastal areas. It is considered that adopting a more permissive approach to solar in the green belt would align with the public mood which would support inobtrusive forms of renewable energy (PP0603).

In comparison with Wind Energy, On-Farm Biomass and Hydro-Electric, it is considered the policy is silent on appropriate siting and location for solar development. The opening line on the solar section should be clear that Solar Photo Voltaic (PV) development can be accommodated on a range of different sites on account of solar proposals having a minimal visual impact especially where mitigation can be put in place. Taking into consideration that the PLDP is recognising the ‘urgent challenges of climate change’, a technology like Solar PV can enhance biodiversity, increase land diversification, and improve the character of the green belt. It is requested that the wording “throughout the countryside” is introduced in the first sentence after “We will approve.... arrays greater than 4kW.” (PP0603).

It is noted that paragraph C2.4 provides protection for paths on wind turbine sites, and it is requested that paragraph C2.5 should include the same level of protection for path routes affected by proposed solar farms. Taking into consideration that solar farm arrays may

cover a large area and can be expected to increase in number and extent in the future, it is considered unlikely that general access rights would apply to solar farms. Therefore, it is of critical importance that their layout is not permitted to adversely affect path routes (PP1311).

Paragraph C2.6

SEPA has strongly recommended that paragraph C2.6 requires new hydro-electric schemes to also consider their possible impact on the wider natural environment, as ancillary development such as access tracks are not situated within the water environment. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

NatureScot has sought amendments to paragraph C2.6 on hydro-electric schemes to note that decision-making will be primarily concerned with 'significant' effects, and that the potential impact of hydro-electric schemes extends beyond the water environment, but the 'wider natural environment', including terrestrial habitat and landscape and visual impacts for example. The representee has included an Appendix (RD0255.A) in their representation which provides further detail to support their position (PP1300).

Paragraph C2.8

SEPA has strongly recommended that a new paragraph is added after paragraph C2.8 on energy storage, as it will provide certainty to the community and developers that this type of development is considered appropriate and necessary by Aberdeenshire Council. SPP paragraph 167 is cited which states "Development plans should identify areas capable of accommodating renewable electricity projects... or energy storage projects of a range of scales" and paragraph 168, which states, "Energy storage schemes help to support development of renewable energy and maintain stability of the electricity network in areas where reinforcement is needed to manage congestion". SEPA also states that as an oversupply of energy is likely to become more of an issue the closer that Scotland gets to realising its 100% electricity from renewables target, energy storage will be essential to help realise the ambition to become a net renewable energy exporter. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

Policy C3 Carbon Sinks and Stores

Paragraph C3.1

Concerns have been raised that the policy wording is not consistent with SPP which groups carbon rich soils as a Group 2 interest 'Areas of significant protection' in the SPP Spatial Framework Table 1, in relation to onshore wind farms. This is a different and less stringent test than set by Policy C3 which notes that these resources will be protected from disturbance or destruction. Policy C3, together with the policies under paragraphs PR1.1, PR1.10, should be reviewed to be consistent with SPP and consistent with each other, and clarified as to how they apply to wind energy development (PP0425, PP0467, PP0590, PP0597, PP0644 and PP0736). A representee has included an Appendix (RD0088.A) in their representation which provides further detail to support their position (PP0590).

The Scottish Government has stated that the policy requires a reference to commercial extraction of peat that outlines it will only be permitted in those areas suffering historic, significant damage through human activity and where the conservation value is low, and restoration is impossible. To accord with SPP para. 241 which states “Policies should protect areas of peatland and only permit commercial extraction in areas suffering historic, significant damage through human activity and where the conservation value is low, and restoration is impossible.” It is their view the absence of this statement despite the protection offered by Policy C3, peatlands not matching the criteria set out in SPP could be left vulnerable to commercial extraction (PP0578).

It is considered that the policy should be strengthened in relation to woodland, in particular ancient woodland, on account of this being irreplaceable. A re-wording of the paragraph is requested accordingly (PP0877).

It is considered there should be no requirement to demonstrate no net effect under this policy on the basis that wind farms will have a positive effect on CO². In some cases, it may be beneficial to undertake habitat restoration of peatland areas rather than replanting and the policy should recognise this. New wording is requested in paragraph C3.1 to insert “no net negative effect” and to include reference to compensatory planting or exemption in accordance with the Control of Woodland Removal policy (PP1195).

A representee has highlighted the impacts on biodiversity that damage to peatland and woodland can cause, therefore considers the policy needs to reflect this as well as carbon impacts and encourage opportunities to offset carbon while enhancing biodiversity. Alternative wording is requested to include “carbon assessment tools” to clarify what the appropriate tool might be. There may be instances where trees and woodlands may not be appropriately sited and removal without replanting may be acceptable, the last sentence of the policy contradicts this, and therefore reference to compliance with Policy PR1 Protecting Important Resources paragraph PR1.7 would ensure consistency with the LDP and the Control of Woodland Removal Policy. A re-wording of paragraph C3.1 is proposed to reflect these issues (PP1259).

NatureScot has suggested broadening the wording of Policy C3 (paragraph C3.1) to include deep peat and priority peatland habitat and allowing that the definition of these is set out in the 2016 guidance, rather than trying to define these within the policy itself, otherwise there is some scope for confusion. A re-wording of the first sentence in paragraph C3.1 is suggested which changes “high carbon peat rich” to “carbon rich soils”, includes “deep peat and priority peatland habitat”, and deletes the existing wording “as Class 1, 2 and 5, and greater than 0.5m depth”. The representee has included an Appendix (RD0255.A) in their representation which provides further detail to support their position (PP1300).

NatureScot has requested adding a new second sentence to paragraph C3.1 to reflect the key focus on peat classes 1 and 2 (the nationally important resource) and the protection that SPP currently gives to these areas (SPP para 166). The representee has included an Appendix (RD0255.A) in their representation which provides further detail to support their position (PP1300).

NatureScot has requested amending the second sentence in paragraph C3.1 that deals with the carbon calculator to more accurately reflect the protection that is outlined at SPP paragraph 205. The representee has included an Appendix (RD0255.A) in their representation which provides further detail to support their position (PP1300).

NatureScot also suggested that adding to paragraph C3.1 that where peat is present and may be affected, a peat survey and peat management plan is likely to be required. It is also noted that the focus of such a survey is typically directed at areas mapped as class 1 and 2 peat. The representee has included an Appendix (RD0255.A) in their representation which provides further detail to support their position (PP1300). SEPA has welcomed the additional reference to Class 5 in paragraph C3.1 and have no further comment to make on Policy C3. No modification sought (PP1219).

Paragraph C3.2

The important role of trees in adapting to climate change has been highlighted. The trees provide environmental services, including functioning as carbon sinks. By planning native woodland, settlements can adapt to climate change and are then more resilient and able to absorb and respond to change, especially climate change. It is requested that wording is included to emphasise native woodlands (PP0876).

Policy C4 Flooding

General

SEPA has given their support to the requirement set in the PLDP for a Flood Risk Assessment (FRA) to be undertaken prior to development occurring for many of the sites allocated in Appendix 7, as this will ensure that flood risk is appropriately considered and directed away from medium to high flood risk areas, and that developers are fully informed of the potential flood risk issues affecting the site that may constrain the developable area. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position. No modification sought (PP1219).

Paragraph C4.1

SEPA has objected to Policy C4 unless paragraph C4.1 is amended to clarify that a Flood Risk Assessment (FRA) will be required for a development within an area with an indicative flood risk of 0.5% or greater. It is argued that the current sentence is ambiguous and suggests a FRA may not be required for land with a greater than 10% annual chance of flooding, which is incorrect, as SEPA would request a FRA if a site lies within an indicative flood map extent with a 0.5 (1:200) chance of flooding or greater. SEPA also noted this principle has been taken forward in Appendix 7. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

With reference to the second sentence in paragraph C4.1, SEPA has requested that the policy adopts the convention of other public bodies and is amended to refer to an area of lower flood risk as that being within the extent of a 0.1% AEP to 0.5% AEP event. They are not aware of any other public body in Scotland that refers to a 1-in-400 years return period (i.e., 0.25% AEP) and as there is no publicly available indicative national mapping of the 0.25% AEP floodplain published. SEPA is unclear how a developer would be able to ascertain whether their site lies within such an area. SEPA argues that the commonly adopted definition across Scotland for an area with a lower risk of flooding (i.e., within the

low to medium category) is somewhere that would be impacted by an event with a return period of between 1-in-1,000 years and 1-in-200 years (i.e., 0.1% AEP to 0.5% AEP). SEPA also noted that the Strategic Flood Risk Assessment that accompanies the proposed LDP refers to this annual exceedance probability (0.1% AEP to 0.5% AEP), as well as paragraph C4.4 of this policy, which refers to lower flood risk as 0.1% AEP (1-in-1,000 years). An amendment to the second sentence in paragraph C4.1 is sought. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

SEPA has objected to Policy 4 unless the third sentence in paragraph C4.1 is amended to state that development should “not increase flood risk vulnerability”, as there is currently no reference to the redevelopment of existing buildings and the potential for increased vulnerability to flood risk in this or other policies (e.g., Policies B1 to B4, R1 and P3). There must be policy provision to make clear that in most cases, redevelopment in flood risk areas must be for uses that are the same or less vulnerability to flooding as the existing/most recent use, and that this addition is supported by SPP paragraph 263. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (P1219).

SEPA has objected to Policy C4 unless paragraph C4.1 includes a new footnote within the third sentence to require the redevelopment of buildings to comply with SEPA’s ‘Flood Risk and Land Use Vulnerability Guidance’. It is argued that there is currently no reference to redevelopment of existing buildings and the potential for increased vulnerability to flood risk in this policy, nor any cross-referencing of Policy C4 in other policies that allow redevelopment of buildings. Consequently, existing footnote “12” will require to be renumbered to “13”. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

SEPA has recommended a word in the first bullet point in paragraph C4.1 is changed from “It is a development to effect flooding...” to “...alleviate flooding...” as it is not clear what is meant, and this modification will make this bullet point more consistent with paragraph C4.5. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

SEPA has recommended that the second bullet point in paragraph C4.1 is changed to “flood storage and conveyance function...” because conveyance is just as important as storage but more difficult to mitigate if impacted. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

Paragraph C4.2

With reference to the first sentence in paragraph C4.2, SEPA has objected to Policy C4 unless reference to the minimum of 100 years flood resilience for residential development is removed, as its inclusion indicates that this would be an acceptable approach to enabling residential development within medium to high flood risk areas, which is it not, and would be contrary to SPP, paragraph 263. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

Paragraph C4.3

SEPA has requested that “Policy PR1.3” is referred to in paragraph C4.3, and that it is simplified to only state that buffer strips will be required rather than also including their purpose. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

SEPA has requested that paragraph C4.3 includes a new sentence to highlight that wider buffer strips may be required, as developments should avoid the natural river corridor to allow sufficient space for river processes and restoration, as the floods of winter 2015/2016 demonstrated that rivers e.g., the River Dee, can be very dynamic and change course in extreme flood events. In relation to this, SEPA strongly recommends including a new footnote that cross-references the open space policy where wider multiple benefits of buffer strips are covered (i.e., Appendix 10) and refers to Aberdeenshire Council’s buffer strip guidance. They argue open space is a valuable addition to several aspects of the Plan’s aspirations including place making and active travel, so the links to the wider benefits should be made, and that new developments should avoid the natural river corridor to allow sufficient space for river processes and restoration, as rivers can be very dynamic and change course in extreme flood events. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

Paragraph C4.4

SEPA has strongly recommended that paragraph C4.4 removes the word ‘local’ as the evidence could be of any type (and not just local), for example, it could be from more detailed modelling that becomes available or a new dataset that is produced. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

Policy C4 – Additional paragraph

SEPA has requested the inclusion of an additional paragraph at the end of Policy C4 to create paragraph “C4.7” on culverts. This is to help reinforce not only Policy C4, but other policies in the Plan, as culverting has a range of harmful and system wide impacts on the environment and can be the cause of localised flooding constricting the natural flow of a watercourse and cause long-term maintenance problems. They add this gives the opportunity to create green-blue infrastructure and better placemaking, and the additional paragraph will help the Policy comply with SPP paragraph 255. It is also requested that a new footnote is included to support the new paragraph on culverts, by referring to Scottish Government’s Surface Water Management Planning Guidance (2018) and SEPAs Culverting of Watercourses – Position Statement and Supporting Guidance. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

Policy C4 – Footnotes

In relation to footnote 8, SEPA has strongly recommended removing the reference to the 2019 version of the ‘Technical Flood Risk Guidance for Stakeholders...’, as their technical guidance for developers is regularly updated and the most recent version should always be used. The representee has included an Appendix (RD0214.A) in their representation

which provides further detail to support their position (PP1219).

In relation to footnote 10 and its reference to ‘Freeboard’, SEPA has requested the removal of “the allowance made for natural variations” as it is not an accurate or appropriate description of the uncertainties and physical factors being accounted for. Instead, the first sentence of the footnote should read “Freeboard is an extra allowance provided above estimated flood levels...” The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

SEPA has requested that footnote 11 refers to the correct SEPA document on climate change allowance. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position (PP1219).

Climate Change Policy Map

It has been noted that the policy map sets out those ‘areas with strategic capacity for wind turbine development’ as required by SPP para. 162 (PP0597). It is also noted that the map is identical to the one in the current LDP (PP0425). However, the source of this strategic capacity assessment is not stated and there is no reference to what wind turbine height has been considered (PP0425, PP0597 and PP0644).

Efforts made to combat climate change and move towards clean energy are supported, however, the representee has expressed concerns that the Bennachie Special Landscape Area (SLA) is mostly classified as Group 3 in the Spatial Framework for Wind Energy. This should be afforded greater protection and reclassified as Group 2 as the current classification is not in line with Bennachie’s status as an SLA. Placement of wind farms on or around the hill group risks adverse visual impact and reduced recreational value. By reclassifying the area to Group 2, this would allow a greater level of scrutiny over any wind farm applications in the area (PP0746).

Modifications sought by those submitting representations:

Climate Change Introduction

Modify the PLDP to amend policy wording under Climate Change and Vision for the Plan sections to reflect the Scottish Government’s key commitments as set out in legislation in relation to the declared ‘climate emergency’ and ambition to achieve net-zero greenhouse gas emissions 2045 (PP0420, PP0590, PP0597, PP0639, PP0736, PP0924, PP0994, PP1000 and PP1188).

Modify the PLDP to include the following sentence in the Introduction to Climate Change, “...Scottish Government commitment to reducing the effects of climate change through a 75% cut in emissions by 2030, and net-zero greenhouse gas emissions by 2045.” (PP1141).

Modify the PLDP to ensure the Climate Change policy wording supports further renewable energy developments at the scale required to meet energy and climate change targets (PP0924, PP1000 and PP1141).

Modify the PLDP to ensure the Climate Change policy section provides broad positive

support for the socio-economic benefits of renewable energy development, and the 'transition economy' in the north east of Scotland (PP0590).

Modify the PLDP to include new policy elements in the Climate Change section that encourage and facilitate walking, cycling, and public transport modes of travel ahead of the private car (PP0881 and PP1241).

Policy C1 Using Resources in Buildings

Paragraph C1.1 and paragraph C1.2

Modify the PLDP to state within Policy C1 that any requirements to meet emissions and energy cost reductions shall not exceed the Building Regulations prevailing at the time (PP0690 and PP1125).

Modify the PLDP to remove Silver and Gold standards from the policy for emissions and water efficiency (PP0690, PP1125, PP1206, PP1306 and PP1354).

Modify the PLDP to strengthen Climate Change policies in relation to design/layout/construction of buildings (PP0343).

Modify the PLDP in paragraph C1.1 to replace "Silver" with "Gold" for the Target Emissions Rate (PP1219).

Modify the PLDP in paragraph C1.2 to replace "Gold" with "Platinum" for water efficiency (PP1219).

Paragraph C1.3

Modify the PLDP in Policy C1 to recognise that new homes will not be fitted with gas boilers after 2025, and that alternative ways to heat and power homes will have to be found (PP0994).

Paragraph C1.4

Modify the PLDP to include a sentence in paragraph C1.4 under Policy C1 to read, "Specialist buildings are excluded where it can be demonstrated that it would not be possible for targets to be met for reasons related to their specialist nature." (PP1222).

Policy C2 Renewable Energy

Paragraph C2.1

Modify the PLDP to strengthen policy by including reference to the climate change emergency and net-zero greenhouse gas emission reduction target by 2045 and ensure this is reflected throughout Section 13 (PP0425, PP0467, PP0590, PP0597, PP0644, PP0736, PP0924, PP0994 and PP1141).

Modify the PLDP in paragraph C2.1 to introduce a more positive and flexible approach to renewable energy technologies that are best suited to delivering a low carbon energy, recognising that onshore wind provides the cheapest form of low carbon electricity in the

UK (PP1141).

Modify the PLDP to reflect SPP within paragraph C2.1 to re-word this to be generally supportive of renewable energy developments, subject to detailed environmental consideration, with biomass covered in a separate policy category (PP1192).

Modify the PLDP to replace paragraph C2.1 to read, “We will support renewable energy technology developments that are proposed on appropriate sites and of the appropriate design. This support is not at the expense of other policies regarding Natural Heritage, Built Heritage and Protecting Natural Resources. Biomass schemes (energy from biological material derived from living or recently living organisms) will be treated as an industrial process suitable for business land. These may be hazardous developments through their impact on air quality.” (PP1219).

Modify the PLDP to include wording under paragraph C2.1 to state that particular support will be provided for renewable energy schemes that provide a direct supply to high energy users such as the St Fergus Gas Terminal (PP0598).

Modify the PLDP to amend policy wording under paragraph C2.1 to replace ‘Built Heritage’ with “the Historic Environment” (PP0743).

Paragraph C2.2

Modify the PLDP to incorporate into paragraph C2.2 assessment criteria for wind farm applications in compliance with SPP paragraph 169 and clarify which other PLDP policies apply in the assessment of wind farm applications (PP0425, PP0467, PP0590, PP0597, PP0644, PP0736, PP0924, PP1141 and PP1188).

Modify the PLDP to amend policy wording to make it clear that the Landscape Capacity Report will not determine the acceptability of specific project proposals or reference an updated Landscape Capacity Study (PP0425, PP0994 and PP1141) or remove the reference and give greater emphasis to the Spatial Framework which should be updated to reflect SPP Table 1 (PP0425, PP0467, PP0590, PP0597, PP0644, PP0736, PP0924, PP1000, PP1188 and PP1192).

Modify the PLDP to include wording to state “take a flexible approach to developments to allow new large wind farms with large turbines.” (PP1141).

Modify the PLDP to indicate the minimum scale of onshore wind development that the Spatial Framework applies to (PP0578).

Paragraph C2.3

Modify the PLDP under paragraph C2.3 to amend wording to clearly set out the Council’s position on, and ‘in principle’ support for, repowering and lifetime extensions for operational as well as physical extensions, and that proposals will be considered on their own merits (PP0425, PP0467, PP0590, PP0644, PP0736, PP0924 and PP1188). In relation to repowering and lifetime extensions, consistency with the Onshore Wind Policy Statement (2017) and a policy position on climate change emergency and meeting the net-zero target is required (PP0425 and PP0467).

Modify the PLDP to amend wording under paragraph C2.3 by listing the factors to be considered by wind farm applications in keeping with SPP paragraph 169 in a criteria-based approach and separate out repowering extensions into a paragraph of its own. This should set out the matters unique to wind repowering and extensions, ensuring the proposal makes use of existing infrastructure and resources where possible, and limits the need for additional footprint (PP1192).

Modify the PLDP to amend paragraph C2.3 wording to state “where possible” in relation to “Existing bases should be reused” (PP0590, PP0736, PP1188 and PP1192) and include requirements for commercial scale turbines (PP1141).

Modify the PLDP to reflect the community benefits of wind energy development within paragraph C2.3 (PP1188).

Modify the PLDP to replace reference to “larger nacelles” in paragraph C2.3 with “larger blades” (1300).

Paragraph C2.4

Modify the PLDP to change paragraph C2.4 to read, “Turbines must not compromise health and safety (including the operation of existing oil and gas pipelines) or adversely affect aircraft or airfields (including radar and air traffic control systems, flight paths and ministry of defence low flying areas) and/or telecommunications. Unacceptable significant adverse effects on the amenity of dwelling houses, such as from noise, or on tourism and recreation interests including core paths and other established routes used for public walking, riding, or cycling should also be avoided.” (PP0714).

Modify the PLDP to capture the environmental considerations identified in paragraph C2.4 within a criteria-based approach for assessing all wind energy applications (PP1192).

Paragraph C2.5

Modify the PLDP to amend the opening line of paragraph C2.5 to state, “We will approve applications for solar panel arrays greater than 4kW throughout the countryside if: ...” (PP0603).

Modify the PLDP to include an additional bullet point under paragraph C2.5 to ensure public access rights to the area of a solar farm are given similar emphasis to that afforded in policy to a wind farm (PP1311).

Paragraph C2.6

Modify the PLDP under paragraph C2.6 to add, “...and surrounding natural environment” at the end of the first sentence (PP1219).

Modify the PLDP to amend the first sentence in paragraph C2.6 by inserting the words “significant” and “wider natural environment” such that the paragraph reads, “We will approve hydro-electric schemes if they are located, sited and designed to have no significant individual or cumulative adverse impact on the water environment and the wider natural environment.” (PP1300).

Paragraph C2.8

Modify the PLDP to insert, “C2.9 Part of the development of renewable energy and ensuring there is adequacy of supply in the development of energy storage. We will therefore support proposals for energy storage as part of low carbon energy proposals that will be supported as long as they meet other Plan policy requirements.” after the current C2.8 paragraph (PP1219).

Policy C3 Carbon Sinks and Stores

Paragraph C3.1

Modify the PLDP to ensure consistency with SPP (Table 1) and consistency across these policies in the PLDP by reviewing policy C3 together with policies under paragraphs PR1.1, PR1.10 (PP0425, PP0467, PP0590, PP0597, PP0644 and PP0736).

Modify the PLDP to include in Policy C3 a reference to commercial extraction of peat to outline that this would only be permitted in those areas suffering historic, significant damage through human activity and where the conservation value is low, and restoration is impossible (PP0578).

Modify the PLDP in paragraph C3.1 to update the text in the final sentence to insert, “...and green infrastructure” after ‘as part of the open space’ and insert at the end of the paragraph: “... except in the case of ancient woodland where its loss cannot be mitigated for.” (PP0877).

Modify the PLDP in paragraph C3.1 to change the phrase in the second sentence, ‘have no net effect on CO₂’ to: “have no net negative effect...” and add the following new sentence at the end of paragraph C3.1, “In the case of development in commercial woodland then compensatory planting, or exemption, in accordance with the Scottish Government’s Policy on Control of Woodland Removal will be required.” In addition, include in Policy C3 wording to promote habitat restoration in peatland areas (PP1195).

Modify the PLDP to re-word paragraph C3.1 as follows:

“We will protect carbon sinks and stores, such as appropriately sited woodland and high-carbon peat rich soils (defined by Scottish Natural Heritage’s Carbon and Peatland map 2016 as Class 1, 2 and 5, and greater than 0.5m depth), from disturbance or destruction.

Development proposals that may result in the loss of, or disturbance to, peat will only be permitted if carbon assessment tools, such as the carbon calculator for wind farms, is used to demonstrate that the development will, within its lifetime, have no net effect on CO₂ and there are no significant detrimental impacts on biodiversity. Consideration should be given to on and offsite opportunities in order to achieve this carbon balance, for example through peatland restoration or native tree planting. Preferably, these should contribute positively to open space requirements and as part of the green-blue networks within settlements.

Removal of woodland will only be permitted if policy PR1.7 is complied with. Compensatory planting should be carefully located and designed to avoid negative effects on sensitive species or important open habitats”. (PP1259).

Modify the PLDP to amend the first sentence to read, “We will protect carbon sinks and stores, such as woodland and carbon rich soils, deep peat, and priority peatland habitat (as defined by Scottish Natural Heritage’s Carbon and Peatland map 2016 Report ‘Carbon-rich soils, deep peat and priority peatland habitat mapping’, from disturbance or destruction.”) in paragraph C3.1 (PP1300).

Modify the PLDP to add a new second sentence in paragraph C3.1 to read, “Development proposals that may affect areas of class 1 and 2 peat will only be permitted if it can be demonstrated that any significant effects can be substantially overcome by siting, design or other mitigation.” (PP1300).

Modify the PLDP to amend the second sentence in paragraph C3.1 to read, “Development proposals that may result in the loss of, or disturbance to, any peat or carbon rich soils will only be permitted if tools such as the “Carbon Calculator” are used to assess the effects of development on carbon dioxide emissions, and such release is minimised.” (PP1300)

Modify the PLDP to include within paragraph C3.1 the requirement for a peat survey and peat management plan where peat (typically areas mapped as class 1 and 2) is present and may be affected (PP1300).

Paragraph C3.2

Modify the PLDP to change the first sentence of paragraph C3.2 to include the following wording after “including proposals for”: “... native woodlands (including sustainable production focused plantations) using a mix of native and non-native tree species.” (PP0876).

Policy C4 Flooding

Paragraph C4.1

Modify the PLDP to amend the first sentence of paragraph C4.1 to read, “Flood Risk Assessments should be undertaken in accordance with SEPA Technical Flood Risk Guidance [footnote] and will be required for development in the indicative medium to high category of flood risk of 0.5% or greater annual probability (1 in 200 years or more frequent).” (PP1219).

Modify the PLDP to amend the second sentence of paragraph C4.1 to, “Assessment may also be required in areas of lower annual probability (0.1%-0.5% annual probability) in circumstances where other factors indicate a potentially heightened risk or there are multiple sources of potential flooding.” in paragraph C4.1 (PP1219).

Modify the PLDP to amend the third sentence of paragraph C4.1 to read, “Development should not increase flood risk vulnerability [insert new footnote] and should avoid areas of medium to high risk, functional floodplain or other areas where the risks are otherwise assessed as heightened or unacceptable except where:”, with a new footnote introduced after “flood risk vulnerability”, to add “Development should comply with SEPA’s ‘Flood Risk and Land Use Vulnerability Guidance’ in relation to redevelopment.” (PP1219).

Modify the PLDP to amend the first bullet point in paragraph C4.1 to delete “effect” and change to “alleviate” such that the sentence reads, “It is a development to alleviate flooding or erosion of riverbanks or the coast.” (PP1219).

Modify the PLDP to amend the second bullet point in paragraph C4.1 to read, “It is consistent with the flood storage and conveyance function of a floodplain.” (PP1219).

Paragraph C4.2

Modify the PLDP in paragraph C4.2 to amend the first sentence by deleting “... (this is normally a minimum of 100 years for residential development)” (PP1219).

Paragraph C4.3

Modify the PLDP in paragraph C4.3 to replace, “Buffer strips, for enhancement of the watercourse and necessary maintenance, must also be provided for any water body” with “Policy PR1.3 requires buffer strips to all waterbodies.” (PP1219).

Modify the PLDP in paragraph C4.3 to add a new second sentence, “Wider buffer strips may be required to mitigate flood risk depending on the topography or river dynamics.” and add a new footnote number 14: “Further buffer strip guidance can be found in Appendix 10: Standards for Open Space and Aberdeenshire Council’s “Guidance for Developers: Buffer Strips Adjacent to Water Courses and Water Bodies” (PP1219).

Paragraph C4.4

Modify the PLDP to remove the word “local” in paragraph C4.4 (PP1219).

Modify the PLDP to add a new paragraph at the end of Policy C4 “C4.7 We are opposed to the enclosed culverting of watercourses for land gain and will actively seek to discourage such proposals. We encourage the daylighting (or de-culverting) of existing culverted watercourse [insert new footnote].” and include a new footnote number “16” to state “This is supported by Scottish Government’s “Surface Water Management Planning Guidance (2018) and SEPAs Culverting of Watercourses – Position Statement and Supporting Guidance.” (PP1219).

Modify the PLDP to remove “2019” from footnote 8 in Policy C4 (PP1219).

Modify the PLDP to amend footnote 10 in paragraph RD1.2 to read, “Freeboard is the allowance made for natural variations in an extra allowance provided above estimated flood levels ...” (PP1219).

Modify the PLDP to amend footnote 11 in paragraph RD1.2 to read, “Freeboard and climate change allowance advice can be found in SEPA’s “Climate change allowances for flood risk assessment in land use planning.” (PP1219).

Climate Change Policy Map

Modify the PLDP to identify the source of the mapped Spatial Framework for Wind Energy and what scale of development applies, including turbine heights (PP0425, PP0597 and PP0644).

Modify the PLDP to reclassify the area defined by Bennachie SLA boundaries as a Group 2 area in the Spatial Framework for Wind Energy map (PP0746).

Summary of responses (including reasons) by Planning Authority:

Climate Change Introduction

The Council notes the representees' concerns that the 'climate emergency' and the Scottish Government's ambition to achieve 'net-zero' emissions by 2045 are not stated as an ambition for the PLDP. Whilst it may appear to be incumbent upon the Council to set out the new climate change targets, within the lifetime of a LDP, targets and ambitions can change, and have changed in the course of preparing this LDP. While land use planning has an influence on many of the sectors where the Government has identified change will be necessary, it is very difficult to predict what actions they may require to be taken. This LDP could mislead if it were to adopt positions that were made stricter by the Scottish Government. It is better to take a conservative action at this time and await the new policies that will be forthcoming through the National Planning Framework (NPF4). There is nothing in the PLDP that is inconsistent with the Planning (Scotland) Act 2019 requiring the management and development of use of land in so far that it contributes to sustainable development. No change is required.

The Council agrees that climate change should be at the forefront of future planning policy and, as noted above, we have made sustainable development and climate change one of the pillars in the Vision that the LDP is founded upon. The Council maintain that our commitment within Section 4 "The Purpose of the Local Development Plan and its outcomes", paragraph 4.3 to "take on the challenges of sustainable development and climate change", and the overarching statement "Climate change is possibly the greatest challenge facing the world today" demonstrate our commitment to addressing climate change issues and provides the necessary gravitas. No change is required.

Aberdeenshire Council already leads by example to combat climate change issues, as evidenced by the Aberdeenshire Council Environmental and Climate Change Policy (2017) (AD0100). An annual carbon budget figure is set each year to keep the Council on track for its commitment to reduce emissions by 75% by 2030 and Net-Zero by 2045 using 2010/11 as a baseline year. No change is required.

Climate change is a much wider topic than just renewable energy development, which is more appropriately discussed in the context of Policy C2 below. No change is required.

As stated in Section 2, paragraph 2.3 of the PLDP the Regional Economic Development Strategy is an important document that has influenced the PLDP. This recognises that there are a number of key industries in the north east (AD0027, pages 10, 15- 17 and 21) and it would be misleading for the LDP to acknowledge only the socio-economic benefits of renewable energy production. Other industries also contribute to addressing climate change issues. No change is required.

The Council acknowledges the comments regarding the policy elements that are considered missing with regard to 'low impact' transport and the need to encourage walking, cycling and public transport modes of travel ahead of the private car. However, the PLDP reflects these issues in a number of other sections in the Plan, as evidenced by the use of the "umbrella" icon throughout the Plan to show where policy topics make a

contribution to the strategic aim of taking on the challenges of sustainable development and climate change. In Section 4, under paragraph 4.3, specific reference is made to having tested allocations to make sure that planning considers reducing the need to travel and encouraging active travel. Shaping Places Policy P1 Layout, Siting and Design in particular requires development to promote intermodal shifts and active travel. There is therefore no need to repeat these elements in the introductory text to the specific “climate change” group of policies. No change is required.

Scottish Renewables (PP0590) has provided links to their NPF4 supplementary position statements, submitted to the Scottish Government, as further evidence of their views on matters raised in the PLDP. These are not specific to the Aberdeenshire Local Development Plan 2021 and echo the points that they make in their submissions. No change is required.

Policy C1 Using Resources in Buildings

Paragraph C1.1 and paragraph C1.2

The Council notes the industry response which has welcomed our decision which was made following consideration of this matter in the MIR (AD0040.A, Issue 13 Climate Change, pages 146, 148 and 151-152), not to seek Platinum Standard for CO² emissions and energy cost reduction. These standards still have to be developed and proposed by the Scottish Government through the sustainability labelling scheme in the Building Regulations (AD0001, section 7.1) and basing a policy on a non-existent standard would be unwise. SEPA has expressed disappointment at the removal of the Platinum sustainability label, and request replacing Silver with Gold for Target Emissions Rate (TER). The Council’s policy position remains that they should reflect the minimum requirement established in Building Regulations, currently ‘Silver’ for emissions. Above all a realistic target has to be set to achieve cost effective development which is ‘zero-carbon ready’. The Council have experience, over the last ten years, of trying to implement an ambitious policy with little success and cannot take comfort from those few other Authorities who may now be going down that path. No change is required.

The Council would agree with representees that the statutory building standards regulatory process is best placed to enforce sustainability standards. The Council are aware of the potential duplication with the building regulation process and are committed to delivering Planning Advice to ensure that any duplication is minimised, but that wider energy issues (such as heat networks), which the Planning Authority is competent to assess, are given appropriate consideration early in the development of a planning proposal. This advice will inform the content of the ‘Energy Statement’ to be used to demonstrate compliance with the objectives of the policy and commit the developer to actions. The Energy Statement should be an ‘Executive Summary’ of intent tested by the content of the building standards application. This will not be required to specify exactly what materials are used, or provide design details, but instead make assumptions on ways in which the use of materials and design elements will contribute to achieving the Silver sustainability standard. The Council have been advised that the standards required by the Silver sustainability rating will improve as building regulations change, and so it is appropriate to use a standard in the Plan that can reflect current thinking. The Council believe that the Energy Statement will focus thinking on the energy needs for a whole development and does not cause any further complications. No “new” targets have been set that the development industry was not already aware of. No change is required.

The development plan is not an instrument that can be used to improve the energy efficiency of older housing stock, and both Scottish Government initiatives and the Local Housing Strategy are working to this objective. No change is required.

Others consider the climate change policies too weak in relation to the design, layout, and construction of new buildings. The Council are of the view that investment in a “fabric first” approach to construction to reduce overall resource demand within a building is a very important component. It pays dividends for the developer in meeting and exceeding the Target Emissions Rate and reducing the proportion of carbon dioxide that must be met through low and zero generating technologies and water conservation so as to achieve the Silver sustainability label (by reducing the overall CO² generated by the building as a whole). The Energy Statement will require matters of aspect and layout to be considered as wider energy conservation issues. No change is required.

The Council agrees that efficient use of water remains important and as such we have maintained the “Gold” standard or BREEAM level 5 standard for water efficiency. In response to SEPA’s request to raise this to “Platinum” level, this is unreasonable as the Building Standards Technical Handbook has not currently defined this standard. No change is required.

The Council notes Nestrans support for the acceleration of decarbonisation of road vehicles through home electric charge points. The Council would highlight that this is also promoted under Policy RD1. No change is required.

Paragraph C1.3

The Council acknowledges the support SEPA has given to the policy provision we have made for district heating schemes. With regard to the concern raised about a lack of recognition in policy to address the need to provide alternative ways to heat and power new homes other than gas boilers after 2025, the Council do not consider it necessary to reflect this in policy. This is a matter of national policy and common knowledge in the development industry. It would be a statement of fact over which the Council would have no influence should representees object to its inclusion in the Plan. The Climate Change section promotes all forms of alternative technologies, and the housing industry will respond by necessity. No change is required.

Paragraph C1.4

The Council notes NHS Grampian’s support for the Climate Change section and their request for specialist buildings to be excluded from meeting targets where these cannot be met due to their specialist nature. Their submission to the MIR was considered at the time (AD0040.A, Issue 13 Climate Change, pages 146, 148 and 151-152). The Council believe that it would be entirely inappropriate for “specialised buildings” to be exempt from the policy as there will always be a need to minimise the energy used in space heating, use water efficiently, and embrace local renewable energy generation within buildings. The Council are confident that a pragmatic approach would be taken by the Planning Authority regarding the energy use of high energy equipment in such buildings (such as CT and MIR scanners), but it remains appropriate to consider the building envelope in the context of the policy. NHS Grampian, as a public body, are obliged to reduce energy use and conserve water within their operation in the same way as Aberdeenshire Council is,

through efficient construction and energy and heat generation on site and many local NHS facilities display various innovative technologies designed to achieve this objective. No change is required.

Paragraph C1.5

The Council notes that SEPA has welcomed the inclusion of the requirement for Energy Statements to be submitted at the planning application stage. No change is required.

Policy C2 Renewable Energy

Paragraph C2.1

Support for the policy is welcomed. In terms of the climate emergency and net-zero emissions reduction target, the Council maintain that our PLDP statement “Climate change is possibly the greatest challenge facing the world today” remains valid and is a statement that will have longevity over the lifetime of the Plan. No change is required.

With regard to the request to modify paragraph C2.1 to provide a focus on onshore wind, the Council consider there is no requirement for this as the wording is sufficiently positive for all renewable energy. This is in line with SPP, which has a broad approach to renewable energy. Nor do the Council consider there is a need to provide a more generalised statement on renewable energy development with biomass covered separately. A separate issue was noted during the MIR consultation relating to on-farm biomass (by NatureScot and SEPA), which has resulted in its relatively high profile in this paragraph (AD0040.A, Issue 13 Climate Change, pages 147, 150 and 151-152). The Council consider the current wording should remain to set the policy context for renewable energy, including that generation schemes using biomass are treated as industrial, not agricultural or forestry, processes. No change is required.

The policy is consistent with the Aberdeenshire Climate Change Declaration that the Council will “Work with others across the region to ensure that Aberdeenshire reaches Net-Zero by 2045, by promoting energy transition and a circular economy” (AD0100). Commitments within that document to “update to our relevant policies” have been taken out of context as the declaration refers to Aberdeenshire Council’s own, internal policies and not those that manage the workings of others within the area which in planning terms could lead to local declarations that are completely out of step with Scottish Government policy. No change is required.

No further actions are required to create a more positive and flexible approach to renewable energy developments generally. The text stated in the PLDP that the Council will support renewable energy development in appropriate locations, furthers an action on addressing climate change but, reasonably, constrains that development in inappropriate locations in the public interest. No weighting is given in the policy to any one form of renewable energy over another on the basis of cost. No change is required.

The Council does not agree that additional support should be given for renewable energy schemes that provide a direct supply to high energy users such as the St Fergus gas terminal. All proposals for development must meet all of the relevant policies in the Local Development Plan and should not be judged on the final user. No change is required.

The Council agrees that the term 'Built Heritage' in paragraph C2.1 should be changed to "The Historic Environment" for consistency across the PLDP and to reflect all aspects of cultural heritage features. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Paragraph C2.2

The Council notes that representees have welcomed our ongoing support for wind energy developments in appropriate locations, but that concerns are voiced that there is no criteria-based approach against which to assess wind farm applications as per SPP para 169, and there is a lack of clarity as to which other PLDP policies apply in the assessment of applications. Most policies of the Plan apply to all development proposals. Paragraph PR1.1 is a broad statement of intent regarding the scope of those resources that should be protected in the public interest and remains valid for all development types. Some policies relate to the specific development types. The Council notes the relevance of policies R3 Minerals and R4 Hill tracks to wind energy developments and stand by these policies as statements of our intent regarding these uses within a larger development proposal, the objective of which is to erect a wind turbine. No change is required.

SPP gives 19 elements which require to be considered in the determination of any proposal (AD0012, paragraph 169). Within SPP none of these is given greater weight than any other. Three of these are intrinsic to wind energy proposals and make no contribution to the decision-making process on whether an individual site is appropriate but are instead encompassed in the general support for renewable energy proposals (net economic benefits, contribution to renewable energy generation targets, effect on greenhouse gas emissions). Paragraphs C2.2, C2.3 and C2.4 seek specific consideration of landscape capacity, environmental effects, cumulative impacts, aviation, telecoms, residential amenity, tourism and recreation and public access routes). At paragraph C2.9. the Council identify that bonds or legal agreements may be used to ensure the removal of visible renewable energy structures. The policy refers to "other policies regarding Natural Heritage, Built Heritage and Protecting Resources". Within these policy groups individual policies address issues of natural heritage, landscape, scheduled monuments, listed buildings, water quality, and carbon rich soils. Section 14, The Responsibilities of Developers sets out what the Council expect from developers in terms of planning obligations. No change is required.

In essence only three elements from the list in SPP are not addressed by the PLDP: Impacts on road traffic and on adjacent trunk roads are outwith the expertise of the Planning Authority to evaluate and are generally advised to us by the Roads Authority when significant impacts are identified that may result in modification or refusal of an application. Finally, "opportunities for energy storage" as a consideration for whether a wind turbine is in an appropriate site would seem to be an inconsequential consideration within the debate. Therefore, the Council are clear that the policy does adhere to SPP paragraph 169 and that no change is required.

The Council does not agree that the Strategic Landscape Capacity Assessment for Wind Energy in Aberdeenshire Final Report (2014) (AD0174) is no longer valid or fit for purpose. The comments received to the Proposed Local Development Plan are very similar to those received and considered in the MIR (AD0040.A, Issue 13 Climate Change, pages 146-147, 149 and 151-152). No change is required.

The Council would agree that at its core the Landscape Capacity Assessment is a technical study, but it also represents a clear independent and professional view of the capacity of the Aberdeenshire landscape to accommodate wind turbines of different scales. This is a matter identified in SPP (AD0012, paragraph 169). This advice exists nowhere else. It provides consistency for development management pre-application advice, and clarity for the development industry regarding the scale of wind turbine development which Aberdeenshire Council has agreed is appropriate across the area. Even though it is now six years old it still remains very valid, having taken into account those turbines that have been granted consent at the time but have not yet secured a licence to connect to the National Grid. There is a significant legacy of consents which have to be assessed in coming to a decision. No change is required.

In 2019 the author of the Landscape Capacity Assessment confirmed that the views expressed regarding large and very large turbines in the Aberdeenshire landscape remained true, even in the face of the larger scale turbines now coming on to the market. Matters of national energy policy, climate change policy and improvements in technology do not alter the capacity of a landscape to accommodate wind turbines. The Landscape Character Assessments used at the time have been superseded by revised assessments but remain valid in the context of the study. The core advice element i.e., whether a landscape is a 'turbine landscape' and cannot accommodate more turbines without significant adverse effect, remains valid.

However, the Council recognises that the perception of the scale of impact that we can accept is likely to have changed as communities become accustomed to the turbines that have been built. Certain parts of the Landscape Capacity Assessment guidance may need to be updated in the coming years (particularly the datum of what has been approved and built). An early refresh of the guidance would be appropriate, and a footnote could be added to highlight this. The Council confirms that it intends to address this issue through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Spatial Framework was approved by Scottish Ministers in the Aberdeen City and Shire Strategic Development Plan 2020 (AD0016, page 43, Figure 7) and is replicated in the Climate Change policy map on page 86 of the PLDP. The map's key illustrates that in the group 3 tier is an "area for potential subject to detailed criteria". SPP is clear in paragraph 169 that landscapes and visual impacts, and cumulative impacts are legitimate considerations. Therefore, there are no inconsistencies either within the Plan or with SPP from referencing the Landscape Capacity study within the policy. No change is required.

In response to the Scottish Government's requirement for Policy C2 to indicate the minimum scale of onshore wind the Council note that this is not a mandatory requirement, but that we "should" include such information. Aberdeenshire Council agree that the minimum height of turbines, as detailed in the Strategic Landscape Capacity Assessment for Wind Energy in Aberdeenshire Final Report (2014) paragraph 2.3.2 Wind Energy Development Types is less than 15m to blade tip as these are not considered to have the same qualities of scale, prominence, and widespread visibility that lead to the wider cumulative impacts that characterise larger turbines (blade tip higher than 15m). No change is required.

Paragraph C2.3

The Council's 'in principle' position on supporting repowering and lifetime extensions is clear within the policy. The Council do not believe that any form of presumption towards the "best available technology" is an appropriate direction to take as, in the public interest, we are more concerned with potential adverse effects of the proposal rather than the technology that it uses. The Council are also clear that the environmental impacts of a wind turbine proposal are based on its size and location, and that if the replacement turbine is of the same scale and the predicted impacts are the same then "lifetime extension" is usually appropriate. It would be inappropriate to consent to a modest turbine, with no adverse impacts only for it to be replaced (even before it was built) by a much larger, possibly damaging, installation with no public scrutiny. In that context, where material differences are present, a planning application would be required. With regard to the climate emergency and meeting net-zero target emissions, the Council have embedded this in our overall policy position that we will tackle climate change and adaptation. No change is required.

As discussed above, the Council has addressed all of the issues (except energy storage) that are to be considered for any wind turbine proposal within this and other policies, no separate list is required. The only change for a "re-powered" site to a new site is that material weight would be placed on the previous use, and evidence assessed to ensure it remained a benign proposal at that scale and location. No change is required.

The Council does not consider it necessary to amend wording to include references such that existing bases should be reused "where possible". The policy wording as written serves the purpose in that it states "should" rather than "must". No change is required.

The Council's support for the development of wind turbines intrinsically recognises the value that they may give to the landowner, and by virtue of a discretionary payment, to the community itself. However, this latter element is not a valid planning consideration as there is no obligation on the developer, to make such a payment, in order to make his proposal acceptable in planning terms. SPP confirms that such negotiations, through the Local Authority, to secure community benefit should take place once consent is granted (AD0016, paragraph 173). This ensures that the prospect of any community payment cannot influence the planning decision-making process in any way.

NatureScot's suggestion to replace "larger nacelles" with "larger blades" is agreed. The Council wrongly assumed that larger blades would require a larger nacelle, and that the nacelle was the collective term for the part of the turbine at the top of the tower. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Paragraph C2.4

Oil and gas pipelines are protected by the implementation of Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land and do not require specific reference in this policy. No change is required.

The policy under which any renewable energy proposal will be considered is the generic Policy C2. Repetition of text is unnecessary when all policies of the Plan apply to relevant developments. No change is required.

Paragraph C2.5

Support for the solar panel policy is welcomed. However, the Council does not agree that the policy needs to go further in its support for solar farms, nor is it appropriate for there to be explicit promotion of development in the green belt and coastal areas as this would contradict Policy R1 Special Rural Areas. It would also be inappropriate to make such a bold statement to the effect that “solar proposals have a minimal visual impact” as this will depend on the site being considered. The Council agrees that public appreciation and understanding of solar panel technology is important, however this is for the industry to promote in ways it sees fit e.g. on-site outdoor interpretation panels such as provided on wind farm sites. No change is required.

Outdoor access rights would always be taken into consideration for solar farm applications, as per all types of development. Whilst the Council recognise that security and public access present conflicting needs on such sites, these issues are for the planning application process to resolve, possibly through path diversion as one option. Policy P2 (paragraph P2.6) protects existing public rights of way and promotes new opportunities for informal recreation. No change is required.

Paragraph C2.6

The Council notes that SEPA and NatureScot highlight the potential impact of hydro-electric schemes extend beyond the ‘water environment’. The Council does not agree that additional wording should be included with reference to the ‘surrounding natural environment’ as all policies apply and if significant adverse impacts were identified on natural heritage or the built environment then policies E1, E2, HE1, and HE2 would apply. The Council also does not agree with NatureScot’s request to emphasise the ‘significant’ effects of schemes, as this would be inconsistent with the Natural Heritage and Landscape policies which refer to unacceptable or unacceptable adverse impacts. No change is required.

Paragraph C2.8

Despite the advice from Scottish Government in SPP (AD0012, paragraph 167) that development plans should identify areas capable of accommodating energy storage projects the Council remains of the view that either such facilities would be geographically specific (such as pumped storage hydro-electric schemes) or would be related to the National Grid 400Kv network. In this context the potential areas capable of accommodating such facilities within the LDP area would be very large and their identification in the Plan would not assist the developer, and could only alarm the public, given the very infrequent incidence of such proposals. At Peterhead, and in accordance with NPF3 (AD0004 paragraph 3.41) the Council have identified a large area ‘R2’ which is reserved for development associated with Carbon Capture and Storage and other major energy developments set out in NPF3. As this is a major hub for the grid network, and is being proposed for national and international interconnectors it fulfils the aspirations of SPP. No change is required.

Policy C3 Carbon Sinks and Stores

Paragraph C3.1

In relation to the Policy C3 Carbon Sinks and Stores the Council are entirely comfortable

that the wider interpretation that they use, compared to SPP (AD0012, page 39 Table 1: Spatial Frameworks). The Council's interpretation is entirely appropriate and based on advice provided by NatureScot (see PLDP page 84, footnote 7). Table 1 refers to "carbon rich soils" but this is only part of the sum of carbon sinks within Aberdeenshire. Within the LDP policy, the protection extends to Classes 1,2 and 5 in the Scottish Natural Heritage Carbon-rich soils, deep peat, and priority peatland habitat mapping Consultation Analysis Report (2016) (see AD0011. These classes only relate to areas where there are priority habitats (as defined in the UK Biodiversity Action Plan) and / or deep peat (a surface peat layer of greater than 50cm). Classes 1 and 2 taken together identify the nationally important resource and NatureScot suggest protection of only Classes 1 and 2. The Council do not seek to define high carbon peat rich soils but refer to NatureScot's own definition to provide absolute clarity. NatureScot have confirmed in correspondence that "there is probably some outstanding confusion over how Councils feel they are expected to consider Class 5 peat" and that they "think that it is reasonable that the key focus is on Classes 1 and 2 (the nationally important mapped interest). But where peat is present, applicants are required (by SPP) to assess the likely effects of the development on carbon emissions and aim to minimise this release" (AD0136). The Council note SEPA's agreement with this position. No change is required.

The objective of the Plan is to maintain, and if possible, increase, carbon stored in biotic material within Aberdeenshire. The use of the Carbon Calculator (see <https://informatics.sepa.org.uk/CarbonCalculator/index.jsp>) is a recognised and accepted methodology for assessing whether the impact of a development can be offset by the carbon savings that result from its development. The Carbon Calculator was developed specifically to address the impact of wind farms on carbon rich soils but is transferrable and represents our preferred "carbon assessment tool". It is equally applicable to damaged peatlands, meeting the Scottish Government concerns that the Council do not accord with SPP paragraph 241 (which permits commercial extraction in areas which have suffered historic, significant, damage through human activity and where the conservation value is low, and restoration is impossible) (AD0012, paragraph 241). No change is required.

NatureScot propose to replace the references to high carbon peat rich soils to include definitions that include matters of habitat conservation which are already addressed elsewhere in the Plan. Likewise, their references to the need for peat surveys and peat management plans is out of context for this policy, which is effectively a restrictive policy based on the best geographical data available. SPP requires that applicants should assess the likely effects of development on carbon dioxide (AD0012, paragraph 205). The Carbon Calculator is an example of an assessment that could be used to meet this obligation. No change is required.

There is no inconsistency between policy C3 and paragraphs PR1.1 and PR1.10 of the PLDP, although it is accepted that conservation of carbon sinks and stores could have been placed in the Protecting Resources section. That was a choice the Council considered but dismissed as it felt that carbon sinks and stores fell more neatly into the Climate Change section. A cross-reference links the two sections. In any case, all policies of the PLDP apply, no matter which section they are placed in. No change is required.

Comments relating to there being a need for policy to include text that the objective should be for "no net negative effect" is unnecessary, as that would be the outcome of a positive

result from the Carbon Calculator. The Council are not convinced that “wind farms have a positive effect on CO²” and that the requirement to demonstrate no net effect should be waived for this development type. If a particular proposal will indeed have no negative effect, then the Carbon Calculator is an appropriate tool to show this. No change is required.

In relation to the request to strengthen policy in relation to woodland, it is considered that all woodland, including ancient woodland, is sufficiently and appropriately protected under the Protecting Important Resources, and Natural Heritage and Landscape policies. No change is required.

Planting to compensate for carbon store loss is currently an inexact science and is likely to show an immediate loss of carbon from the environment, until the trees grow to a size where they make a positive contribution to the carbon balance. It is unlikely to make a significant contribution to the net-zero carbon target of the Scottish Government before 2050. It is not an approach that the Council favour, preferring instead to avoid impacts rather than compensate for them. Compensatory planting for loss of woodland needs to consider aspects of amenity and recreation as well as carbon and wildlife, resulting in our requirement for any compensatory planting to be associated with the open space requirements of existing settlements. No change is required.

Impacts on Biodiversity are addressed under natural heritage policies, and all policies of the Plan apply to development proposals. Policy P1 requires all developments to identify measures that will be taken to enhance biodiversity. The Council are aware that there may be instances where trees and woodlands may not be appropriately sited, but we do not agree with RSPB that the policy prevents replanting elsewhere. Paragraphs PR1.7 and C3.1 are consistent in that both introduce conditions for the removal of any woodland with PR1.7 using “loss of trees and woodlands.... will not normally be permitted” whereas C3.1 uses the phrase “will only be permitted”. Both policies refer to the need for compensatory planting should tree loss occur. No change is required.

Paragraph C3.2

In relation to native woodlands raised by the Woodland Trust Scotland, a key aim of the Forest and Woodland Strategy is to ‘Promote trees and woodlands to aid Scotland in mitigating and adapting to climate change.’ It also supports the planting of native woodlands (AD0102, Pages 3, 11 and 17). The Council do not consider it appropriate to elaborate further on the wording: ‘proposals for woodland’, within paragraph C3.2. No change is required.

Policy C4 Flooding

General

SEPA’s support for the requirement for a FRA to be undertaken for allocated sites in Appendix 7 is welcomed. No Change is required.

Paragraph C4.1

SEPA points out an anomaly. The use of the range 0.5% to 10% reflects the indicative flood maps used to scope flood risks in the development management process, but clearly a risk higher than 10% would be as unacceptable as a risk of 0.5-10%. The

Council confirms that it intends to address SEPA's comments through non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

SPP sets out a framework that LDPs should use (AD0012, paragraph 263). In this framework it sets out three classes of risk, phrasing each as a range (e.g., Low to medium risk (1:1000 to 1:200 years)). SPP identifies that it is not possible to plan for development solely on the basis of calculated probability of flooding and introduces additional factors such as the effects of climate change, including an allowance for freeboard (AD0012, paragraph 264). Flood Risk Assessments may be required at the upper end of the probability range (i.e., close to 0.5% risk, a risk of more than 1 in 200 years Probability). The policy remains consistent with SPP insofar that it identifies a range of flood risk circumstances at the upper end of the low to medium range where assessments should take place. That no other Authority provides this clear guidance is immaterial. A 0.25 (1 in 400 year) annual risk could actually be lower than the nationally accepted 1 in 200 year, plus climate change allowance, plus freeboard. The PLDP makes it clear that the 1 in 200-year risk is not a realistic threshold when these issues are also considered. No change is required.

Despite SEPA's assertions, indicative mapping is only a theoretical guide to flood risk and while proposals under 0.5% (1 in 200 year) annual probability are almost certain to fall beneath the threshold, these maps do not define the flood risk of a particular site. Sites which do require a Flood Risk Assessment will be between the 0.5 to 0.1 (1 in 200 and 1 in 1000) annual flood risk area due to climate change and freeboard and it is misleading to use the boundary of 0.5 annual risk as a definitive boundary. The policy merely seeks to be clear on this issue. No change is required.

SEPA's request that paragraph C4.1 should be amended by including a statement that "development should not increase flood risk vulnerability" is unfounded since paragraph C4.2 refers to "increased severity of flood risk elsewhere". Likewise, the introduction of the term "re-development" is unnecessary as in planning terms re-development will constitute a form of development. There are no inconsistencies or omissions, and no change is required.

The Council agrees that the term "alleviate flooding" and that the use of the term "conveyance" are more accurate and clearer interpretations of the terms and improves the policy. The Council confirms that it intends to address these comments through non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

Paragraph C4.2

SEPA's desire to see the removal of the phrase "this is normally a minimum of 100 years" from the paragraph C4.2 is unfounded as there are no realistic projections of flood risk beyond the year 3020, one hundred years into the future. Use of this period is appropriate. The purpose for asking for flood risk resilience within the lifespan of the building is to encourage "hard" alleviation which is a feature of the building as built and not a temporary solution such as plastic skirts which will not last the test of time. The use of 100 years is to avoid (relatively) short-term solutions, argued on the basis that the building itself will not last a reasonable lifetime. The Council cannot expect flood resilience to such an extent that the risks are removed in perpetuity. No change is required.

Paragraph C4.3

SEPA's request to have a direct cross-reference in Paragraph 4.3 to policy PR1.3 is unfounded as the reference is found in the following paragraph, through a footnote. Planning Advice has been prepared that details best practice in the creation of buffer strips and what Aberdeenshire Council would expect in a planning application. No cross-reference is required to the policy P2 Open Space and Access in New Development as this policy would apply independently of any obligation for buffer strips, and buffer strips would form a useful part of the green-blue network. Paragraph C4.4 clarifies that buffer strips should be located in areas of potentially lower risk. Matters such as the location of green-blue networks need to be assessed as part of any developments wider landscaping plan. No change is required.

Paragraph C4.4

The Council do not agree with SEPA that the word "local" should be removed in terms of evidencing heightened risk of coastal flooding as local site circumstances (such as a soft substrate or an open landscape with respect to storm surges) may increase the risks. The term does not refer to "local" modelling of predicted flood risk. No change is required.

Culverting of watercourses is accepted bad practice and would be prohibited through the use of paragraph C4.2, which seeks to avoid increased severity of flood risk elsewhere. Again, the emphasis of the Plan is through promotion of green-blue networks as part of the open space obligations, not featureless culverts. The Council do not believe that an additional clause is required to comply with the principles set out at SPP (AD0012, Paragraph 255). No change is required.

Throughout the Plan there are references to documents that are likely to be updated and revised throughout the life of the Plan. The footnotes represent the most up to date publications on which the Plan has been based. If updated documents are published prior to adoption of the Plan the Council will make the appropriate changes. No change is required.

Climate Change Policy Map

The strategic capacity assessment was developed in-house through a sieve mapping technique. It is Aberdeenshire Council data, which was provided to the Strategic Development Plan Authority for inclusion in the Aberdeen City and Shire Strategic Development Plan 2020 and approved by Ministers with that document. There has been no material change to the criteria used to produce the strategic capacity map since it was developed for the LDP 2017. The Council accept that it has not included the 15m threshold for turbine size that Aberdeenshire uses for wind turbines, and amendment of the key to this effect would be appropriate. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council note the representee's concerns regarding Bennachie SLA being mostly classified as Group 3 in the Spatial Framework for Wind Energy. This is a dataset classified by the Scottish Government. Local landscape designations are non-statutory and not considered within the Government's classification as per national and international designations. The SLA is afforded protection under Policy E2 in the PLDP. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan, or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue that is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” to Section 13 (Climate Change). However, where such matters arise from representations made to the proposed plan they are required to be addressed in the examination. I therefore address these as appropriate below.

Introductory text

3. The introductory paragraph to Section 13 Climate Change of the proposed plan is unchanged from the equivalent paragraph in the adopted local development plan. A number of representations express the view that this does not lay sufficient stress on, or adequately draw attention to, the nationally applicable policy and legislative context in relation to climate change matters, which have moved on significantly since the preparation of the existing plan. In this regard, representees draw attention, amongst other matters, to the Scottish Government's declaration of a climate emergency; the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019; the ambition to achieve net-zero greenhouse gas emissions by 2045; and the purpose of planning provisions included in the Planning (Scotland) Act 2019. As the council points out, these provisions arise separately from the local development plan context and such targets may change during the plan period. However, the direction of travel of climate change related policy and regulatory measures is clear and is unlikely to be reversed.
4. I accept that policies C1 to C4 and their component parts set out more specific provisions in relation to a range of considerations related to climate change. However, it is the introductory paragraph of section 13 which outlines the context and sets the tone for these policies. Against the above background, I conclude that the introductory paragraph should acknowledge the increased level of ambition to seek to address climate change matters that is expressed through national policy and legislation since the previous local development plan. I recommend modifications to the text of the introductory paragraph accordingly. These modifications are consistent with what is sought in this regard by a significant number of representees. They would also better relate to the detail of the policies concerned with specific aspects which follow later in this section of the plan.
5. Several representees seek further changes to the introductory paragraphs of this section, proposing that references to greenhouse gas emissions, renewable energy developments, as well as encouragement of public transport and non-motorised travel modes, be included in the introductory paragraphs. Such matters are addressed more specifically in other parts of this section and elsewhere within the proposed plan, including in policy P1 Layout, Siting and Design. I agree with the council that no further modifications to the introductory paragraphs of section 13 are necessary with regard to these matters.

Policy C1 Using resources in buildings

6. The standards of energy and resource efficiency that buildings should seek or be required to achieve are expressed differently in the proposed plan than is the case in the existing plan. Several representees are critical of what they perceive to be a lessening of such standards, while others (mainly representing developer interests) seek removal of reference in the policy to specific target standards. National and multi-national trends reflect increasing ambitions to move towards greater levels of energy and resource efficiency, to seek to reduce climate change-related emissions as well as for other reasons. The provisions of the proposed plan should be consistent with this context.

7. I appreciate that the primary means of regulating construction standards, including those related to energy and resource efficiency, is through the application of the mandatory Building Regulations, and that duplication in this regard could be a potential cause of confusion. However, the acknowledged significance and urgency of the climate change challenge requires that there should be no actual or perceived lessening of construction-related performance standards sought by policies of the proposed plan in comparison to those of its predecessor. At development management stage, the requirement for the provision of an Energy Statement, expressed in paragraph C1.5, would assist in assessing the acceptability of measures contributing to climate change related measures. Although I note that the council refers to advice that it intends to produce, it is necessary for the proposed plan to set the context so that developers and others can understand what is expected in this regard. The council's "fabric first" approach to energy and resource efficiency is appropriate in this regard. But this reinforces the necessity of ensuring that the policies and other provisions of the proposed plan do not represent any real or apparent reduction in the rigour with which high standards of energy and resource efficiency are to be sought in new development. I note the council's comment, that it has had little success in trying to implement an ambitious policy in this regard in recent years. However, rather than justifying less ambitious policy objectives in the proposed plan as the council appears to suggest, I regard this as requiring retention of policies that are at least as ambitious as those of the predecessor plan.

8. I appreciate that the reference in paragraph C1.1 to the "Silver" sustainability rating for CO₂ reduction and energy efficiency is expressed to be the minimum requirement, and that this may change as a result of likely future updating of Building Regulations. However, as this is in replacement of the "Gold" standard referred to in the existing plan, this inappropriately gives the impression that a lesser standard of performance would be acceptable in future. I note that the table in Appendix 9 (Building Design Guidance) retains reference to the achievement, wherever feasible, of the "Platinum" standard as expressed in Section 7 of the Building Standards Technical Handbook, and in view of this, I see no justification for omitting such reference in paragraph C1.1.

9. For the above reasons, I recommend paragraph C1.1 be modified to make clear that the proposed plan does not imply any diminution in the CO₂ and energy performance requirements for new development from that of the adopted plan.

10. The Scottish Environment Protection Agency (SEPA) has requested that, in relation to water efficiency, the achievement of "Platinum" level should be specified in place of the "Gold" referred to in paragraph C1.2 of the proposed plan (as well as on page 60 of the existing plan). In response, the council explains that this standard is not currently defined

in the Building Standards Technical Handbook. It would not be appropriate for the proposed plan to refer to an as yet undefined standard, so I agree that no modification is required in this respect.

11. Any requirement involving the phasing out of gas boilers for domestic heating would, as the council points out, arise from national legislative measures. I agree that it is not necessary for this possibility to be reflected in any modification to the provisions of the proposed plan, in paragraph C1.3 or elsewhere.

12. I acknowledge that specialist health and other facilities may have particular energy and resource needs which could differ from those of more generic developments. However, the policy context of the proposed plan, subject to the recommended modification, contains flexibility to enable the circumstances of particular proposals to be taken into account in any assessment at the development management stage. Any such circumstances would be expected to be addressed in an Energy Statement submitted at application stage. I therefore see no need for the limited exceptions to the application of policy C1, as referred to in paragraph C1.4, to include health-related developments. No modification is therefore required in this regard.

Policy C2 Renewable Energy

13 As drafted, paragraph C2.1 is supportive of renewable energy developments in general, subject to consideration of potential adverse locational or other implications. Scottish Planning Policy presents, at paragraph 169, a list of the considerations relevant to the assessment of all energy infrastructure developments. I have considered whether including a cross reference in paragraph C2.1 to these provisions of current national policy, would appropriately clarify the criteria against which such developments would be assessed. However, as the current version of Scottish Planning Policy is likely to be superseded in the near future, it would not be appropriate to rely on a document that may not be in force at the time of formal adoption of the plan or shortly thereafter. The draft of National Planning Framework 4, currently under consideration by the Scottish Parliament, retains essentially these same criteria, albeit somewhat differently worded. Although that document will in due course form part of the development plan, it would not be appropriate to include specific reference to it at this time.

14. I conclude that the criteria expressed in Scottish Planning Policy paragraph 169 are relevant to the consideration of renewable energy developments and likely to continue to be so after Scottish Planning Policy is replaced. Instead of including a reference to an external national policy document, I consider that the relevant criteria should be included in the plan. I therefore make a recommendation to this effect. This also addresses the criticism in a number of representations that paragraphs C2.3 and C2.4 are insufficiently clear as to the criteria to be applied in this respect.

15. While the list of renewable energy technologies identified in paragraph C2.1 is wide, expressing these as examples rather than an exclusive list would enable any potential new technologies that may emerge to be accommodated in policy terms. This would confirm that, subject to proper consideration of any relevant constraints, support is given to renewable energy developments of all forms. This would provide the added flexibility sought in representations and my recommended modification reflects this. With this modification, there is no need, as sought by some representees, to single out onshore wind above any other technologies for the purposes of this paragraph.

16. Amending the wording to refer to “the historic environment” rather than “built heritage”, as sought by Historic Environment Scotland and supported by the council, would assist clarity and consistency. A modification to this effect is recommended.

17. Paragraph C2.2 makes reference to the mapping at the end of section 13. This reflects the spatial framework contained in the approved Aberdeen City and Shire Strategic Development Plan, with which the proposed plan is required to be in conformity. However, the map also includes an additional layer of “areas with strategic landscape capacity for wind turbine development” under the heading “local landscape guidance”. I understand that this information is taken from the 2014 Strategic Landscape Capacity Assessment Final Report.

18. The council considers its approach to be consistent with Scottish Planning Policy. However, the inclusion of “areas with strategic landscape capacity for wind turbine development” on the climate change map would apply additional constraints to the wind energy spatial framework, which paragraph 163 in Scottish Planning Policy explicitly states should not happen in the interests of national consistency.

19. Paragraph 163 in Scottish Planning Policy goes on to state that the spatial framework is complemented by the development management process, where the merits of an individual proposal will be carefully considered against the full range of environmental, community, and cumulative impacts set out in paragraph 169. Group 3 areas are identified as having potential for wind energy development, subject to detailed considerations. However, my reading of paragraph C2.2 and the climate change map in the proposed plan is that not all sites which are located within a group 3 area would be treated as having potential, subject to detailed considerations. The additional mapping layer, which if included in the adopted plan would have development plan status, suggests that group 3 locations outwith the “areas with strategic landscape capacity for wind turbine development” do not have the same potential. I consider this approach to be contrary to paragraph 163 in Scottish Planning Policy. A modification is recommended to remove the orange hatched areas and the associated reference in the key from the climate change map on page 86.

20. I agree with the council there are no inconsistencies with Scottish Planning Policy from referencing the landscape capacity study in policy C2. Although I accept that, during the lifetime of the plan, it may be appropriate to update landscape assessment guidance as the council acknowledges, that does not mean that it has no relevance in assisting the assessment of wind energy proposals at application stage. It provides a broad spatial framework, but detailed landscape and visual assessments will inevitably be needed to inform consideration of specific development proposals. However, I agree that, as worded, the paragraph places unjustified emphasis on the 2014 document. The inclusion of a footnote drawing attention to the likelihood of such guidance being updated would be appropriate, as the council suggests. Furthermore, a modification to the last sentence of paragraph C2.2 is necessary to make clear that development-specific landscape assessment is required. I make a recommendation to that effect accordingly. My further recommended modification (below) to the key to the climate change map on page 86 clarifies the minimum scale that the spatial framework is intended to apply to, as sought by the Scottish Government.

21. The criteria I recommend be included in paragraph C2.1 referred to above, are also relevant to wind energy projects, including proposals for re-powering existing facilities. In

the context of any proposals for upgrading or re-powering existing facilities, clarifying that existing infrastructure, including turbine bases, should be reused where possible would appropriately reflect the need to take account of the circumstances at the time. Altering the reference to “blades” rather than “nacelles” in the third sentence of paragraph C2.3, as NatureScot proposes and the council accepts, would appropriately aid clarity. I recommend modifications be made to paragraph C2.3 accordingly. With the incorporation of my recommended modifications, no further changes are necessary to paragraphs C2.3 or C2.4.

22. My recommended modification to paragraph C2.1 includes reference to effects on communities and any socio-economic implications as being amongst the criteria to be considered as part of the assessment of wind energy developments. With the inclusion of specific reference to these criteria, it would not be appropriate to prejudge the outcome of any development-specific assessment by affording greater weight to community financial benefits than other considerations, as a representee appears to suggest. No further modification is required paragraph C2.3.

23. Solar energy proposals are encompassed by the term renewable energy. Explicit support for such developments is expressed in paragraphs C2.1 and C2.5. There is no need for such support to be expressed more strongly or for modifications implying that potential adverse impacts should be given reduced weight in the consideration of solar energy proposals. With the recommended inclusion, in paragraph C2.1, of reference to the criteria listed in paragraph 169 of Scottish Planning Policy, the relevant assessment criteria would be appropriately made clear. There is no need to duplicate these considerations in paragraph C2.5 relating to solar panels and no modification is necessary in this regard.

24. Although the acceptability of hydro-electric schemes, as with all development proposals, would be assessed against the provisions of the plan as a whole, singling out reference to the water environment could inappropriately be seen as implying that other environmental effects are of lesser importance. I therefore recommend a modification to counter such potential misinterpretation, by adding reference to the wider natural environment. This would appropriately address the representations made by SEPA and NatureScot in this regard. Many, if not most, developments may potentially have positive as well as negative effects. Whether a particular development would be acceptable or unacceptable is not simply a function of the significance of any environmental impacts. It would involve an assessment of overall acceptability taking account all potential effects, both positive and negative. These could include social and economic benefits, but may not be limited to such categories. The criteria I recommend be included in paragraph C2.1 will also be relevant. As drafted, the paragraph implies that any adverse impact would be an absolute bar to development, but then suggests that such impacts may be disregarded for larger schemes in some cases. Modifications are required to address the internal conflicts within paragraph C2.6 and the representations by SEPA and NatureScot.

25. There is force in SEPA’s representation that the proposed plan should express support for energy storage projects. The plan identifies a large site at Peterhead (area R2) reserved for carbon capture, storage and related development consistent with the provisions of National Planning Framework 3. However, I agree with the council that it is not reasonably practicable for the plan additionally to contain location-specific proposals for hypothetical energy storage facilities. Expressing support for energy storage facilities would be more clearly achieved in a modification to paragraph C2.1, rather than through

the addition of a further paragraph as SEPA suggests. My recommended modification to that paragraph addresses this representation.

Policy C3 Carbon Sinks and Stores

26. As the council acknowledges, there is a degree of overlap between the support for the protection of carbon sinks and stores expressed in this policy and sections 10 (Natural Heritage and Landscape) and 12 (Protecting Resources) of the plan. Those sections contain policy provisions which specifically address nature conservation, landscape, woodland and other aspects which several representees seek more detailed reference to in paragraphs C3.1 and C3.2. However, as the council explains, the policies of the proposed plan as a whole apply to all developments where they are relevant. Duplicating such provisions in these paragraphs is not necessary. Nor do I see any fundamental inconsistency between the treatment of such considerations in the different sections of the plan. I therefore agree that no modification is required to paragraphs C3.1 or C3.2.

Policy C4 Flooding

27. Paragraph C4.1 appropriately makes reference to SEPA Technical Flood Risk Guidance which provides much of the detailed advice relevant to the consideration of flood-related implications of development. As SEPA is principal advisory and regulatory provider of technical expertise in such matters, I give considerable weight to SEPA's representations. Ensuring consistency in the explanation and application of policy on flooding matters is particularly important in view of the specialist nature of the assessments involved. I note that the council accepts that modifications are appropriate to paragraph C4.1 with regard to the manner in which it presents categories of flood risk, but maintains that other aspects of SEPA's representations should not result in modifications. The vulnerability of a development to flooding is wholly distinct from any effect that development may have on the risk of flooding elsewhere. That concept encompasses the use and occupation of development, particularly with regard to accommodating people overnight. Contrary to the council's position, it is appropriate for a modification to be made to the text of the paragraph to refer to the assessment of vulnerability, as sought by SEPA. I therefore recommend modifications to paragraph C4.1 to reflect SEPA's representations, including in relation to the footnotes referred to in the paragraph.

28. The reference to "normally a minimum of 100 years" in paragraph C4.2 relates to the assumed lifespan of residential development. It is not a reference, as SEPA's representation appears to assume, to any measure of likelihood of flooding at a particular location. Planning for buildings to be flood resilient for the duration of their potential lifetime, as the paragraph seeks, is appropriate. I note that the council's reference to the year 3020 in its response above appears to be an error (which I take it should have been stated as 2120). In any event, paragraph 263 of Scottish Planning Policy does not rule out residential development in areas of medium to high flood risk and proposals would need to be assessed against the criteria in paragraph C4.1. For these reasons, no modification is required to this paragraph of the policy.

29. SEPA's representation seeking a footnote to paragraph C4.3 to cross-refer to paragraph PR1.3 in the Protecting Resources section of the plan is, as the council explains, already reflected in the text, albeit it appears against paragraph C4.4. No modification is required in this respect. I agree that the inclusion of the word "local" to

qualify the nature of evidence that may demonstrate a heightened risk of flooding is inappropriate. I recommend deleting that word, as SEPA seeks. This modification would not exclude the consideration of local evidence, but would allow other evidence to be taken into account whatever its origin.

30. Although paragraph C4.2 seeks to ensure flood resilience and to require that development does not increase the risk of flooding elsewhere, it does not make explicit reference to the undesirability of culverting watercourses. It is therefore not sufficient to rely on that paragraph to convey a policy intention to oppose culverting, which I note that the council accepts would generally be considered bad practice. The introduction of a new paragraph, C4.7, as SEPA seeks to address this omission is appropriate and I recommend a modification accordingly.

Climate change policy map

31. I note that the council accepts that the absence of reference in the map key to the 15-metre turbine blade tip threshold it applies should be rectified. I agree that an amendment is appropriate in this regard, as the council proposes. I recommend a modification accordingly.

32. In view of the protection afforded in landscape character terms at Bennachie by policy E2, and because the wind energy spatial framework groups defined on the map derive from the Strategic Development Plan and an external dataset, it is neither necessary nor appropriate for the map to be altered in this regard as a representee seeks.

Reporter's recommendations:

Modify the local development plan by:

1. Replacing the first, introductory, paragraph on page 81 with:

“Climate change is possibly the greatest challenge facing the world today. The Scottish Government’s declaration of a Climate Emergency and the enactment of the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 are responses to this. These have influenced and are reflected in the policies set out in this local development plan. Scottish Planning Policy favours development that contributes to sustainable development and policies and decisions are needed to support action to tackle climate change and adaptation, including taking account of flood risk. For Aberdeenshire, this means reducing the use of energy (both in the distribution of development and within developments themselves), conserving water, promoting energy generation by renewable sources, sustaining existing carbon stores (such as peat and wood), and dealing with long-term flood risks.”

2. Replacing the whole of paragraph C1.1 on page 81 with:

“All developments must be designed to reduce carbon-dioxide emissions and reduce the use of energy. For all development, the target is to at least meet the current Scottish building regulations Target Emissions Rate (TER) and achieve the sustainability rating ‘Gold’ level for carbon dioxide reduction and energy efficiency, including through the installation of low and zero carbon generating technologies. Wherever feasible, a Platinum sustainability label under section 7 of the Building Standards Technical Handbook should be sought. This should include consideration of alternative fuel vehicles including electric and hydrogen refuelling.”

3. Replacing the whole of paragraph C2.1 on page 82 with:

“We will support renewable energy developments, including solar, wind, biomass (energy from biological material derived from living, or recently living organisms) and hydro-electricity projects, as well as energy storage projects, which are in appropriate sites and of the appropriate design. Assessment of the acceptability of such developments will take account of any effects on: socio-economic aspects; renewable energy targets; greenhouse gas emissions; communities; landscape and visual aspects; natural heritage; carbon rich soils; the historic environment; tourism and recreation; aviation, defence, telecommunications and broadcasting interests; road traffic; hydrology; and opportunities for energy storage. We treat biomass schemes as industrial processes suitable for business land. These may be hazardous developments through their impact on air quality. This support is not at the expense of other policies regarding Natural Heritage, the Historic Environment and Protecting Resources.”

4. Replacing the last sentence of paragraph C2.2 on page 82 with:

“This guidance remains relevant but is not a substitute for detailed assessment of the landscape impact of specific development proposals.”

5. Adding a footnote linked to the reference in paragraph C2.2 on page 82 to the document entitled “Strategic Landscape Capacity Assessment for Wind Energy in Aberdeenshire Final Report”, as follows:

“It is anticipated that Strategic Landscape Capacity Assessment guidance will be updated during the lifetime of the Plan.”

6. In the third sentence of paragraph C2.3, replacing “nacelles” with “blades”.

7. Replacing the penultimate sentence of paragraph C2.3 on page 82 with:

“Existing infrastructure, including turbine bases, should be reused where possible.”

8. Replacing the first and second sentences of paragraph C2.6 on page 83 with:

“We will approve hydro-electric schemes if they are located, sited and designed to have no unacceptable individual or cumulative impact on the water or wider natural environment, taking account of the relevant criteria set out in paragraph C2.1.

9. Replacing the whole of paragraph C4.1 on page 84 with:

“Flood Risk Assessments should be undertaken in accordance with SEPA Technical Flood Risk Guidance⁸ and will be required for development in the indicative medium to high category of flood risk of 0.5% or greater annual probability (1 in 200 years or more frequent)⁹. Assessments may also be required in areas of lower annual probability (0.1%-0.5% annual probability) in circumstances where other factors indicate a potentially heightened risk or there are multiple sources of potential flooding. Assessments should include an allowance for freeboard¹⁰ and climate change¹¹. Development should not increase flood risk vulnerability¹² and should avoid areas of medium to high risk, functional floodplain or other areas where the risks are otherwise assessed as heightened or unacceptable except where:

- It is a development to alleviate flooding or erosion of riverbanks or the coast;
- It is consistent with the flood storage and conveyance function of a floodplain;
- It would otherwise be less affected by flooding (such as a play area or car park);
- It is essential infrastructure. The location is essential for operational reasons for example for water-based navigation, agriculture, transport or utilities infrastructure and an

alternative lower risk location is not available¹³.”

10. Deleting footnotes 8 to 11 at the bottom of page 84 and inserting footnotes 8 to 13 as referred to in modified paragraph C4.1 above, as follows:

⁸ Guidance on technical guidance for developers is provided in Technical Flood Risk Guidance for Stakeholders - SEPA requirements for undertaking a Flood Risk Assessment – 2019.

⁹ The Scottish Environment Protection Agency (SEPA) have produced indicative maps of flood risk areas and these are a useful starting point for developers in considering the location of their proposals.

¹⁰ Freeboard is an extra allowance provided above estimated flood levels. It is a factor of safety in flood protection design (usually expressed as height above flood level), which allows for factors related to the uncertainty in estimating flood risk (e.g. wave action, settlement, morphological changes).

¹¹ Advice on freeboard and climate change allowances can be found in SEPA’s publication “Climate change allowances for flood risk assessment in land use planning”

¹² Proposals should comply with SEPA’s ‘Flood Risk and Land Use Vulnerability Guidance’ in relation to redevelopment.

¹³ See SEPA’s Land Use Vulnerability Guidance

11. In the last line of paragraph C4.4 on page 85, deleting the word “local”.

12. Adding a new paragraph C4.7 and related footnote as follows:

“We are opposed to the enclosed culverting of watercourses for land gain and will actively seek to discourage such proposals. We encourage the daylighting (or de-culverting) of existing culverted watercourse¹⁶.”

¹⁶ This is supported by Scottish Government’s “Surface Water Management Planning Guidance (2018) and SEPA’s Culverting of Watercourses – Position Statement and Supporting Guidance.”

Climate change map

13. Removing the orange hatched areas, the associated reference to “Areas with strategic capacity for wind turbine development” and the heading “Local Landscape Guidance”, from the climate change map and key on page 86.

14. In the key to the climate change map on page 86:

Replacing the heading “Spatial Framework for Wind Energy”, with “Spatial Framework for Wind Energy (applicable to turbines greater than 15 metres height to blade tip)”.

Issue 12	Section 14 – Responsibilities of Developers and Appendix 15 Recycling and Waste Facilities	
Development plan reference:	Proposed LDP, Section 14, Page 87-94 Appendix 15 Recycling and Waste Facilities, Page 1155-1166	Reporter: Rob Huntley
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Responsibilities of Developers Introduction PP1294 Dandara</p> <p>Policy RD1 Providing Suitable Services PP0556 Newtonhill, Muchalls and Cammachmore Community Council PP0578 Scottish Government Planning and Architecture Division PP0659 Paths for All PP0691 Stewart Milne Homes PP0716 Scottish Land and Estates PP0751 Elsick Development Company (EDC) PP0975 Stewart Milne Homes PP1125 Barratt North Scotland PP1214 Hallam Land PP1215 Hallam Land PP1219 Scottish Environment Protection Agency PP1222 NHS Grampian PP1260 RSPB Scotland PP1261 RSPB Scotland PP1262 RSPB Scotland PP1294 Dandara PP1306 Homes for Scotland PP1312 Colin Miller PP1357 CALA Homes PP1358 CALA Homes</p> <p>Policy RD2 Developer Obligations PP0048 Michael Bruce PP0264 David Hayhurst PP0444 Network Rail PP0578 Scottish Government Planning and Architecture Division PP0657 Peter Foxen PP0692 Stewart Milne Homes PP0733 Paul Davison PP0881 Meldrum Paths Group PP0884 Formartine Rural Partnership PP1125 Barratt North Scotland PP1216 Hallam Land PP1219 Scottish Environment Protection Agency PP1222 NHS Grampian PP1241 Nestrans PP1294 Dandara</p>		

PP1300 NatureScot (Scottish Natural Heritage) PP1312 Colin Miller PP1359 CALA Homes Appendix 15 Recycling and Waste Facilities PP0778 Sustrans Scotland PP1219 Scottish Environment Protection Agency	
Provision of the development plan to which the issue relates:	Policies relating to the responsibilities of developers
Planning authority's summary of the representation(s):	
<p>Responsibilities of Developers Introduction</p> <p>A representee has requested the right to make comment on Planning Advice Developer Obligations and Affordable Housing once it is available for consultation (PP1294).</p> <p>Policy RD1 Providing Suitable Services</p> <p><u>General</u></p> <p>Newtonhill, Muchalls and Cammachmore Community Council has requested that Policy RD1 includes a policy that places a condition on developers to make good any loss of television reception with all costs being borne by the developer (PP0556).</p> <p><u>Paragraph RD1.1</u></p> <p>The Scottish Government has recommended that Policy RD1 includes clear information on the promotion of sustainable transport links, modes and choices for new developments and include reference to the sustainable travel hierarchy. It is vitally important that sustainable modes are prioritised and are provided for within new development to reduce inequalities, tackle climate change, help deliver economic growth and improve health and wellbeing. The Policy should support the National Transport Strategy 2 (NTS2) and detail developments should be planned that are or can be, strongly linked to accessible transport systems (PP0578).</p> <p>As the Proposed Local Development Plan (PLDP) does not include a separate chapter on transport, the message of promoting sustainable travel modes, links and choices should be firmly embedded within the PLDP. The PLDP details in paragraph 4.7 the need to promote efficient use of transport and encourages using methods of transport other than the private car. However, it is considered the Plan does not sufficiently promote the sustainable travel hierarchy or sustainable travel modes as stated within the NTS2 (PP0578).</p> <p>The PLDP does not mention the sustainable travel hierarchy nor promote the provision of sustainable transport links, modes or choices sufficiently in accordance with NTS2. Policy RD1 is considered not robust enough to comply with the NTS2 on prioritising non-motorised modes and providing sustainable travel links and choices in developments. Plans should raise the bar in terms of promoting accessible sustainable travel choices to</p>	

fully realise and plan for sustainable places (PP0578).

A representee has highlighted that the wording in paragraph RD1.1, conflicts with the wording in paragraph RD1.2. The representee has stated that the wording suggests that development will only be allowed if it provides electric vehicle charging infrastructure – these places a significant burden on the house building industry and concern was raised regarding the capacity of the existing network to accommodate an unknown and potential increase in demand. However, when reading paragraph RD1.2 dealing specifically with Vehicle Charging Points, it highlights that new home designs should consider including at least one charging point. Crucially it acknowledges that this may not always be appropriate to the design of the property and therefore remains ‘discretionary’. The representee supports the discretionary approach to allow flexibility which also allows the PLDP to remain adaptable, however has suggested a modification to the wording in paragraph RD1.1 which better aligns with the intended policy approach and avoids potential duplication or conflict with regulations coming through new building standards. The representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

The representee has stated that hydrogen fuel stations are unlikely to be appropriate within residential developments for amenity reasons and this should be made clear in the PLDP. Provision of these should be restricted to commercial developments (PP0691 and PP0975).

Two representees have stated that this policy indicates that development will only be permitted if it allows for adequate vehicle charging and it is considered that this is too vague to be expressed as a policy. There is current uncertainty regarding future preferred technologies and how they will be provided. As such it is recommended that this policy is removed and reconsidered at the LDP review stage (PP1214 and PP1357).

The Scottish Environment Protection Agency (SEPA) has commented that they are disappointed that the Council is not trying to meet or go beyond national guidance on air quality, the number of electric vehicle charging points and on no and ultra-low emission vehicles. SEPA has referred to ‘Land Use Planning and Development Control: Planning for Air Quality’ published by Environment Protection UK and the Institute of Air Quality Management, ‘Electric vehicles: driving the transition’ published by the House of Commons Business, Energy and Industrial Strategy Committee, and the Scottish Government’s target to remove the need for new petrol or diesel cars or vans on Scotland’s Roads by 2032. The representee has included an Appendix (RD214.A) in their representation which provides further detail to support their position (PP1219).

A representee has commented that the current wording in paragraph RD1.1 does not promote walking or cycling, and that additional wording on cycle storage, cycleway and footpath connections should be added to development requirements (PP1260).

A representee has commented that the intent behind Policy RD1.1 is understandable as it is clear that new technology will play an important part of this. The representee broadly supports the policy, however, has requested amendments be made to the text (PP1306).

Paragraph RD1.2 (Vehicle Charging Points)

A representee has expressed their support for Policy RD1, paragraph RD1.2 and the

Council's proposed approach to electric vehicle charging points. No modification sought (PP0751).

Newtonhill, Muchalls and Cammachmore Community Council has stated that electric vehicle charging points should not be discretionary, and that Policy RD1.2 Vehicle Charging Points should require developers to include at least one electric vehicle charging point per household and that workplaces also include charging points (PP0556).

The Scottish Government has stated that Policy RD1.2 should be worded more positively to reflect Scottish Planning Policy (SPP), paragraph 275. As currently worded, this policy allows complete discretion to the developer with regards to electric vehicle charging points for both housing and employment. SPP, paragraph 275 states that Development Plans should support the provision of infrastructure necessary to support positive changes in transport technologies, such as charging points for electric vehicles. It is considered that the policy could be more positively worded to reflect this important ministerial priority (PP0578).

The importance of including policies that look favourably on development that includes electric charging points should be fully considered. This should be focused on delivering sustainable transport in rural communities where the private car is the only option for many, rather than basing policy around access to public transport when many areas will never reach a critical population mass to justify public transport investment (PP0716).

SEPA has commented that they are disappointed that the Council is not trying to meet or go beyond national guidance on air quality, the number of electric vehicle charging points and on no and ultra-low emission vehicles. SEPA refers to 'Land Use Planning and Development Control: Planning for Air Quality' published by Environment Protection UK and the Institute of Air Quality Management, 'Electric vehicles: driving the transition' published by the House of Commons Business, Energy and Industrial Strategy Committee, and the Scottish Government's target to remove the need for new petrol or diesel cars or vans on Scotland's Roads by 2032. The representee has included an Appendix (RD214.A) in their representation which provides further detail to support their position (PP1219).

A representee has commented that policy needs to be strengthened and more ambitious to support the transition to electric vehicles. The representee has stated that electric charging points should be provided within all new developments and considered that one charge point for 25 employees is very low with rapid changes in technology likely to mean this figure will become quickly out of date. The representee has suggested this should be included in Supplementary Guidance on parking standards instead (PP1261).

Paragraph RD1.4 (Access to New Development)

A representee supported the requirements set out in the policy in relation to public transport services and transport hubs. No modification sought (PP0659).

NHS Grampian has supported the text within paragraph RD1.4 and welcomed the requirement for developments to be well related to public transport services, or the delivery of improvements to public transport services. No modification sought (PP1222).

Two representees have recognised the need for development to be sustainable, however

have considered that any contributions towards public transport must be reasonable in terms of the tests set out in Circular 3/2012. Obligations must fairly and reasonably relate to the proposed development and this must be recognised in zoning a site for development (PP0691 and PP0975).

A representee has stated that the development industry should not be expected to 'fund' major improvements to pre-existing infrastructure deficits. The current wording of the policy could be deemed contrary to Circular 3/2012. Instead, where public transport provision is not available in close proximity to a development site, then it would be more appropriate to seek proportionate contributions toward identified improvements. The representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

Three representees have sought amendment to the wording of the policy on the basis that Policy RD1.4 is not consistent with the test of reasonableness as set out in Circular 3/2012, paragraph 14, which states that obligations should fairly and reasonably relate in scale and kind to the proposed development (PP1215, PP1306 and PP1358).

Paragraph RD1.5

A representee supported the requirements set out in the policy in relation to footway connections, cycle infrastructure and provision of a safe route to school. No modification sought (PP0659).

To encourage cycling, connections must be provided in the same way that car access is required for developments. As such, the representee has requested that the wording is amended so that the word "should" is replaced by the word "must" and that it is provided by the developer and not simply shown on plans (PP1262).

A representee has commented that they both understand and support the intent behind Policy RD1.5. However, it was considered that the wording of the policy could lead to ransom strips if it requires works to be undertaken on third party land. As such, the representee has requested that wording contained within paragraph RD1.5 is amended (PP1306).

A representee objects to the current wording of the first sentence of paragraph RD1.5 and has requested that the text is amended. The representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

Paragraph RD1.6

Policy RD1.6 should allow more than 12 homes, rather than 6 homes, to be accessed via private road (PP1306). Another representee considered that the number of homes which can be accessed via private road should be increased from 6 to 12 (PP1125). The representee considered that this would create more opportunities for SME Homebuilders (PP1306 and PP1125), in line with the findings of Homes for Scotland's Small-Scale Home Builders' Report (PP1306). It would also provide additional flexibility within housing layouts and benefit larger sites (PP1125). A representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

Paragraph RD1.7

A representee has requested that clarification is required of the wording “the formation of new access” as it is open to misinterpretation, i.e., referring to facilities for vehicular traffic when the policy is referring to recreation routes for pedestrians, cyclists, and active travel. It runs the risk of confusion with the alternative meaning, i.e., private accesses to house plots, which is the topic of paragraph RD1.8. The representee suggests a clearer form of words would be “the formation of new public access routes” (PP1312).

Paragraph RD1.12 (Water and Waste Water)

SEPA has indicated that they object to Policy RD1 unless paragraph RD1.12 is amended to state that applicants must “demonstrate” rather than “show” the private treatment works is a reasonable alternative, to ensure the policy wording is in line with SEPA’s Policy and Supporting Guidance on Provision of Waste Water Drainage in Settlements WAT-PS-06-08, which is identified as a material planning consideration and supported by PAN 79 Water and Drainage. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position. (PP1219).

SEPA has requested additional wording at the end of the first sentence that requires a binding maintenance agreement for approved private sewerage treatment works where Scottish Water cannot/will not adopt it. Unadopted works can significantly impact the environment when not maintained properly in the long-term. The representee has included an Appendix (RD0214.A) in their representation which provides further detail to support their position. The representee has included an Appendix (RD214.A) in their representation which provides further detail to support their position (PP1219).

Paragraph RD1.16 and RD1.17 (Waste Management Requirements)

SEPA has confirmed that they have no issues with the wording in paragraph RD1.16 or paragraph RD1.17. No modification sought (PP1219).

Policy RD2 Developer Obligations

Paragraph RD2.1

NHS Grampian has expressed support for Policy RD2, in particular the requirement for development proposals to provide infrastructure and services. The representee has included an Appendix (RD0216.A) in their representation which provides further detail to support their position. No modification sought (PP1222).

A representee has raised concern that revenue accrued from planning gain is returned to the public sector and is not seen locally (PP0048).

A representee states that Policy RD2 fails to fully reflect the wording of Circular 3/2012 and provides no justification for contributions being sought through the Settlement Statements in Appendix 7. Contributions for each settlement have not been justified on a settlement basis – this must be provided to ensure housing allocations are viable (PP0692 and PP1306). It is considered that, having regard to the Elsie Supreme Court Decision, it must be demonstrated that the link between the obligation sought and the contribution is more than trivial, and the lack of information provided precludes this assessment.

Additionally, it is considered that the PLDP lacks focus on delivery (PP1306).

SEPA has requested that paragraph RD2.1 is amended to include additional wording as stated in the Scottish Borders Council Local Development Plan Policy IS2: Developer Contributions, which SEPA have commended and consider would assist delivery of the objectives of the PLDP. The representee has included an Appendix (RD214.A) in their representation which provides further detail to support their position (PP1219).

Developer contributions should be made much more widely available for constructing footpaths and cycleways in Aberdeenshire, both within settlements and their vicinities, and between adjacent settlements. Widening the availability of this funding should bring forward more paths and cycleways construction and help in achieving the aims and outcomes of the PLDP. It will also keep faith with communities and Community Actions Plans. In the Strategic Environmental report (SEA), table 6.2, page 63, column 3, it stated “Developer contributions will be sought towards public transport, and roads infrastructure improvements to help mitigate the traffic impact” – it does not include footpaths and cycleways (PP0884).

A representee has raised concerns regarding the lack of detail provided on the methodologies used by the Council in calculating developer obligations. It is not considered to be acceptable to replace supplementary guidance with non-statutory planning advice – it does not form part of the adopted Plan. Greater transparency is required on methodologies and as it stands, they have not been subject to sufficient scrutiny. The representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

A representee has commented that there is no information by way of justification for the items which developers are expected to contribute to, or the actual cost. It is stated that the representee cannot make an informed comment of the acceptability of the policy and have recommended that the Council prepare a detailed assessment and justification for the infrastructure contributions being sought and submit to the DPEA with the Schedule 4s and give relevant parties the opportunity to comment upon it at the relevant stage in the process (PP1216 and PP1359).

Paragraph RD2.2

Network Rail has requested that they should be clearly excluded from having to make developer contributions as a publicly owned company (PP0444).

Paragraph RD2.7 (Transport)

Network Rail has generally supported the approach outlined in paragraph RD2.7. No modification sought (PP0444).

Network Rail has stated that the rail industry’s Long-Term Planning Process is informed by Network Rail’s forecast of rail demand on individual corridors and the likely capacity constraints that are likely to arise as a result of increases in passenger and freight demand. This long-term, high-level view informs the more detailed work required to make investment decisions in the short and medium terms. No modification sought (PP0444).

Nestrans has commented that they welcome the inclusion of Policy RD2.7, however,

would recommend additional wording to specifically mention the region's principal road network and active travel network (RD0227.A) (PP1241).

A representee raised concern that Policy RD2.7 focuses developer obligations on road and rail networks, but this policy element should focus equally on providing transport infrastructure that address the non-road and non-rail users, namely those that walk, wheel or cycle as a means of transport. The representee considered that this should be explicitly stated (PP0881).

For development plan objectives relying on sustainable transport and improved rail connections to be realised, Network Rail must rely on Plan policy and guidance which ensures the impacts of proposals on rail infrastructure are clearly assessed and that delivery, including funding, responsibilities are clear (PP0444).

Network Rail has commented that they are committed to reducing the risk at level crossings. The increase in usage of a level crossing may impact on, line speed, conflicting with a main Government objective for faster journey times and increased road traffic across a level crossing may also have an adverse effect on the road network. Therefore, promotion of development where it may have an impact on level crossings should be avoided as only in exceptional circumstances will Network Rail permit new crossings to be introduced into the network (PP0444).

A representee recommended that the wording in paragraph RD2.7 requires to be updated to ensure consistency of the language used. It is stated that the present wording suggests all development will be required to contribute, however the representee considers that this will not apply to all development and as such the wording should be amended. The representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

Paragraph RD2.8 (Local Transport Infrastructure)

A representee raised concern that Policy RD2.8 focuses developer obligations on road and rail networks. However, these policy elements should focus equally on providing transport infrastructure that address the non-road and non-rail users, namely those that walk, wheel or cycle as a means of transport. The representee considered that this should be explicitly stated (PP0881).

A representee recommended that the wording in paragraph RD2.8 requires to be updated to ensure consistency of the language used. It is stated that the present wording suggests all development will be required to contribute, however the representee considers that this will not apply to all development and as such the wording should be amended. The representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

Paragraph RD2.9 (Open Space and Access)

Correction is required of the spelling of "Core Path Plan" in Policy RD2.9. The representee requests that the text should be amended to read "Core Paths Plan" (PP1312).

A representee recommended that the wording in paragraph RD2.9 requires to be updated

to ensure consistency of the language used. It is stated that the present wording suggests all development will be required to contribute, however the representee considers that this will not apply to all development and as such the wording should be amended. The representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

Paragraph RD2.10 (Primary Education)

Contributions from developers towards education should be made in advance of any development being accepted to ensure facilities are in place in time (PP0264 and PP0657). This is particularly pertinent in areas where educational provision is stretched due to intense programmes of housing development (PP0657).

A representee recommended that the wording in paragraph RD2.10 requires to be updated to ensure consistency of the language used. It is stated that the present wording suggests all development will be required to contribute, however the representee considers that this will not apply to all development and as such the wording should be amended. The representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

Paragraph RD2.11 (Secondary Education)

Contributions from developers towards education should be made in advance of any development being accepted to ensure facilities are in place in time (PP0264 and PP0657). This is particularly pertinent in areas where educational provision is stretched due to intense programmes of housing development (PP0657).

A representee recommended that the wording in paragraph RD2.11 requires to be updated to ensure consistency of the language used. It is stated that the present wording suggests all development will be required to contribute, however the representee considers that this will not apply to all development and as such the wording should be amended. The representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

Paragraph RD2.12 (Community Facilities)

Contributions from developers towards social facilities should be made in advance of any development being accepted to ensure facilities are in place in time (PP0264).

A representee objects to the current wording used in the policy as it is inappropriate for clarifying where new community facilities are required for large settlements. Additional wording should be inserted into the policy to provide clarity (PP0733).

A representee recommended that the wording in paragraph RD2.12 requires to be updated to ensure consistency of the language used. It is stated that the present wording suggests all development will be required to contribute, however the representee considers that this will not apply to all development and as such the wording should be amended. The representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

Paragraph RD2.13 (Strategic Recycling and Waste Infrastructure)

A representee recommended that the wording in paragraph RD2.13 requires to be updated to ensure consistency of the language used. It is stated that the present wording suggests all development will be required to contribute, however the representee considers that this will not apply to all development and as such the wording should be amended. The representee has included an Appendix (RD0195.A) in their representation which provides further detail to support their position (PP1125).

Paragraph RD2.14 (Health and Care Facilities)

NHS Grampian has expressed support for Policy RD2, in particular the specific reference to health care. No modification sought (PP1222).

The representee has objected to contributions to healthcare facilities being sought. Many practices are run as private business and the Council has no control over where the money is spent. The National Health Service (NHS) is funded through general taxation and an additional levy should not be required from housebuilders (PP0692, PP1294 and PP1306). Furthermore, homebuilders and occupants of new homes contribute to general taxation. It is for privately run general practitioners to make decisions about expansion of existing surgeries (PP1306). Representees have included an Appendix (RD0249.A and RD0259.A) which provides further detail to support their position (PP1294 and PP1306)

Paragraph RD2.16 (Other Off-Site Contributions)

NatureScot has requested that paragraph RD2.16 is amended to retain the emphasis that is contained within Policy P1.7 and clarifies that the Council expects that there will be a focus on achieving biodiversity benefits within the development site (RD0255.B) (PP1300).

Appendix 15 Recycling and Waste Facilities

SEPA has confirmed that they have no issues with Appendix 15, as it sets out the clear expectations that the Council have and how these can be met. No modification sought (PP1219).

Domestic waste containers should not be required to be left on pavements as this impacts the width of the footpath, creates clutter, and should not obstruct sight lines for people walking, cycling, or wheeling (PP0778).

Waste and recycling centres should accommodate non-motorised access and allow access to the disposal areas for pedestrians and those travelling actively without crossing traffic lanes (PP0778).

Modifications sought by those submitting representations:

Responsibilities of Developers Introduction

Modify the PLDP to make Planning Advice Developer Obligations and Affordable Housing available for consultation and public comment (PP1294).

Policy RD1 Providing Suitable Services

General

Modify the PLDP to add a new paragraph under Policy RD1 Responsibilities of Developers titled: “RD1.8 Terrestrial Television Reception” and include a condition on developers to make good any loss of television reception with all costs being borne by the developer (PP0556).

Paragraph RD1.1

Modify the PLDP to amend policy wording under RD1.1 to include clear information on the promotion of sustainable transport links, modes and choices for new developments and include reference to the sustainable travel hierarchy (PP0578).

Modify the PLDP to amend paragraph RD1.1 to read, “We will only allow development that provides adequate road connections, waste management collections, water supply or waste water connections and treatment as appropriate. Consideration should also be given to the provision of vehicle charging points (including hydrogen fuel stations where appropriate).” (PP1125).

Modify the PLDP to amend policy wording under RD1.1 to explicitly limit Hydrogen Fuel stations to commercial developments only where practical and viable (PP0691 and PP0975).

Modify the PLDP to remove policy wording under RD1.1 in its entirety (PP1214 and PP1357).

Modify the PLDP to amend paragraph RD1.1 to be more ambitious by meeting or going beyond the current minimum guidance of provision set out in national documents (PP1219).

Modify the PLDP to amend paragraph RD1.1 to read as follows, “We will only allow development that provides adequate vehicle charging (including Hydrogen Fuel Stations), road, cycleway and footpath connections, cycle storage, waste management collections, water supply or waste water connections and treatment as appropriate.” (PP1260).

Modify the PLDP to amend paragraph RD1.1 to read as follows, “We will only allow development that provides adequate vehicle charging (this could include Hydrogen Fuel Stations), road connections, waste management collections, water supply or waste water connections and treatment as appropriate.” (PP1306).

Paragraph RD1.2 (Vehicle Charging Points)

Modify the PLDP to amend paragraph RD1.2 Vehicle Charging Points to require developers to provide at least one electric vehicle charging point per household and that workplaces also include charging points (PP0556).

Modify the PLDP to clarify and more positively reflect SPP paragraph 275 in relation to electric vehicle charging points in paragraph RD1.2 (PP0578).

Modify the PLDP to promote development of electric vehicle charging points in rural areas in paragraph RD1.2 (PP0716).

Modify the PLDP to amend paragraph RD1.2 to be more ambitious by meeting or going beyond the current minimum guidance of provision set out in national documents (PP1219).

Modify the PLDP to amend paragraph RD1.2 to read as follows, "All new residential properties and workplaces must provide electric charging points. Electric vehicle charging points must be provided in car parking spaces used by the public, including those for major leisure and retail uses. Provision of charging points must be in line with supplementary guidance on parking standards. Their provision will be managed by the application of the Standards for Road Construction Consent and Adoption." (PP1261).

Paragraph RD1.4 (Access to New Development)

Modify the PLDP to amend paragraph RD1.4 so that contributions are sought where they "fairly and reasonably relate to the proposed development" and state in allocations when public transport contributions are required (PP0691 and PP0975).

Modify the PLDP to amend paragraph RD1.4 to read, "Development must be close to existing public transport services (if available) or deliver proportionate improvements to public transport services, in scale with the development. Where there is no or limited services, the developer may be required to contribute proportionately to service extensions or improvements to the closest public transport hub." (PP1125).

Modify the PLDP to amend paragraph RD1.4 to read as follows, "Development must be close to existing public transport services (if available) or deliver major improvements to public transport services, proportionate in scale with the development. Where there is no or limited services, the developer may be required to fund or contribute proportionately to service extensions or improvements to the closest public transport hub provided the link complies with tests in Circular 3/2012." (PP1215 and PP1358).

Modify the PLDP to amend paragraph RD1.4 to read as follows, "Development must be close to existing public transport services (if available) or deliver improvements to public transport services, proportionate in scale with the development. Where there is no or limited services, the developer may be required to contribute proportionately to service extensions or improvements to the closest public transport hub." (PP1306).

Paragraph RD1.5

Modify the PLDP to amend paragraph RD1.5 to read as follows, "All developments must include formal lit footway connections to adjacent developments that provide for access by wheelchair users, people with sensory disabilities, the elderly, those accompanied by small children and other less mobile groups. As appropriate, safe, and convenient access should also be provided for service, delivery and other goods vehicles required by the development. Cycle infrastructure connections must be provided to existing and planned local and strategic active cycle routes and existing cycle networks should be improved where possible. In particular, and where appropriate, a safe route to school should be identified and delivered." (PP1262).

Modify the PLDP to amend paragraph RD1.5 to read as follows, "All developments must include formal lit footways within the site boundary which are compatible with enabling connections to adjacent developments that provide for access by wheelchair users, people

with sensory disabilities, the elderly, those accompanied by small children and other less mobile groups. As appropriate, safe, and convenient access should also be provided for service, delivery and other goods vehicles required by the development. Cycle infrastructure connections should be shown to existing and planned local and strategic active cycle routes. In particular, and where appropriate, a safe route to school should be identified and delivered.” (PP1306).

Modify the PLDP to amend the first sentence of paragraph RD1.5 to read, “... all developments must include formal lit footway connections on land within their control, up to the boundary with adjacent development ...” (PP1125).

Paragraph RD1.6

Modify the PLDP to amend paragraph RD1.6 to allow more than 12 homes, rather than the stated 6 homes, to be accessed via road (PP1306).

Modify the PLDP to amend paragraph RD1.6 to increase the number of homes which can be accessed via private road from 6 to 12 (PP1125).

Paragraph RD1.7

Modify the PLDP to amend the first sentence of paragraph RD1.7 to read as follows, “When development requires the formation of new public access routes, these should be designed to the agreed standard, and must be resource efficient, safe and convenient for cyclists, pedestrians and public transport.” (PP1312).

Paragraph RD1.12 (Water and Waste Water)

Modify the PLDP to amend the first sentence of paragraph RD1.12 to read as follows, “Where a connection to the public drainage infrastructure is demonstrated to be unfeasible, connection to a private drainage infrastructure can be supported, if it is demonstrated satisfactorily that disposal of sewage can be achieved without negative impacts on public health, amenity, or the environment and where, cost and practicability demonstrate there is no reasonable alternative, and where the developer commits to a maintenance agreement with homeowners for the lifetime of the plant where adoption by Scottish Water is either not sought or not granted.” (PP1219).

Policy RD2 Developer Obligations

Paragraph RD2.1

Modify the PLDP to amend Policy RD2 Developer Obligations to require developers and landowners to invest back into the communities from which they profit (PP0048).

Modify the PLDP to amend paragraph RD2.1 to reflect the full policy tests of Circular 3/2012 and provide justification for contributions set out in Appendix 7 (PP0692).

Modify the PLDP to amend Policy RD2 Developer Obligations to provide full justification for each of the contributions sought (PP1306).

Modify the PLDP to amend the first sentence in paragraph RD2.1 to read as follows,

“Contributions will be sought towards the provision of the necessary infrastructure and the protection, enhancement and promotion of environmental assets.” (PP1219).

Modify the PLDP to make Developer Contributions more widely available for constructing footpaths and cycleways in Aberdeenshire, both within settlements and their vicinities and between adjacent settlements (PP0884).

Modify the PLDP to include an Appendix titled ‘Developer Obligations’ which details the exact methodologies for calculating the specific Developer Obligations contributions (PP1125).

Modify the PLDP to remove Policy RD2 or prepare a detailed assessment and justification for the contribution sought on the infrastructure (PP1216 and PP1359).

Paragraph RD2.2

Modify the PLDP to amend paragraph RD2.2 to add the following sentence, “Network Rail shall be excluded from paying developer contributions for their development.” (PP0444).

Paragraph RD2.7 (Transport)

Modify the PLDP to amend paragraph RD2.7 to read as follows, “We need contributions to make transportation improvements as shown in Appendix 7 and in the Delivery Programme. These will include work on the trunk road network, the principal local road network, active travel routes, and improvements to rail infrastructure, within Aberdeenshire and in Aberdeen City. The Aberdeen City and Shire Strategic Development Plan has prepared a cumulative transport appraisal to inform their strategic transport advice.” (PP1241).

Modify the PLDP to amend paragraph RD2.7 provide equal focus for developer obligations on non-road and non-rail forms of transport, namely walking, wheeling, and cycling (PP0881).

Modify the PLDP to ensure the impacts of proposals on rail infrastructure are clearly assessed and that delivery, including funding, responsibilities are clear (PP0444).

Modify the PLDP to ensure that the promotion of development where it may have an impact on level crossings is avoided as only in exceptional circumstances will Network Rail permit new crossings to be introduced into the network (PP0444).

Modify the PLDP to amend the first sentence of paragraph RD2.7 from, “We need contributions to make transportation improvements as shown in Appendix 7 and in the Delivery Programme.” to “We may need contributions to make transportation improvements as shown in Appendix 7 and in the Delivery Programme.” (PP1125).

Paragraph RD2.8 (Local Transport Infrastructure)

Modify the PLDP to amend paragraph RD2.8 to provide equal focus for developer obligations on non-road and non-rail forms of transport, namely walking, wheeling, and cycling (PP0881).

Modify the PLDP to amend the first sentence of paragraph RD2.8 from, “We will contributions to fully address the effect of individual developments” to “We may need contributions to fully address the effect of individual developments” (PP1125).

Paragraph RD2.9 (Open Space and Access)

Modify the PLDP to amend paragraph RD2.9 to the correct spelling of “Core Paths Plan” (PP1312).

Modify the PLDP to amend paragraph RD2.9 from, “In very rare circumstances, when it is not practical to meet the open space obligations within the Plan on the development site, we will ask for contributions elsewhere in the settlement towards those items identified in the Open Space Audit as being locally lacking or to improve the main path network in the local area as shown in the Core Path Plan.” to “In very rare circumstances, when it is not practical to meet the open space obligations within the Plan on the development site, we may ask for contributions elsewhere in the settlement towards those items identified in the Open Space Audit as being locally lacking or to improve the main path network in the local area as shown in the Core Path Plan.” (PP1125).

Paragraph RD2.10 (Primary Education)

Modify the PLDP to amend paragraph RD2.10 to clarify that contributions from developers towards education facilities should be made in advance of any development commencing (PP0264 and PP0657).

Modify the PLDP to amend the first sentence of paragraph RD2.10 from, “We will need contributions to ensure there are adequate primary school places for an increase in the number of school pupils likely to result from new residential developments.” to “We may need contributions to ensure there are adequate primary school places for an increase in the number of school pupils likely to result from new residential developments.” (PP1125).

Paragraph RD2.11 (Secondary Education)

Modify the PLDP to amend paragraph RD2.11 to clarify that contributions from developers towards education facilities should be made in advance of any development commencing (PP0264 and PP0657).

Modify the PLDP to amend the first sentence of paragraph RD2.11 from, “We will also need to ensure there are adequate secondary school places to fully accommodate pupils expected as a result of proposed development, as shown in Appendix 7.” to “We may also need to ensure there are adequate secondary school places to fully accommodate pupils expected as a result of proposed development, as shown in Appendix 7.” (PP1125).

Paragraph RD2.12 (Community Facilities)

Modify the PLDP to amend paragraph RD2.12 to clarify that contributions from developers towards social facilities should be made in advance of any development commencing (PP0264).

Modify the PLDP to amend paragraph RD2.12 to insert the text, “Where larger developments are located distant from existing settlements centres, the land for new

community facilities could be on or adjacent to the site of the new development.” (PP0733).

Modify the PLDP to amend the first sentence of paragraph RD2.12 from, “We will need contributions to deal with the effects of a development on communities where a specific shortfall is identified.” to “We may need contributions to deal with the effects of a development on communities where a specific shortfall is identified.” (PP1125).

Paragraph RD2.13 (Strategic Recycling and Waste Infrastructure)

Modify the PLDP to amend the first sentence of paragraph RD2.13 from, “We will need contributions for facilities in line with details in Appendix 7.” to “We may need contributions for facilities in line with details in Appendix 7.” (PP1125).

Paragraph RD2.14 (Health and Care Facilities)

Modify the PLDP to remove paragraph RD2.14 which details the requirements of contributions to healthcare facilities (PP0692, PP1294 and PP1306).

Paragraph RD2.16 (Other Off-Site Contributions)

Modify the PLDP to amend paragraph RD2.16 to read as follows, “In exceptional circumstances, when it is not practical to achieve adequate biodiversity benefits within a development site, we may also require enhancement of biodiversity (or geodiversity) offsite, as set out in the general biodiversity Policy P1.7.” (PP1300).

Appendix 15 Recycling and Waste Facilities

Modify the PLDP to amend Appendix 15 to state that waste containers should not be required to be left on the footway (PP0778).

Modify the PLDP to amend Appendix 15 to state that waste and recycling centres should accommodate non-motorised access (PP0778).

Summary of responses (including reasons) by planning authority:

Responsibilities of Developers Introduction

Planning Advice on Developer Obligations and Affordable Housing has not been completed and it is intended that, due to its technical nature it would be inappropriate to undertake public consultation. Targeted stakeholder engagement with Agencies and Stakeholder Bodies, including Homes for Scotland, is proposed. No change is required.

Policy RD1 Providing Suitable Services

General

The potential impact of energy infrastructure on telecommunications and broadcasting transmission links is noted in SPP (AD0012, paragraph 169). In determining planning applications for new energy projects (such as wind turbines), objection on the basis of interference with television signal would constitute a material consideration if it can be

demonstrated that there is likely to be adverse effects as a consequence of the development being permitted. In such instances this could be adequately considered in existing development management processes, and amendments could be made to the layout, siting and design of a development, or provision of booster infrastructure, to prevent loss of signal. Other types of development would rarely cause a loss of signal at the source. However, the loss of domestic television signal at the destination is not a material consideration. With different methods of accessing television, such as satellite, cable, and internet streaming, the partial or complete loss of one type of signal would not, therefore preclude access to television. It is not considered justified to add a new policy regarding television reception. No change is required.

Paragraph RD1.1

The Council acknowledges the Scottish Government's comments regarding the inclusion of clear information on the promotion of sustainable transport links, modes and choices for new development and the need for the inclusion of a reference to the sustainable travel hierarchy. However, whilst the PLDP makes no explicit reference to the sustainable travel hierarchy, policies RD1.4 and RD1.5 reflect the principles of the sustainable travel hierarchy and clearly contain the requirements for developments to implement active travel modes. Furthermore, it is worth noting that the Council have made choices on site selection based on sustainability criteria. The Council does not agree that the policy is not sufficient or robust enough – active travel is a requirement for each development. Furthermore, Appendix 7, the Settlement Statements refers to local transport infrastructure, which highlights that development may be required to contribute to sustainable travel. As such, the PLDP promotes sustainable travel where practical and deliverable. No change is required.

The Council notes the representee's comments regarding the conflicting sentiments in paragraph RD1.1 and paragraph RD1.2 regarding electric vehicle charging. However, whilst paragraph RD1.1, states that we will only allow development that provides adequate vehicle charging, paragraph RD1.2 states specifically in which circumstances adequate vehicle charging will be required and crucially states that for new home designs and workplaces, electric vehicle charging points remain discretionary. No change is required.

The acceptability of hydrogen fuel stations will be determined through the planning application process, which will assess the appropriateness of any proposal within its setting and will take into consideration any impact on residential amenity. No change is required.

The Council does not agree that paragraph RD1.1 should be removed. Given that the Council are planning for development that is likely to persist for many decades, it may be a loss of opportunity if we do not require provision of such services. Policy RD1.2 provides further information and guidance on what is considered to be 'adequate' provision of services and the Council consider that the information provided on each of the services mentioned in paragraph RD1.1 is successfully set out in Policy RD1.1 as a whole. No change is required.

The Council acknowledges SEPA's comments stating that the Council is not going beyond national guidance on air quality, the number of electric vehicles charging points and on no and ultra-low emission vehicles. However, the Aberdeenshire Council Annual Progress Report for Air Quality 2020 states "The Aberdeenshire Council area enjoys good air quality

with no exceedances of the national air quality objectives. Consequently, there is no requirements for Aberdeenshire Council to declare any air quality management areas (AQMA's)" (AD0096, Executive summary and Paragraphs 2.1, and 6.1) A pragmatic approach has been taken in paragraph RD1.2, and as such the Council consider the policy to be sufficient. No change is required.

Active travel is a requirement of all development and it is not considered that this requires to be reiterated within this section of the PLDP. It is required through Policy P1 (paragraph P1.5) as one of the qualities of a successful place and promoted as a means of transport in policy P2 (paragraph P2.6). No change is required.

The Council notes the representees comment regarding amendment to the text that makes Hydrogen Fuel Stations more discretionary. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Paragraph RD1.2 (Vehicle Charging Points)

The Council note the support given to Policy RD1, paragraph RD1.2 and the Council's proposed approach to electric vehicle charging points. No change is required.

The Council acknowledges Newtonhill, Muchalls and Cammachmore Community Council's comments that electric vehicle charging points should not be discretionary. However, there are issues associated with providing such facilities for flats, on-street, and in communal areas that present significant issues. Additionally, as it is not yet guaranteed that electric vehicle charging is a matter for the Building Regulations, the policy obligation instead refers to other regulations to achieve the change required. The Council considers a pragmatic approach has been taken to the policy and as such, no change is required.

The Council notes the Scottish Government's comment on the re-wording of Policy RD1.2 to reflect SPP more closely. However, there are issues associated with providing such facilities for flats, on-street, and in communal areas that present significant issues. Additionally, as it is not yet guaranteed that electric vehicle charging is a matter for the Building Regulations, the policy obligation instead refers to other regulations to achieve the change required. The Council considers a pragmatic approach has been taken to the policy and as such, no change is required.

The Council acknowledges the representee's comments that the PLDP should include policies that look favourably on development that includes electric charging points and be focussed on delivering sustainable transport in rural communities. However, this would not be in line with the principle of the right development, in the right location. The Council acknowledge that there is currently a general lack of provision of frequent public transport on routes other than the main inter urban routes. This provision sits with the Local Transport Authority and does not fall under the remit of the LDP. No change is required.

The Council acknowledges SEPA's comments stating that the Council is not going beyond national guidance on air quality, the number of electric vehicles charging points and on no and ultra-low emission vehicles. However, this has been discussed under Paragraph RD1.1 and in light of this the Council consider paragraph RD1.2 to also be sufficient. No change is required.

The Council considers the policy to be robust. As there are issues associated with providing such facilities for flats, on-street, and in communal areas that present significant issues, a discretionary approach is considered appropriate. One charging point for 25 employees is set out as a guide within the policy. The policy also refers to other regulations for managing their provision. No change is required.

The Council notes that there is an error in the final sentence of paragraph RD1.2 with regards to the regulations that have been referred to for managing the provision of electric vehicle charging points in car parking spaces. The Council's Transportation Service has advised that the regulations which are to be referred to in this context are the Car Parking Standards for Development Control in Aberdeenshire (AD0106 and AD0132). If the Reporter is minded, to make an amendment, then the Council recommend that the final sentence of paragraph RD1.2 could be modified to read, "Their provision will be managed by the application of the Car Parking Standards for Development Control in Aberdeenshire", and the associated footnote (footnote 2) updated to read, "See Car Parking Standards for Development in Aberdeenshire."

Paragraph RD1.4 (Access to New Development)

The Council note the support given to the requirements set out in the policy in relation to public transport services and transport hubs. No change is required.

The Council note the support from NHS Grampian on the text within paragraph RD1.4 and the requirement for developments to be well related to public transport services, or the delivery of improvements to public transport services. No change is required.

The representee's comments in terms of the contributions towards public transport being reasonable in terms of the tests set out in Circular 3/2012 are noted. However, as specified in paragraph RD2.1, "Contributions must fairly and reasonably relate in scale to the proposed development and will be needed to make the proposed development acceptable in planning terms, all in line with the policy tests contained in Planning Circular 3/2012 (AD0002, paragraph 14). No change is required.

The Council notes the representee's comment stating that the development industry should not be expected to 'fund' major improvements to pre-existing infrastructure deficits and that a more flexible, proportionate approach should be taken. The principle of cumulative contributions to infrastructure is established in Planning Circular 3/2012 Developer Obligations and Good Neighbour Agreements (AD0002, paragraphs 17, 20, and 22-23). This principle has been translated into paragraphs 1 and 2 on page 89 of the PLDP. This policy, therefore, meets the policy tests of Planning Circular 3/2012, and ensures that all developments that contribute towards creating a problem in terms of infrastructure capacity also contribute towards creating the solution. This is fair as otherwise the burden could fall entirely on the first site to develop beyond the capability of existing infrastructure which, would be a significant disincentive to deliver development. It is fair and reasonable to proportionately spread the cost of necessary infrastructure delivery across developments when it serves a planning purpose and is related to the proposed development. No change is required.

The Council notes the representee's comments in terms of the wording of Policy RD1.4 not being consistent with the test of reasonableness as set out in Circular 3/2012, however as specified in paragraph RD2.1, "Contributions must fairly and reasonably relate in scale

to the proposed development and will be needed to make the proposed development acceptable in planning terms, all in line with the policy tests contained in Planning Circular 3/2012". No change is required.

Paragraph RD1.5

The Council note the support given to the requirements set out in the policy in relation to footway connections, cycle infrastructure and provision of a safe route to school. No change is required.

The representee's comments on cycle connections are noted, however the Council consider that "should" is an appropriate term as dedicated cycle access may not be required as motorised vehicle access can also provide that function. Additionally, in accordance with Policy P1 Layout, Siting and Design, development designs will only be approved that demonstrate the six qualities of successful places – one of which is to create well connected places that require intermodal shifts and active travel and as such, active travel is a requirement of developments. No change is required.

The Council acknowledges comments on ransom strips; however, we do not consider that the wording requires to be amended. Sustainable travel is a key objective of the policy and the provision of active travel is a requirement for all developments. The possibility of ransom strips should not preclude the provision of active travel links. No change is required.

It is not considered that the first sentence of paragraph RD1.5 requires amendment as the detail provided in the PLDP is sufficient and adding further detail relating to ownership or "control" of the land provides no useful purpose. No change is required.

Paragraph RD1.6

The representee's comments regarding the number of homes to be accessed via private road are noted. However, as specified in the Council's Standards for Road Construction Consent and Adoption, a private access is defined as any way over which the public does not have a right, of passage. In residential developments a private access may serve up to five dwellings. Any number above five dwellings will mean that there is a public right of access and as such six or more individual dwellings should be served by a road, which will require Roads Construction Consent and the submission of a Road Bond in a residential area (AD0111, page 5) In light of this, the Council do not consider it appropriate to amend paragraph RD1.6 to allow 12 homes, or more, to be accessed via private road as this is not in line with the Council's best practice. Additionally, it is considered that allowing incremental development on private roads could lead to the deterioration of rural roads. No change is required.

Paragraph RD1.7

There is no reasonable opportunity for misinterpretation of the first sentence of paragraph RD1.7. No change is required.

Paragraph RD1.12 (Water and Waste Water)

The Council agrees with SEPA that amendment should be made to paragraph RD1.12 to

state that applicants must “demonstrate” rather than “show” that private treatment works is a reasonable alternative. The Council also agree that amendment should be made to paragraph RD1.12 so that additional wording is added at the end of the first sentence that requires a commitment by the developer to a maintenance agreement with homeowners for approved private sewerage treatment works where Scottish Water cannot/will not adopt it. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Paragraph RD1.16 (Waste Management Requirements)

The comments from SEPA regarding the wording in paragraph RD1.16 and RD1.17 are welcomed. No change is required.

Policy RD2 Developer Obligations

Paragraph RD2.1

The Council welcome the support from NHS Grampian. No change is required.

Developer obligations are paid by developers and contribute towards specific infrastructure projects that are necessary to make the development acceptable in planning terms for all users. Money from Developer Obligations is earmarked at the point of agreement for specific items, and if those items are not delivered in a reasonable time limit then the money gets refunded to the developer. As such, the money is not returned to the public sector. No change is required.

The Council notes the representee’s comment regarding Policy RD2 failing to fully reflect wording of Circular 3/2012, however as specified in paragraph RD2.1, “Contributions must fairly and reasonably relate in scale to the proposed development and will be needed to make the proposed development acceptable in planning terms, all in line with the policy tests contained in Planning Circular 3/2012”. The purpose of the Settlement Statements is to highlight what might be required, and the Council has assessed infrastructure needs for each settlement and the results of those assessments are reflected in the Settlement Statements. The delivery of the sites is not considered a “Responsibilities of Developers” issue, and the Council would refer to the Proposed Delivery Programme for information on the planned delivery of sites. No change is required.

SEPA’s comments are noted regarding amendment to the first sentence of paragraph RD2.1, however the Council do not consider that amendment to the wording is required. The protection of environmental assets is sufficiently covered within the Policy E1 Natural Heritage. Furthermore, Policy P2 Open Space and Access in New Development also sufficiently covers the enhancement and promotion of environmental assets. Thus, it is not considered that RD2.1 requires amendment to state that contributions towards environmental assets are required as the required provision is already covered in other policies within the PLDP. No change is required.

The representee’s comments are noted regarding developer contributions for the construction of active travel routes, however as stated in Planning Circular 3/2012 planning obligations should only be sought where they relate to the proposed development (AD002, paragraphs 20 to 24). As such, the Council cannot reasonably expect contributions to be made from developers to pathways and cycleways across

Aberdeenshire if they have no relation to the development. No change is required.

Supplementary Guidance is no longer a feature of the PLDP in accordance with the provisions of the new Planning (Scotland) Act 2019 (AD0010) and relevant information on need for contributions to infrastructure have been incorporated in the PLDP. This is in line with our consideration of the removal of supplementary guidance as “another issue” in the MIR (AD0038.A, page 8, and AD0040.A, pages 18 and 20). The method of calculation of developer contributions is an operational issue and not considered a policy matter and as such the Council do not consider it necessary to be included within the PLDP policy text. The methodologies used for calculating developer contributions will be available in Planning Advice: Developer Obligations and Affordable Housing which is being developed. Public engagement on this technical document will be targeted at a SP=EED Level 1 with targeted stakeholder engagement with agencies and stakeholder bodies, including Homes for Scotland. No change is required.

Paragraph RD2.2

The Council note Network Rail’s request to be excluded from having to make developer contributions, however public agencies such as Network Rail are still required to make contributions towards the necessary infrastructure. As such, if development proposed by Network Rail is seen to require contributions to make the proposed development acceptable in planning terms (all in line with the policy tests contained in Planning Circular 3/2012 (AD0002, paragraph 14)), even as a publicly owned company they will be required to make contributions that fairly and reasonably relate in scale to the proposed development. No change is required.

Paragraph RD2.7 (Transport)

The Council welcomes Network Rail’s support for the approach outlined in paragraph RD2.7. No change is required.

The Council notes Network Rail’s statement regarding the rail industry’s Long-Term Planning Process. No change is required.

Nestrans comments on the Region’s principal road network and active travel network are noted. Policy P1 Layout, Siting and Design covers the requirement for active travel routes and as such it is not necessary to be repeated in paragraph RD2.7. Additionally, the requirement for improvements to rail infrastructure is considered to be appropriately placed at the end of paragraph RD2.7. The Council agree that the principal local road network should be included within the text and if the Reporter is minded, to make an amendment, then the Council recommend that paragraph RD2.7 could be modified to read “We need contributions to make transportation improvements as shown in Appendix 7 and in the Delivery Programme. These will include work on the trunk road network (including necessary works in Aberdeen City) and the principal local road network. The Aberdeen City and Shire Strategic Development Plan has prepared a cumulative transport appraisal to inform their strategic transport advice. This could also include improvements to rail infrastructure”.

Active travel is a requirement of all development and it is not considered that this requires to be reiterated within this section of the PLDP. No change is required.

Network Rail are consulted during the planning application process if the development is

likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing. As such, any impact from proposed developments on rail infrastructure, including on level crossings, would be assessed at the planning application stage. Paragraph RD2.7 states that contributions towards transportation improvements include improvements to rail infrastructure. No change is required.

Aberdeenshire Council agree that not all items listed in Policy RD2 will be required from all developments. Paragraph RD2.5 is clear that the “need for” contributions will depend on an assessment of the circumstances at the time of the application. Only if there is a need will obligations be sought. No change is required.

Paragraph RD2.8 (Local Transport Infrastructure)

Active travel is a requirement of all development and it is not considered that this requires to be reiterated within this section of the PLDP. No change is required. The Council agrees that it is not the case that all items listed in Policy RD2 will be required from all developments. RD2.5 is clear that the “need for” contributions will depend on an assessment of the circumstances at the time of the application. Only if there is a need will obligations be sought. No change is required.

Paragraph RD2.9 (Open Space and Access)

The Council agrees with the representee that amendment should be made to the spelling of the term Core Path Plan, to read “Core Paths Plan”. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council agrees that not all items listed in Policy RD2 will be required from all developments. Paragraph RD2.5 is clear that the “need for” contributions will depend on an assessment of the circumstances at the time of the application. Only if there is a need will obligations be sought. No change is required.

Paragraph RD2.10 (Primary Education)

Developer obligations are only sought to deal with the infrastructure required as a spatial consequence of new development and, only when strictly necessary to allow development to proceed. Paragraph RD2.10 indicates what may be asked for in terms of primary school provision, and clearly states that all new housing developments within a primary school catchment area will contribute to any identified need. The anticipated identified need is detailed in Appendix 7, the Settlement Statements, which show what is currently forecast to be required from development in each settlement. No change is required.

The Council agrees that not all items listed in Policy RD2 will be required from all developments. Paragraph RD2.5 is clear that the “need for” contributions will depend on an assessment of the circumstances at the time of the application. Only if there is a need will obligations be sought. No change is required.

Paragraph RD2.11 (Secondary Education)

Developer obligations are only sought to deal with the infrastructure required as a spatial consequence of new development and, only when strictly necessary to allow development

to proceed. Paragraph RD2.11 indicates what may be asked for in terms of secondary school provision. The identified need is detailed in Appendix 7, the Settlement Statements, which show what is currently forecast to be required from development in each settlement. No change is required.

The Council agrees that not all items listed in Policy RD2 will be required from all developments. Paragraph RD2.5 is clear that the “need for” contributions will depend on an assessment of the circumstances at the time of the application. Only if there is a need will obligations be sought. No change is required.

Paragraph RD2.12 (Community Facilities)

Developer obligations are only sought to deal with the infrastructure required as a spatial consequence of new development and, only when strictly necessary to allow development to proceed. Paragraph RD2.12 indicates what may be asked for in terms of community facilities. The anticipated identified need is detailed in Appendix 7, the Settlement Statements, which show what is currently forecast to be required from development in each settlement. No change is required.

Paragraph RD2.12 indicates what may be asked for in terms of community facilities. Appendix 7, the Settlement Statements, provides the specific detail for each settlement in terms of what and where new community facilities are required. No change is required.

The Council agrees that not all items listed in Policy RD2 will be required from all developments. Paragraph RD2.5 is clear that the “need for” contributions will depend on an assessment of the circumstances at the time of the application. Only if there is a need will obligations be sought. No change is required.

Paragraph RD2.13 (Strategic Recycling and Waste Infrastructure)

The Council agrees that not all items listed in Policy RD2 will be required from all developments. Paragraph RD2.5 is clear that the “need for” contributions will depend on an assessment of the circumstances at the time of the application. Only if there is a need will obligations be sought. No change is required.

Paragraph RD2.14 (Health and Care Facilities)

The Council welcomes support from NHS Grampian on Policy RD2, in particular the reference to health care. No change is required.

Evidence for the needs of new health care facilities is provided directly from NHS Grampian. Where a new development will affect service delivery and a solution is required to mitigate the effects, then a contribution is necessary to make the development acceptable in land use planning terms. It is not a replacement of national taxation as it is not used for the revenue costs of running health care facilities and so is no different from any other developer obligation. It is necessary to ensure that the PLDP actively helps facilitate the efficient delivery of services across Aberdeenshire, rather than creating new issues for services to respond to. The contributions sought will be used to mitigate the adverse effects of the new development with contributions being used towards the requirements of health facilities, whether through new land, technology to increase the capacity of existing buildings, or money towards extensions and reconfiguration. No

change is required.

Paragraph RD2.16 (Other Off-Site Contributions)

There is no justification for off-site habitat creation as a developer responsibility, and the Council believe that loss of habitat should be first and foremost avoided. Under the terms of Scottish Government Planning Circular 3/2012 (AD0002), the Council cannot see how this could be “required” to allow a development to go ahead. No change is required.

Appendix 15 Recycling and Waste Facilities

The comments from SEPA on Appendix 15 Recycling and Waste Facilities are welcomed. No change is required.

The representee’s comments on domestic waste containers are noted, however street furniture is not a matter that the PLDP has any influence over as it would be a matter for the Roads Authority. No change is required.

The Council acknowledges the representee’s comments on the accommodation of non-motorised access at waste and recycling centres, however we do not consider this to be necessary or deliverable as the majority of traffic to recycling centres is by motorised transport and site management recognises conflicts between vehicles and pedestrians moving around the site. No change is required.

Reporter’s conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” to Section 14 (Responsibilities of Developers) and Appendix 15 (Recycling and Waste Facilities). However, where such matters arise from representations made to the proposed plan they are required to be addressed in the examination. I therefore address these as appropriate below.

3. The representation submitted by the Scottish Government (PP0578) includes comments from Transport Scotland in relation to mitigating the impact of development allocations on the trunk road network. The council has addressed the matters raised in the schedule 4 forms for the settlements in question; Mintlaw (Issue 21); Ellon (Issue 22); Inverurie (Issue 34); Kintore (Issue 35); Laurencekirk (Issue 43); and Chapelton (Issue 47). However, these settlement specific comments from Transport Scotland also raise wider issues in relation to the overall approach to infrastructure and developer obligations in the proposed plan. These are addressed below under the section on policy RD2 Developer Obligations.

The responsibilities of developers

4. Section 14 of the proposed plan is concerned to ensure that development incorporates, or is otherwise able to facilitate, the provision of necessary infrastructure or facilities. Policies RD.1 and RD.2 address complementary aspects of such provision, focussing respectively on elements to be incorporated as an integral part of development; and on securing, including through financial contributions, matters necessary to support and make such development acceptable.

5. This broad approach is appropriate, but several representations comment that the proposed plan contains insufficient detail to enable the implications for specific developments to be fully understood and properly taken into account in their implementation. Supplementary guidance was adopted in connection with the current local development plan and this provides a more detailed policy context to guide such provision. However, the council does not contemplate that equivalent supplementary guidance is to be put in place in connection with the proposed plan. Instead, the council intends to prepare what it refers to as planning advice in this context.

6. I am aware, from responses to a further information request (FIR010), that the council has now issued a draft version of its planning advice note on developer obligations and affordable housing for consultation with selected stakeholders. The advice note does not form part of the development plan and its contents, or response to it, are not a matter for consideration through this examination. However, the council's intention not to consult the wider public on the advice note is of relevance, given the representations on this matter.

7. Scottish Planning Policy explains that engaging with all interests is one of the seven core values of the planning service, and that engagement with communities should be undertaken at all stages of the planning process. The preparation of planning advice to be used to guide the provision of necessary infrastructure and facilities, without inclusive public consultation (as the council apparently currently contemplates), would not accord with Scottish Planning Policy. Although certain aspects of this planning advice involve assessments of costings and mechanisms for apportioning these among developments, I do not accept that the technical nature of some of these considerations would warrant excluding appropriate public consultation. My consideration of representations on policy RD2 has implications for the format of further guidance or advice. However, this has no bearing on the need for appropriate and proportionate community engagement, as envisaged in national policy. I will return to this matter under policy RD2.

8. I disagree with the council's suggestion that an effect on domestic television reception would only be a material consideration in cases involving new energy projects. A potential effect of development in this regard would be capable of being a material consideration in the context of other types of development, depending on the circumstances. However, it is not reasonably possible, or desirable, for the proposed plan to attempt to identify all such considerations that may be potentially material. The development management process is capable of addressing any such considerations as may arise as the council suggests. No modification is therefore necessary in this regard.

Policy RD1 Providing Suitable Services

9. Within policy RD1, paragraph RD1.1 is clearly intended to set the overall context with more details relating to particular infrastructure and services being addressed in the subsequent paragraphs RD1.2 to RD1.16.

10. As the proposed plan does not contain a separate transport section, it is appropriate, as Transport Scotland comments, for the approach to development to foster sustainable transport links and choices. I agree that this should be given greater emphasis in the plan. Paragraph RD1.1 should be modified to emphasise the promotion of sustainable transport links, as an intrinsic element of the services that should be provided in conjunction with development. The modification I recommend in this regard also responds to a number of representations which seek more specific reference to walking and cycling.

11. Including reference to making provision in respect of alternatively fuelled vehicles is appropriate, and I agree with the representations by Scottish Government and Scottish Environment Protection Agency (SEPA) that the policy should be worded more positively in this regard. I recommend a modification to paragraph RD1.2 accordingly. However, any mandatory requirement to include vehicular charging facilities in development would be a matter for legislation, beyond the scope of this plan.

12. Several representees express conflicting views, in relation to paragraphs RD1.4 to RD1.8, as to whether the elements of access provision addressed in those paragraphs “must” or “should” be included. The need for any access works or enhancement would be assessed at the development management stage, depending on the context and circumstances of individual development proposals. It is not therefore appropriate for these paragraphs to imply that such works would always be required. Requiring access works to be designed in accordance with the appropriate technical standards is however appropriate and retention of the word “must” is therefore justified in the first sentence of paragraph RD1.8. The modifications I recommend to paragraphs RD1.4 to 1.7 address this aspect, and also respond to the concern expressed by several representees about reasonableness and consistency with the tests of circular 3/2012.

13. Necessary access and other enhancements, as well as other measures referred to in paragraphs of policy RD1, are likely in many cases to involve planning obligations which policy RD2 addresses. The recommendations I make for the preparation of supplementary planning guidance in the context of policy RD2 provides an appropriate mechanism to enable further detail to guide how the provision of suitable services and infrastructure referred to in policy RD1 can be delivered.

14. If access or other works are necessary to enable development to be satisfactorily carried out, ensuring delivery of such provision is appropriate irrespective of whether this would involve use of third-party land. I therefore disagree with the suggestion made by a representee that necessary off-site works should not be required where this would create what the representee refers to as “ransom strips” and no modification is appropriate to paragraph RD1.5 in this regard.

15. Altering the relevant general threshold from 6 dwellings to 12 for development to be served by a road suitable for public adoption is not appropriate. This would, as the council explains, conflict with the standards for road construction. However, the modification I recommend to Paragraph RD1.6 enables flexibility to take account of particular circumstances at the development management stage.

16. The provisions of paragraph RD1.7 relate to access provision generally and is not, as a representee suggests, confined to non-vehicular traffic. No further modification

beyond that explained above is required to this paragraph.

17. I agree with the council that an alteration to the wording of paragraph RD1.12 in respect of wastewater matters would make the intention clearer. I therefore recommend a specific modification in this regard.

Policy RD2 Developer Obligations

18. Recurring themes amongst representations made in response to policy RD2 overall, and in relation to its component parts, include;

- a suggestion that the wording of the policy is both confusing and not clearly consistent with national policy;
- an absence of detail on the nature of, and justification for, specific developer contributions;
- lack of clarity on the circumstances in which contributions will (as opposed to may) need to be secured and how these would be calculated.

19. There is considerable overlap between matters raised in representations relating to the council's approach to securing developer contributions and those commenting on infrastructure requirements. We issued two further written information requests (FIR007 and FIR010) in relation to representations on developer obligations and infrastructure requirements.

20. Paragraph 139 of Circular 6/2013 "Development Planning" states that "items for which financial or other contributions, including affordable housing, will be sought, and the circumstances (locations, types of development) where they will be sought should be included within the plan itself".

21. The council has indicated that the items for which contributions will be sought are set out in paragraphs RD2.7 to RD2.16 of the proposed plan and the circumstances where they will be sought are included in the settlement statements and paragraph 2.5. The non-statutory planning advice note on developer obligations and affordable housing would provide further detail.

22. The council states that details of infrastructure required to mitigate the impact of proposed development would be subject to individual assessment through a methodology that has been agreed and used with the development industry for many years, and would be shared at the time of a planning application, or during pre-application discussions. This would be in the form of a developer obligations assessment report, carried out by the council's developer obligations team, which assesses the level of proportional contributions required towards developer contributions and affordable housing. All proposals would require to be in line with Policy RD2 Developer Obligations.

23. The council considers its approach to be pragmatic and realistic, in terms of setting out the details of required infrastructure in the local development plan. It states that specific requirements will depend on the circumstances at the time a planning application is submitted.

24. Homes for Scotland and other parties consider that the proposed plan does not sufficiently make clear the circumstances in which developer obligations will be sought. The settlement statements do not, in all cases, present a clear justification or

quantification for contributions. It is not appropriate to rely on planning advice because it would be non-statutory and not subject to due scrutiny.

25. Representees comment that the costs of developer obligations would affect the deliverability of development and where these are not known, or cannot be estimated with a degree of certainty, the deliverability of particular developments (especially housing schemes) cannot be properly assessed. This could impact on the viability and therefore effectiveness of particular sites.

26. I note that paragraphs RD2.7 to RD2.16 provide a list of infrastructure items for which financial or other contributions may be sought. However, the circumstances in which contributions will be sought are not fully explained, either in section 14 of the proposed plan or the settlement statements. Whilst the council states that the approach to developer obligations in the proposed plan is a continuation of its current practice, I do not consider that the level of information provided is consistent with Circular 6/2013. For many of the allocated sites, the proposed plan provides insufficient detail to enable developers to undertake even a basic viability assessment.

27. Paragraph 275 in Scottish Planning Policy indicates that development plans are expected to identify any required transport and related infrastructure and, alongside other associated documents, should set out how, and by whom, this is to be delivered and phased. Transport Scotland considers that the approach taken in the proposed plan to the identification of required transport infrastructure is not consistent with Scottish Planning Policy. It states that the developments which will be required to contribute to mitigation should be identified within the local development plan, with information included on the nature, scale and delivery mechanisms of such mitigation. The local development plan should be deliverable and developers and stakeholders should understand any potential contributions towards infrastructure and how that infrastructure will be delivered.

28. The council points to the content of the settlement statements in Appendix 7 of the proposed plan in this regard. However, I agree with representees that, in many cases, the need for specific items of infrastructure to be provided or augmented in respect of particular identified development allocations is absent.

29. In relation to the identification of transport infrastructure, the council has undertaken a transport assessment of the proposed plan based on Transport Scotland's "Development Planning and Management Transport Appraisal Guidance (DPMTAG)". It builds on the equivalent assessment undertaken for the adopted local development plan. I note that the DPMTAG assessment considers the transport options associated with existing and new allocations in the proposed plan and makes recommendations on necessary transport interventions on a settlement basis.

30. I sought further information on the relationship between the DPMTAG assessment and the proposed plan. Transport Scotland indicates that the transport appraisal process, as outlined in Scottish Planning Policy, is intended to determine any potential cumulative impacts of the local development plan's spatial strategy on the transport network and to determine the required, deliverable mitigation solutions. This mitigation may include improvements to the local and/or trunk road networks, which may require developer contributions to facilitate delivery.

31. The council's response is less clear. It states that the role of the DPMTAG

assessment is to identify those interventions that may be required to accommodate new development over and above the base case, and the evaluation and commentary provided within that document provides the justification for transport infrastructure improvements identified in the settlement statements of the proposed plan. However, it points out that not all improvements required to the strategic network are as a result of new development. The council, through its delivery programme, will identify where assessment may be required as a result of new development and will subsequently broker contributions for mitigation of traffic impacts caused by new development.

32. I agree with Transport Scotland that the approach taken in the proposed plan to the identification of necessary transport infrastructure does not meet the expectations of paragraph 275 of Scottish Planning Policy. I find that the level of detail provided on transport interventions in the settlement statements is patchy and not always consistent with the recommendations in the DPMTAG assessment or the information contained in the Delivery Programme April 2020.

33. I conclude that there are deficiencies in the proposed plan in relation to the information provided on infrastructure required to support development allocations and the circumstances in which developer obligations would be sought. I am not able, in this examination, to recommend specific modifications to the proposed plan to address these matters. I agree with the council that including this information in an appendix to the plan at this late stage in the preparation process would result in a significant delay in the adoption of the plan. However, paragraph 123 in Circular 6/2013 allows me to recommend actions that could be taken to remedy the deficiencies.

34. Within this context, I sought the views of the council and other relevant parties on the preparation of statutory supplementary guidance to address these matters. The council does not consider this to be necessary and is concerned about the implications of new regulations and guidance on local development plans due to come into effect in 2022. However, it does accept that the draft planning advice note currently in preparation could instead be promoted as statutory supplementary guidance.

35. The Scottish Government response has clarified that the transitional arrangements for the new development plan system under the Planning (Scotland) Act 2019 envisage that “a period of 24 months, after the coming into force of the development plan regulations, will be allowed for the adoption of supplementary guidance associated with local development plans adopted under the 2006 Act”. I anticipate that the proposed plan will be adopted under the 2006 Act and therefore, if the new regulations come into force as expected in summer 2022, the council would have until summer 2024 to prepare and adopt statutory supplementary guidance. I note that Homes for Scotland strongly supports the planning advice note being promoted to statutory supplementary guidance.

36. I also asked the council to suggest how policy RD2 could be modified to provide the basis for statutory supplementary guidance to be prepared. It has suggested that the last sentence in paragraph RD2.2 be replaced with the following:

“Supplementary Guidance Developer Obligations and Affordable Housing will be prepared to show the infrastructure for which contributions will be sought and the methodologies and evidence for calculating these, the types of development requiring a contribution; policy departures; matters relating to development viability; the management of the process; matters relating to upfront and phased payments and the

management of the funds received.”

37. Taking account of Scottish Government advice on the transitional arrangements for the new development plan system, I consider that the council should prepare statutory supplementary guidance to provide further detail on the items for which financial or other contributions will be sought; the circumstances where they will be sought; and the levels of developer contributions or methodologies for their calculation. Information should be provided on the transport and related infrastructure required in association with allocations in the plan (in line with paragraph 275 of Scottish Planning Policy). It would be for the council to decide what other matters from its draft planning advice note should be included in the statutory supplementary guidance. The procedures for preparing supplementary guidance are set out in legislation and include the requirement to publicise a draft version of the supplementary guidance and give people the opportunity to comment.

38. I do not consider that the modification suggested by the council sufficiently reflects the provisions of circular 6/2013 and paragraph 275 of Scottish Planning Policy. I therefore recommend alternative wording. Given that the supplementary guidance is necessary to remedy a deficiency in the plan, I consider it necessary to set a target timescale by which the council must send a copy of the guidance it wishes to adopt to Scottish Ministers.

39. The council states that matters of local transport infrastructure would depend on specific constraints relating to the site design and transport impact of the proposal. It considers that it would be misleading to identify specific measures to mitigate local transport impact, in advance of transport assessments being undertaken, as and when development proposals come forward. I accept that there may be circumstances where it would not be appropriate or possible for the supplementary guidance to specify the exact infrastructure requirements associated with an allocated site. I consider that the supplementary guidance should provide as much information as possible and set out clearly how, when and by whom, further details will be provided.

40. This approach would address the need for appropriate scrutiny and consultation, including with the wider public and mean that, where possible, detailed information on developer obligations and infrastructure requirements would form part of the development plan. It is expected that the council will consult with Transport Scotland to ensure the supplementary guidance sets out a clear position on the trunk road infrastructure needed to support the development allocations in the plan. It is my understanding that information on how, when and by whom infrastructure is to be delivered will be provided through the Delivery Programme, which will be subject to regular updates. Modifications to paragraph RD2.2 and the introductory paragraph on page 89 of the proposed plan are recommended to address these matters.

41. The wording of policy RD 2.1, and the subsequent paragraphs RD 2.2 to RD 2.16, imply that developer contributions are to be the primary means of ensuring the provision of necessary physical and social infrastructure in connection with development. The use of the phrase “we will need contributions...” in the paragraphs referring to such infrastructure provision emphasises this impression. However, it is to be expected that development proposals would (or should) be designed to include such necessary facilities as part of the development where appropriate, or be able to make optimum use of existing facilities or capacity. In many cases, specific infrastructure provision that may be

necessary could be governed by conditions attached to a planning permission, which circular 3/2012 explains is generally to be preferred to using planning obligations.

42. Paragraph RD2.1 rightly acknowledges that developer obligations must be consistent with the policy tests set out in circular 3/2012. The detail of how the scope and scale of any necessary contributions are to be assessed will be set out in supplementary guidance. However, as this guidance is not currently available, it is appropriate for the approach to developer obligations to be more clearly expressed in the plan, at least in its essential elements. A modification is necessary to paragraph RD2.1 to more explicitly reflect the operation of the tests in circular 3/2012.

43. Financial contributions would be expected to be largely confined to circumstances where direct provision of the relevant infrastructure as part of the development is either not possible, is not appropriate in the circumstances, or where a proportionate contribution to provision serving a wider area is required (in connection with necessary additional education capacity, for example). As circular 3/2012 makes plain, it is not possible to define all the circumstances in which planning obligations may be appropriate. However, the listing, in paragraphs RD2.7 to RD2.16, of specific matters in respect of which contributions are said to be needed could be taken as suggesting that there is no requirement for items of physical or social infrastructure not listed. Modifications are necessary to the wording of paragraph RD2.1 more directly to reflect the tests in the circular and to several of the following paragraphs to correct the impression that contributions would be sought as a matter of course, rather than where consistent with the application of those tests. I am aware that these changes to policy RD2 may result in inconsistencies with the wording used in the services and infrastructure section of the settlement statements. In the absence of specific representations, we have no remit to consider these through the examination. It would be for the council to decide whether any consequential modifications would be appropriate, prior to the adoption of the plan

44. Paragraphs RD2.7 – RD2.8 and RD2.10 – RD2.14 in the proposed plan indicate that details are provided in Appendix 7. As further information on developer obligations and infrastructure requirements is also to be provided in supplementary guidance, reference should be made to this in these paragraphs. Modifications to this effect are recommended. The phrases “transportation improvements” and “transportation infrastructure” mentioned in paragraphs RD2.7 and 2.8 do not exclude public transport facilities or those related to active travel such as walking and cycling. With the recommended modifications, and the further detail that would be expected to be included in supplementary guidance, there is no need for further categories of such provision to be listed in these paragraphs.

45. The council has suggested some additional text for paragraphs RD2.10, RD2.11, RD2.12 and RD2.14 to help explain the circumstances in which contributions would be sought. Whilst the inclusion of this text within the plan itself would be in line with circular 6/2013, I am not able to confirm whether all relevant circumstances are included and I am conscious that there has been no opportunity for public consultation. I therefore consider that, on this occasion, these matters should instead be addressed through the supplementary guidance. No further modifications are recommended.

46. Although, as a representee points out, the providers of health, medical and related services often operate as commercial businesses, many hospital, clinic and other health facilities are public sector resources. I see no reason why physical or social infrastructure

involved in health and care provision should be treated differently in principle from other infrastructure and services necessary to support development and those who occupy it. The application of the circular 3/2012 tests would ensure that any financial or other contributions would only be applicable where all the relevant criteria are met. No modification is required in this regard.

47. Nor do I see any justification that development promoted by Network Rail should be exempt from making provision to secure infrastructure or services made necessary by that development. Network Rail's status as a publicly owned company has no bearing on the effect that such development may have on the need for infrastructure or services.

48. Several representations seek to emphasise that contributions secured through planning obligations should be utilised locally to the development, that education and social facilities should be provided in advance of development, and that the categories of infrastructure should be widened to encompass footpath and cycleway enhancements. With the inclusion of more specific reference to the tests in circular 3/2012 contained in the modifications I recommend, and the further detail to be included in supplementary guidance, there is no need for further modifications to achieve these objectives.

49. The correction in paragraph RD2.9 to refer to "Core Paths Plan", as the council proposes in response to a representation is appropriate and I recommend a modification accordingly.

Appendix 15 Recycling and Waste Facilities

50. The guidance on the provision to be made for bin storage, contained in Tables 1 and 2 of Appendix 15 of the proposed plan, includes locational and accessibility components, as well as addressing the appropriate scale of such provision. While this guidance can influence the manner in which waste and recycling facilities are integrated into new development, storage and collection arrangements applying in existing developed areas are matters of operational management of the services involved. I agree with the council that no modification is needed in this regard.

Reporter's recommendations:

Modify the local development plan by:

1. Replacing the last sentence in the unnumbered introductory paragraph on page 89 with:

"This approach will be further detailed through Supplementary Guidance on Developer Obligations and Affordable Housing, as well as the Delivery Programme."

Policy RD.1 Providing Suitable Services

2. Replacing paragraph RD1.1 on page 89 with:

"We will only allow development that is located and designed to take advantage of or incorporate the services, facilities and infrastructure necessary to support it. Such matters may include sustainable transport linkages and supporting infrastructure, facilities for alternatively fuelled vehicles, road access, waste management provision, water supply, wastewater connections and treatment, and other elements as may be appropriate in the circumstances."

3. Replacing paragraph RD1.2 on page 89 with:

“Residential development should, where practicable, incorporate appropriate provision for electric vehicle charging. The availability of one charging point for every 25 employees should be aimed for at workplaces. Electric vehicle charging points should be provided in car parking spaces used by the public, including in connection with major retail and leisure uses. Their provision will be managed by the application of the Standards for Road Construction Consent and Adoption².”

4. Replacing “must” with “should” in the first line of paragraph RD1.4 on page 90.

5. Replacing “must” with “should” in the first line of paragraph RD1.5 on page 90.

6. Replacing “must” with “should” in the first line of paragraph RD1.6 on page 90.

7. Replacing “must” with “should” in the third line of paragraph RD1.7 on page 90.

8. Replacing paragraph RD1.12 on page 91 with:

“Where a connection to the public drainage infrastructure is demonstrated to be unfeasible, connection to a private drainage infrastructure can be supported, if it is demonstrated satisfactorily that there is no reasonable alternative, and where the developer commits to a maintenance agreement with homeowners for the lifetime of the plant where adoption by Scottish Water is either not sought or not granted. Appropriate supporting evidence should be provided to support using private drainage infrastructure. Planning permission may be granted on the condition that private drainage infrastructure may be used temporarily with the requirement to connect to public drainage infrastructure when it becomes available.”

Policy RD2 Developer Obligations

9. Replacing paragraph RD2.1 on page 92 with:

“Where, by itself or cumulatively, development would give rise to the need for new or improved infrastructure or services, and this is not to be directly provided as an integral part of the development, planning obligations or other appropriate means to secure such provision may need to be put in place. Planning obligations, including those securing financial contributions, must meet each of the five tests set out in paragraph 14 of Planning Circular 3/2012¹¹. Planning obligations must:

- be necessary to make the proposed development acceptable in planning terms;
- serve a planning purpose;
- relate directly or cumulatively to the proposed development;
- fairly and reasonably relate in scale and kind to the proposed development;
- be reasonable in all other respects.

It is not possible to indicate all the circumstances where planning obligations are appropriate. The settlement statements in Appendix 7 indicate the nature of infrastructure or service provision necessary in connection with development proposed in this plan, where these are known. Paragraphs RD2.7 to RD2.16 below give guidance in relation to certain categories of infrastructure and services.

10. Replacing the final sentence in paragraph RD2.2 on page 92 with the following sentences:

“Supplementary Guidance on Developer Obligations and Affordable Housing will be

prepared. This will provide further detail on the items for which financial or other contributions, including affordable housing, will be sought; the circumstances (locations, types of development) where they will be sought; and the levels of developer contributions or methodologies for their calculation. Information will be provided on the transport and related infrastructure required in association with allocations in the plan. Where the exact requirements for site specific infrastructure are not known, the guidance will include as much detail as possible and set out clearly how, when and by whom, this information will be provided. A copy of the Supplementary Guidance, which the council wishes to adopt, will be submitted to Scottish Ministers within 12 months from the date the local development plan is adopted.”

Transport

11. Replacing paragraph RD2.7 on page 93 with:

“We may need contributions towards transportation improvements as shown in Appendix 7, Supplementary Guidance and the Delivery Programme. These could include work on the trunk road network and in Aberdeen City. The Aberdeen City and Shire Strategic Development Plan has prepared a cumulative transport appraisal to inform their strategic transport advice. This could also include improvements to rail infrastructure.”

Local Transport Infrastructure

12. Replacing paragraph RD2.8 on page 93 with

“We may need contributions to fully address the effect of individual developments. We may also need contributions if more than one development affects transportation infrastructure. We provide details of this in Appendix 7 and Supplementary Guidance. All new development within a settlement may be required to contribute to any identified need.”

Open Space and Access

13. In the second line of paragraph RD2.9 on page 93, replacing “will” with “may”.

14. In the last line of paragraph RD2.9 on page 93, replacing “Core Path Plan” with “Core Paths Plan”.

Primary Education

15. Replacing paragraph RD2.10 on page 93 with:

“We may need contributions to ensure there are adequate primary school places for an increase in the number of school pupils likely to result from new residential developments. We give details in Appendix 7 and Supplementary Guidance. All new housing developments within a primary school catchment may be required to contribute to any identified need.”

Secondary Education

16. Inserting the words “and Supplementary Guidance” at the end of paragraph RD2.11 on page 93.

Community Facilities

17. Replacing the first two sentences of paragraph RD2.12 on page 93 with:
“We may need contributions to deal with the effects of a development on communities where a specific shortfall is identified. We give details of this in Appendix 7 and Supplementary Guidance.”

Strategic Recycling and Waste Infrastructure

18. Replacing the first two sentences of paragraph RD2.13 on page 93 with:
“We may need contributions for facilities in line with details in Appendix 7 and Supplementary Guidance. This could involve the developer contributing towards strategic recycling and waste infrastructure that benefit residents within the catchment area.”

Health and Care Facilities

19. Replacing the second sentence in paragraph RD2.14 on page 94 with:
“Appendix 7 and Supplementary Guidance provide information on where such provision may be required.”

Issue 13	Appendix 16 Schedule and Landownership and Glossary	
Development plan reference:	Proposed LDP, Appendix 16 Schedule and Landownership, page 1197-1170 Proposed LDP, Glossary, Page 1171 -1180	Reporter: Rob Huntley
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Appendix 16 Schedule and Landownership No representations were received on this section of the Proposed Aberdeenshire Local Development Plan (PLDP) 2020.</p> <p>Glossary PP0589 Scottish Renewables PP0723 Charles Miller PP0733 Paul Davison PP0736 RWE Renewables UK PP1219 Scottish Environment Protection Agency</p>		
Provision of the development plan to which the issue relates:	Appendix 16 Schedule and Landownership Glossary	
Planning authority's summary of the representation(s):		
<p>Glossary</p> <p>Two representees have requested that the term “protected species” should be defined in the Glossary as the meaning differs depending upon the context (PP0589 and PP0736).</p> <p>A representee has requested that the definition of “Protected Land” be amended to clarify its role and purpose (PP0733).</p> <p>A representee has requested adding the definition of ‘Environmental Impact Assessment (EIA)’ in the glossary to clarify its role and purpose, and to reference the Town and Country Planning EIA Regulations definitions of “EIA development” and “Environmental Impact Assessment” (PP0733).</p> <p>A representee has questioned the definition of a ‘settlement’ in the glossary. The definition appears to be tied to an out-of-date report on rural facilities, which does not come from the Aberdeen City and Shire Strategic Development Plan (SDP). They argue the definition is subjective, the process to finalise the definition appears to have taken an unreliable approach, and the required facilities were not previously a requirement to be a settlement. They add, the approach is also failing to keep up to date with changes in the economy, and that many of these facilities are not now viable in settlements (PP0723).</p> <p>Scottish Environment Protection Agency (SEPA) has suggested amending the definition of ‘Buffer Strips’ by altering the words from “watercourse” to “waterbody”. Buffer strips are required for water bodies. This ensures consistency/compliance with the wordings in</p>		

Appendix 10. SEPA has also requested to amend the definition of ‘Freeboard’ (PP1219).

SEPA has suggested expanding the definition of “Infrastructure” due to its vast meaning. They suggest adding overhead and underground pipelines and electricity cables along with associated substation infrastructure should be included in this definition (PP1219).

Modifications sought by those submitting representations:

Glossary

Modify the PLDP to include a definition of ‘protected species’ (PP0589 and PP0736).

Modify the PLDP to amend the definition for protected land to read, “Development will not be allowed on protected land designated with “P” classification in the LDP.” (PP0733).

Modify the PLDP to include a definition for Environmental Impact Assessment (PP0733).

Modify the PLDP to amend the definition of a “settlement” and remove the requirement for rural facilities (PP0723).

Modify the PLDP to amend the first sentence for Buffer Strips to read, “Vegetated land adjacent to a waterbody that helps protect and improve water quality, run-off and biodiversity.” (PP1219).

Modify the PLDP to amend the definition of Freeboard to read, “The allowance made for natural variations in flood levels. A factor of safety in flood protection design (usually expressed as height above flood level), which allows for factors related to the uncertainty in estimating flood risk (e.g., wave action, settlement, morphological changes).” (PP1219).

Modify the PLDP to amend the definition of Infrastructure to read, “The facilities and other items needed to support development. This includes roads and transport facilities, energy and communication networks, sewage and water facilities.” (PP1219).

Summary of responses (including reasons) by planning authority:

Glossary

The Council confirms that it intends to address comments by adding a definition of “Protected Species” through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not agree with the amended definition of “Protected Land”, which is used to protect open space for its setting, recreation, education use and leisure use. Policy PR2 Reserving and Protecting Important Development Sites and the Settlement Statements in Appendix 7 clarify the role and purpose of each designation. No change is required.

The definition of the word “Settlement” is partially adopted from the Rural Facilities Monitoring Report published by the Council’s Planning Information and Delivery Team in January 2017 (See AD0114). The SDP does not focus on the definition of settlement but focuses on “sustainable mixed communities” which is a different entity. The SDP (see

AD0016) states that there would be pressure for housing in the countryside and this pressure will be dealt with through Rural policies in the Aberdeenshire Local Development Plan. It also highlights that new development should be well served by public transport and this is covered within the definition of settlement. The Council disagrees with amending the definition of “settlement” to reflect economic changes and allocations are proposed to help sustain existing facilities. No change is required.

The Council does not support adding the definition of EIA to the glossary as it is already defined in the EIA Regulations and Circular 1/2017, which the introductory text for Section 10 Natural Heritage and landscape directs users of the Plan towards (see AD0041.A, page 57). However, if the Reporter is minded, to add a definition in the Glossary, then the Council recommend that the definition of EIA to be as following:

“Environmental Impact Assessment (EIA) – As per The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, this is a means of drawing together, in a systematic way, an assessment of a project’s likely significant environmental effects in order to allow a reasoned conclusion of these effects to be reached. Projects of a type listed in Schedule 1 of the EIA Regulations must always be subject to EIA. Projects of a type listed in Schedule 2 must be subject to EIA where they are likely to have significant effects on the environment following a Screening Process conducted by the Planning Authority (or Scottish Ministers).”

The Council confirms that it intends to address SEPA’s comments on buffer strips, Freeboard and infrastructure through a non-notifiable modification, as set out in as set out in the List of Non-Notifiable Modifications.

Reporter’s conclusions:

Preliminary matters

1. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” to definitions included in the glossary. However, where such matters arise from representations made to the proposed plan they are required to be addressed in the examination. I therefore address these as appropriate below.

Glossary

2. For clarity and ease of understanding by users of the plan, I agree that the inclusion of a definition of the term “protected species” is appropriate. However, such species are not confined to those that are endangered, as the council’s proposed wording would suggest. As representees point out, the protection afforded to species and their habitats is expressed in a range of legislative provisions in Scots, European and wider international law, with the relevant applicable provisions being dependent on the particular context. It is not appropriate to include comprehensive details of all relevant legislative provisions in the plan, but the inclusion of a broad definition, with a signpost to sources of further guidance, is appropriate. I recommend a modification accordingly.

3. I agree with the council that it is not appropriate to widen the definition of “Protected Land” included in the glossary, to encompass designations beyond its reference to open space. Although Policy PR2 (Reserving and Protecting Important Development Sites), safeguards sites for specific purposes, the policy and settlement statements in

Appendix 7 clarify the role and purpose of those separate designations. No modification is required.

4. The word “settlement” is used in different ways in the proposed plan including descriptively, such as “sustainable settlements”. A significant widening of the scope of the term could undermine or confuse the policy intention to foster a sustainable pattern of settlement in rural areas. No modification is required.

5. I agree with the council’s comment that it is not necessary for a definition of Environmental Impact Assessment to be introduced in the glossary. This would duplicate, in a potentially confusing manner, the legislative provisions and guidance contained in the relevant Regulations and Scottish Government Circular 1/2017, to which reference is made in Section 10 (Natural Heritage and Landscape) of the proposed plan. No modification is required.

6. The council accepts the substance of the representations by the Scottish Environment Protection Agency (SEPA) in respect of the definition of specific terms in the glossary, as set out in the “Modifications sought by those submitting representations” section above. I agree that this would generally assist clarity and I recommend modifications to the definitions of “Infrastructure” and “Buffer Strips” accordingly. However, Scottish Planning Policy contains, in its glossary, a definition of the term “freeboard allowance”. The use of a consistent definition is appropriate in the proposed plan and that is reflected in my recommended modification, rather than the somewhat different wording suggested by SEPA and the council.

7. The recommended modifications below address matters covered under Issue 13. However, there are further modifications to the glossary which we are recommending in response to representations covered under other issues. These are set out in the relevant schedule 4.

Reporter’s recommendations:

Modify the local development plan by:

1. Adding a new definition in the appropriate alphabetical position in the Glossary, together with a link to further guidance available on the NatureScot website, as follows:

“Protected species: Species that are afforded legal protection in Scots, European or wider international law.

(further guidance is published on the NatureScot website [Legal framework | NatureScot](#))”

2. Replacing the word “watercourse” with “waterbody” in the second line of the definition of “Buffer Strips” in the Glossary on page 1173.

3. Replacing the heading “Freeboard” and the whole of the text of that entry in the Glossary, on page 1175, with:

“Freeboard Allowance: A height added to the predicted level of a flood to take account of the height of waves or turbulence and uncertainty in estimating the probability of the flooding.”

4. Replacing the whole of the text of the entry relating to “Infrastructure:” (but retaining that heading) in the Glossary, on page 1176, with:

“The facilities and other items needed to support development. This includes roads and transport facilities, energy and communication networks, sewage and water facilities.”

Issue 14	Omissions from the Plan	
Development plan reference:	Topics not included in the Proposed LDP	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>PP0001 Sarah Ward PP0183 Niki Couper PP0444 Network Rail PP0462 Statkraft PP0578 Scottish Government Planning and Architecture Division PP0736 RWE Renewables UK PP0778 Sustrans Scotland PP0881 Meldrum Paths Group PP0884 Formartine Rural Partnership PP1222 NHS Grampian PP1241 Nestrans PP1300 NatureScot (Scottish Natural Heritage) PP1360 Aberdeenshire Local Outdoor Access Forum</p>		
Provision of the development plan to which the issue relates:	None	
Planning authority's summary of the representation(s):		
<p>General</p> <p>The Proposed Local Development Plan (PLDP) 2020 should be written in 'plain English' (PP0001).</p> <p>The Policy Interpretation Notes do not appear on the Council's website, but are referred to by Officers in determining planning applications. They appear to be internal documents that have not been the subject of scrutiny by Councillors and/or the Scottish Government. It makes sense that they do not form part of the LDP, but in the interests of transparency they should be made publicly available (PP0183).</p> <p>NHS Grampian has noted that there may be cross-border issues between Aberdeen City and Shire that may need to be addressed. The provision of facilities in Aberdeenshire may also serve areas lying within Aberdeen City and vice versa (PP1222).</p> <p>NatureScot has requested that all the Settlements Statements in Appendix 7 are reviewed to check whether masterplans are required to align with Council Policy P1 Layout, Siting and Design. They note that the requirement for a masterplan is not mentioned in the allocation summary for a particular allocation, despite it being discussed in the Delivery Programme (e.g. Cairnbulg and Inverallochy, site OP1 and Cornhill, site OP2 and OP3) and in other cases the requirement for a masterplan is not set out in either document</p>		

despite the allocation exceeding the threshold identified in the Council's policy (e.g. Inverurie and Port Elphinstone, site OP16 and Gourdon, site OP2 for 5.5ha employment land (PP1300)).

The PLDP should recognise the role of voluntary groups as well as the Local Rural Partnerships as a potential 'conduit' for action. There is an increasing network of community based voluntary groups across Aberdeenshire who have taken on the management of local routes, including developments in some cases. These groups should be supported by the Council through the LDP as a mechanism for implementing national and local policies in a cost-effective manner (PP1360).

Environment

The PLDP does not cover Scottish Government's declared 'climate emergency' or net-zero greenhouse gas emissions target by 2045 which are significant statements and legally binding commitments since the current LDP was adopted and clearly have wide-ranging land use/planning implications. Relevant energy related documents include National Infrastructure Assessment (July 2018), Intergovernmental Panel on Climate Change Report (October 2018), Committee on Climate Change Net Zero reports (May 2019 and June 2020) and the amended Climate Change (Scotland) Act 2009 by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 that sets greenhouse gas targets. The NPF4 outcomes under the 2019 Planning Act are to meet greenhouse gas targets within the Climate Change acts. The Programme for Scotland 2019-2020 'Protecting Scotland's Future' clearly recognises the vital role the planning system has in tackling climate change and the PLDP does not reflect these clear policy objectives and government announcements, duplicating current LDP policies, inconsistent with SPP and inconsistency between individual LDP policies (PP0462).

Concern has been expressed that throughout the PLDP some policies are discussed in terms of 'acceptability' of environmental effects whereas others are not. This introduces inconsistency across policies and sets different 'bars' for impacts on different receptors. A significant effect in Environmental Impact Assessment (EIA) terms does not make a proposal unacceptable in land use policy terms. Wording across different policy topic areas should be amended to reference 'acceptability' to allow judgement to be applied in decision-making. Policy wording should also be reviewed and amended to ensure consistency with SPP (PP0736).

NatureScot has requested that the Appendix 7 allocation summaries should include a standard statement on the requirement for the development to deliver good quality, biodiverse open space. They state that this will improve consistency between the allocation summaries and could make a significant difference to the quality of development being delivered by the Plan. NatureScot recognise there are separate policies on biodiversity and on open space, but reminding developers of the need for good quality, biodiverse, open space within the allocation summaries themselves will improve the quality of development coming forward. NatureScot note that reference to the phrase "open space" can vary markedly between Settlement Statements, which gives an imperfect impression (e.g., it does not take account of the Council consistently requiring buffers around watercourses – these being a form of biodiverse open space), but it shows that there could be variations in how consistently developers are reminded of the need to deliver good quality open space. Similarly, reference to "biodiverse" or "biodiversity" is seen in around 40% of allocation summaries within one Settlement Statement, but not at

all in the allocation summaries (PP1300).

Transport

A representee has advised that they are regulated in five-year control periods and the LDP would be active for 10 years. The next Control Period (CP6) runs from April 2019 to March 2024. No modification sought (PP0444).

The Scottish Government has identified that the PLDP makes no explicit consideration of freight as required by SPP Paragraph 282. In order to accord with SPP Para 104 which states that LDPs should "... locate development which generates significant freight movements, such as manufacturing, processing, distribution, and warehousing, on sites accessible to suitable railheads or harbours or the strategic road network." (PP0578).

It is requested that the words "walking and cycling" are replaced with "walking, cycling and wheeling" throughout the Plan (PP0778).

In Appendix 7C Settlement Statements for Formartine, few settlements include policies which promote footpaths and cycleways (PP0884). Furthermore, there is no mention of the Meldrum Meg Way nor the Haddo Link/Ythan Trail in the relevant settlements (PP0884).

Over recent times, traffic on country roads and in settlements, has increased in number and drivers are driving faster, but roads have remained unchanged. This leads to, pedestrians or cyclists feeling anxious about safety and forced to use vehicles if they have access to one. It is likely that off-road footpaths and cycleways could supply a significant solution to these issues, and greatly improve the quality of life, at a relatively minor cost (PP0884).

Infrastructure for vehicular traffic and non-vehicular traffic should be included in the Settlement Summaries/Statements to reflect statements in the Delivery Programme (PP0881).

Nestrans has highlighted that the PLDP 2020 is inconsistent in the way it regards cumulative strategic transportation improvement. Statements such as that included for Tippetry under 'Strategic Transportation' (PLDP page 497) should be included for all Settlement Statements within the influence of each Strategic Growth Area (SGA) (PP1241).

Nestrans has noted that there is inconsistency in wording and approach adopted in the Settlement Statements regarding the treatment of Disused Railway Lines/Formartine and Buchan Way. The representee has included an Appendix in their representation which includes a Table 1 – Treatment of Route of Formartine and Buchan Way/ Boddam Branch (RD0227.A) in their representation which provides further detail to support their position. This lists the settlements connected by the Dyce to Peterhead and Fraserburgh route, and the Ellon to Boddam route and highlights the differing treatment of the route within each of the Settlement Statements (PP1241).

NatureScot has requested that all the Settlements Statements in Appendix 7 are reviewed to check whether reference to active travel provision might be helpfully included, together with recognition of any opportunities to link into wider path networks. They argue this will

help promote safe and convenient active travel opportunities for larger sites (e.g., over 40 homes), in keeping with the LDP's objectives, as stated at paragraph 3.3 of the Proposed Plan, and that even the smaller allocations could benefit from inclusion of relatively standard wording on active travel so as to improve delivery of more liveable and walkable places (PP1300).

NatureScot has requested that all the Settlements Statements in Appendix 7 are reviewed to check whether reference to "footpaths" might be better replaced with the word "paths" or the phrase "active travel route", as they consider it is better to use "paths" and/or "active travel routes", as they cover a broader spectrum (PP1300).

A representee has welcomed the recognition of the role of walking and cycling in enhancing quality of life, active travel and addressing climate change in the PLDP, but has stated there is a disconnect between these high-level objectives and implementation. The Plan does not identify opportunities or implementation of actions that would deliver the benefits that are outlined in the Plan. It would be beneficial for the Plan to recognise that 'walking and cycling' does not cover the full range of activities/people undertake and as such could be interpreted as incomplete or even discriminatory (PP1360).

Appendix 7 does not appear to identify opportunities to enhance active travel or recreation beyond generic statements that developments may need to contribute to strategic or local transport infrastructure. For example, the 'Shaping Places' P1 and P2 do not appear to be adequately translated into opportunities or actions at the settlement level, and the structure of the PLDP does not provide space for the connectivity between settlements within and potentially between Council areas (PP1360).

The Plan needs to highlight opportunities for communities to promote the development of high-quality routes that could, for example, be implemented through Developer Contributions and it needs to be recognised that funding may need to be made available to assist communities to determine the feasibility of such routes. Specific actions that could be identified are the development of safer rural roads where the national speed limit is incompatible with non-vehicular road users. This is particularly the case where core paths have been designated on public roads (PP1360).

The representee is in favour of inserting core paths in settlement maps, however, for many Settlement Statements, in the local transport infrastructure section focuses on 'footway extensions, upgrades and crossing facilities, cycle infrastructure...'; rather than recognising the integral value of paths within and between settlements that may not coincide with public roads (PP1360).

Modifications sought by those submitting representations:

General

Modify the PLDP to be written in 'plain English' (PP0001).

Modify the PLDP to include a reference to Planning Interpretation Notes, which should be subject to scrutiny (PP0183).

Modify the PLDP to address issues of health and care facilities as a cross border issue (PP1222).

Modify the PLDP to review Appendix 7a to Appendix 7f Settlement Statements to check whether masterplans are required to align with Council Policy P1 Layout, Siting and Design (PP1300).

Modify the PLDP to recognise the role of, and support, community based voluntary groups involved in the management of local routes (PP1360).

Environment

Modify the PLDP to consider sustainable development and give it more prominence and encouragement of further renewable energy developments and refer to the Scottish Government's declared 'climate emergency' or net-zero greenhouse gas emissions target by 2045 within the PLDP, incorporating other relevant Acts (PP0462).

Modify the PLDP policies to ensure the text across different topics references 'acceptability' of environmental effects appropriately and are consistent with the SPP (PP0736).

Modify the PLDP to include a standard statement setting out the need for good quality, biodiverse open space in Appendix 7a to Appendix 7f, where this is not already covered (PP1300).

Modify the PLDP to review the Settlement Statements in Appendix 7a to Appendix 7f to include a reference to active travel provision, together with recognition of any opportunities to link into wider path networks (PP1300).

Transport

Modify the PLDP to provide clear information on how the movement of freight vehicles would be considered (PP0578).

Modify the PLDP to replace words "walking and cycling" with "walking, cycling and wheeling" throughout the Plan (PP0778).

Modify the PLDP and include transport infrastructure in the 'Services and Infrastructure' section, in terms of provision of infrastructure for both vehicular traffic and non-vehicular traffic in the Settlement Summaries/Statements (PP0881).

Modify the PLDP to place a greater emphasis on promoting Footpaths, Cycleways and Active Travel Networks both within communities and their vicinities and between adjacent communities. Furthermore, input Meldrum Meg Way and the Haddo Link/Ythan Trail in the relevant Settlement Statements (PP0884). In addition to these, to create safer travel, utilise off-road footpaths and cycleways (PP0884).

Modify the PLDP to establish an appropriate level of consistency following review of the "strategic transport" policy comments in each Settlement Statement within the influence of each strategic growth corridor, with the expectation that the statement "All development will be required to contribute towards cumulative strategic transportation improvements including interventions on the A90/ A92/ A96 and in Aberdeen City" be included as standard where appropriate (PP1241).

Modify the PLDP to ensure the Settlement Statements in Appendix 7 on protecting land forming part of the Formartine and Buchan Way (and other relevant disused railway corridors such as the Boddam branch) are clear, consistent, and appropriate to achieve the outcomes that are being sought (PP1241).

Modify the PLDP to amend Appendix 7 Settlement Statements by reviewing and checking whether reference to “footpaths” might be better replaced with the word “paths” or the phrase “active travel route” (PP1300).

Modify the PLDP to ensure that the Settlement Statements identify opportunities to enhance active travel or recreation beyond generic statements (PP1360).

Modify the PLDP to ensure that the Settlement Statements recognise the integral value of paths within and between settlements that may not relate to public roads and that there is planned active travel connectivity between settlements and between Council Administrative Areas (PP1360).

Modify the PLDP to promote ‘safer rural roads’ (PP1360).

Modify the PLDP to ensure appropriate language is used to adequately reflect and promote in its objectives and policies to enable a full range of activities for people of all abilities, not just ‘walking and cycling’ (PP1360).

Summary of responses (including reasons) by planning authority:

General

The PLDP has been written to avoid planning ‘jargon’ where possible. Specific comments raised by this representee have been addressed and the PLDP provides a glossary for specific words. No change is required.

Policy Interpretation Notes were produced for the Aberdeenshire LDP 2017 as internal documents to ensure consistency in interpretation of LDP policies by the Planning and Environment Service. They will cease to be of relevance upon adoption of the next LDP. No change is required.

The Council agrees with NHS Grampian that considerable investment is required in health and care facilities to support the proposals in the Plan, but financial decisions of this nature are not appropriate for the LDP. Engagement by both Aberdeen City Council and Aberdeenshire Council has taken place with NHS Grampian throughout the Plan-making processes so that they are clear where their investment decisions need to be made. In some settlements the Council have met with their requests to safeguard specific sites for medical facilities. No change is required.

With reference to masterplans, Policy P1 Layout, Siting and Design, is a catchall policy that applies to all qualifying developments (AD0041.A, pages 47-49). Sites in the Plan are noted to require a masterplan unless a masterplan already exists, or a planning consent is in the process of being implemented. At Cairnbulg and Inverallochy, site OP1 for 85 homes the Settlement Statement seeks integration with existing development, and a masterplan may not be required. At Cornhill, site OP2, a masterplan is also required in

the Settlement Statement. At Inverurie and Port Elphinstone, site OP16 for 50 homes, it is noted that integration is required with a previously masterplanned site. At Gourdon, site OP2 for 5.5ha employment land, it is noted that the site is flat and undeveloped, and the Council believe that a masterplan for this industrial estate extension would serve no real purpose and instead propose a strategic landscape buffer. Review of allocations has not identified any other possible omissions. No change is required.

While the Council recognises the important and powerful role that voluntary groups and Local Rural Partnerships can have in achieving the aims of the Plan, their involvement is best focused through Community Action Plans and Place Plans as providing solutions to local issues. The Plan, on purpose, does not identify who will implement looked for improvements. Where there is a commitment from a local body to undertake works, then this will be detailed in the Action Programme. No change is required.

Environment

The Council does not agree that the PLDP does not adequately address the climate emergency and other Reports. The high-level Reports cited by the respondent are not specific actions for the Planning Authority and the Council have to await National Planning Framework 4 (NPF4) for a clear insight as to how the Scottish Government expects a modernised planning system to address these important issues. In Section 4 of the Plan, the Council have been as clear as we can in our intentions on reducing carbon emissions. There is no duplication on the PLDP on this matter either, as policies P1, C1 etc. NPF4 has not yet been published. No change is required.

In terms of the comments regarding consistency of environmental protection elements of policies, the policies have been written to avoid duplication – so environmental effects are focused in one policy. The Council disagrees that a development with a significant impact in the EIA would be acceptable unless caveats allowed exceptions. These are stated in the relevant policies. No change is required.

The Council does not agree that there is a need to include a standard statement on the requirement for the development to deliver good quality, biodiverse open space within the Settlement Statements. This is a requirement under Policy P2 Open Space and Access in New Development (AD0041.A, pages 49-59). The Council do not believe this needs to be repeated within the allocation summaries. Open space is qualified to the standards shown in the Aberdeenshire Council Parks and Open Spaces Strategy (AD0107), which includes, at Appendix 1, a standard for natural and semi-natural green spaces for any development greater than 5 houses. No change is required.

Transport

In developing the PLDP no need was identified for additional freight transfer stations, roadside facilities, or overnight lorry parking. Allocations for new employment land have been made with regards to SPP (AD0012, paragraph 104), including appraisal of accessibility to railheads, harbours, and the strategic road network. Appendix 1, Table 2 shows that no allocations greater than 1.5ha have been made in locations not served by the strategic (A class) road network. No change is required.

Consideration of active travel is required by both proposed paragraphs P1.5 and RD1.5 for all developments and it is not necessary to include these details in Appendix 7. Likewise

reference to “wheeling” as an active travel mode would seem to be superfluous. The Local Path network is marked on the settlement proposals map, and it is not necessary to repeat this information in the Settlement Statement text. It would be misleading to promote off-road footpaths and cycleways as an aspiration in the Plan when there is no certainty that the land or funding for such infrastructure will be available. No change is required.

The Council does not agree that the Settlement Statements should reflect the Delivery Programme. The LDP is considered to be a snapshot in time, whereas the Delivery Programme will be subject to change during the life of the Plan and it would be misleading and possibly obstructive to include statements on transport infrastructure that is required associated with sites when a full and detailed analysis has not been undertaken as part of a planning application. No change is required.

Any universal statement regarding the need for development to contribute to cumulative strategic transport interventions is misguided as not all development will result in impacts on the strategic transport network, and to ask for developer contributions towards unspecified, un-costed elements would not meet the tests of scale and kind and reasonableness detailed in Planning Circular 3/2012: Planning obligations and good neighbour agreements (AD0002). Without prior information as to what the interventions might be the Plan would become open ended and it would be impossible for developers to conduct any meaningful financial tests on the deliverability of development sites. Where interventions are known, then these are detailed for specific settlements in the Appendix 7 Settlement Statements. Local transport impacts are more readily apparent and have a section dedicated to them in the “Responsibilities of Developers” section (paragraph RD1.3 and following) (AD0041.A, page 89). No change is required.

With regards to the protection of disused railway lines the Appendix provided by Nestrans illustrates that most of the Formatine and Buchan Way is protected as a core path and is given a “Protected” designation in the Settlement Statements. Policy PR2 Reserving and protecting important development sites provides general protection for closed railways that may be reasonably needed in the future. In their submission Nestrans identify that it would be “difficult to justify the re-opening of disused rail lines in the area” reflecting that this is at present only an aspiration that does not warrant a specific proposal in the Settlement Statements. No change is required.

The Council does not agree that there is a semantic difference between a footpath or a path, and in the interests of ‘plain English’ we would suggest that the use of the phrase “active travel route”, while being appropriate in some places, does not provide clarity within the Settlement Statements. No change is required.

The Council notes the support given for the recognition of the role of walking and cycling in enhancing quality of life, active travel and addressing climate change in the PLDP. Implementation of these objectives will depend on specific circumstances of planning applications and it would be misleading at this time to identify specific opportunities and implementation actions. Within the Plan the focus has been on supporting infrastructure for walking and cycling although the Council recognise that walking and cycling routes can be used for a range of other activities. The Council believes that the broad policy approach adopted in the Settlement Statements is appropriate, both as a statement of intent and as a means to lever in developer obligations, should they be required. The Council does not agree that their approach is discriminatory, as any acceptable standard

of path infrastructure would have to be fully accessible to people with protected characteristics (such as wheelchair users). No change is required.

Funding of studies to assess shortcomings in the existing road network, unrelated to new development is a matter for Community Action Plans and the Local Transport Strategy rather than the PLDP. No change is required.

It would be misleading to promote active travel routes between settlements when there are no proposals for the creation of these routes. The Core Path Network represents a clear commitment to routes in rural areas, that the Plan supports. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

General

2. The request that the plan be written in plain English follows on from comments on particular aspects of the New Deer settlement statement, which are addressed under Issue 21. I note that the council has sought to avoid planning 'jargon' where possible and definitions have been provided in the glossary at the end of the plan to help the reader. I also note that the accessibility details on page 3 of the proposed plan offer assistance to those who need information from the document in an alternative format, including 'Easy Read'. No modification is required.

3. I note the council's explanation regarding the internal status of policy interpretation notes relating to the existing local development plan. Matters regarding the publication of these notes is beyond the scope of this examination. No modification is required.

4. NHS Grampian's representation does not seek any modification to the proposed plan in relation to its comment on cross boundary provision and use of health and social care facilities.

5. The council has reviewed the allocations in the proposed plan, in response to NatureScot's representation regarding inconsistencies in the requirement for masterplans. I note its explanation regarding the particular allocations mentioned by NatureScot and, on this basis, agree that no change is required. The council has concluded that there are no other possible omissions in relation to a requirement for masterplans. I have no evidence before me to dispute this conclusion. No modification is recommended.

6. I agree with the council that the role of voluntary groups and other organisations in relation to the actions required to deliver the plan's policies and proposals is a matter for the Delivery Programme. No modification is required to the proposed plan

Environment

7. Representations regarding the omission of references to the climate change emergency and relevant legislation and policy documents are also included under issues 1 and 11. Modifications are recommended in the schedule 4s for these issues to include reference to the climate change emergency and emissions targets. No other modifications are required.

8. Comments from RWE Renewables regarding the wording of individual policies and their consistency with Scottish Planning Policy are included in the schedule 4s covering the relevant policies. In general terms, I do not consider it necessary or appropriate for the wording of all policies to be the same. For example, more stringent policy criteria would be expected for international and national environmental designations than for sites of local interest.

9. I agree that a significant effect in environmental impact assessment terms does not necessarily make a proposal unacceptable in land use planning terms. Paragraph 4.1 of the proposed plan recognises that conflicts may arise where proposals meet the requirements of one policy at the expense of another. In such circumstances, the vision of the plan should be used to guide the granting of planning permission. No modification is required in response to this overarching point on the policies in the proposed plan.

10. Policy P2 (Open Space and Access in New Developments) requires all new developments to provide adequate public open space, in line with the council's standards. This would apply to planning applications for the allocation sites included in the settlement statements in Appendix 7. Representations on the wording of policy P2 in the proposed plan, including from NatureScot on biodiversity matters, are addressed under Issue 7 (Shaping Places and Appendices 8, 9 and 10). Paragraph 8 in Planning Circular 6/2013 Development Planning states that "Scottish Ministers want development plans to be succinct". The proposed plan is already a lengthy document and I do not consider it necessary to repeat the requirements of policy P2 in the allocation summaries. No modification is required.

Transport

11. Paragraph 104 in Scottish Planning Policy states that local development plans should locate development which generate significant freight movements on sites accessible to suitable rail heads or harbours or the strategic road network. The council has referred to Table 2 in Appendix 1, as evidence that all business allocations larger than 1.5 hectares are located next to the strategic (A class) road network.

12. I note that the relative size and geographical distribution of business sites are also illustrated on the "Shaping Business Development" map on page 28 of the proposed plan. Furthermore, paragraph B2.1 in policy B2 Employment/Business Land (on page 26 of the proposed plan) states that developments which generate significant Heavy Goods Vehicle movements will only be permitted on land accessible to suitable railheads, harbours or the trunk road network. I am satisfied that the proposed plan is consistent with paragraph 104 in Scottish Planning Policy. No modification is required.

13. Paragraph 282 in Scottish Planning Policy states that planning authorities should consider the need for improved and additional freight transfer facilities and additional overnight lorry parking facilities. It also states that strategic freight sites and existing

roadside facilities and provision for lorry parking should be safeguarded.

14. I note that site R2 on the Portlethen key map (page 730 of the proposed plan), which is located next to the A92 road, is reserved for a lorry park. The council has indicated that no other matters relating to the provision of additional freight transfer facilities, roadside facilities or overnight lorry parking were raised during the plan preparation stages. The representation from the Scottish Government is not seeking a change in relation to the improvement or safeguarding of any specific facilities. Within this context, there is no reason for me to require a modification to the plan

15. The National Transport Strategy makes a number of references to “wheeling”, alongside walking and cycling, in prioritising sustainable transport. “Wheeling” is defined as “travelling by wheelchair”. In the interests of promoting active travel routes which are accessible by all, I do not consider that a reference to “wheeling” would be superfluous.

16. A review of all the settlement statements to consider inclusion of the term “wheeling” would be disproportionate at this stage in the plan process. Instead I recommend modifications to amend the definition of the term ‘active travel’ in the glossary and include the word ‘wheeling’ in the sixth outcome heading in section 4 of the proposed plan to include the word ‘wheeling’. Further recommended modifications under issue 1 and issue 7 would also make reference to ‘wheeling’. I consider that these changes would also address the comments made by Aberdeenshire Local Outdoor Access Forum on this matter.

17. I agree with representees that the use of the word “footpath” is potentially misleading where the intention is to create an active travel route suitable for walking, cycling and wheeling. However, I do not consider it proportionate to require the council to review all references to a “footpath”, and consider whether an alternative description is required, at this stage in the plan process. I therefore do not recommend a modification to the plan.

18. A number of representees have requested that additional detailed information be included in settlement statements on the protection of existing active travel routes and the promotion of new opportunities. Evidence suggests inconsistencies in the information provided for different settlements.

19. I recognise the detailed knowledge that local groups have of their area and their role in protecting and promoting access opportunities. However given the number of settlements covered by the proposed plan, I do not consider it would be possible to include the level of detail sought by representees in all areas. I note that the core paths are shown on the settlement maps and that some allocation summaries refer to specific footpath and cycle routes. However the absence of detailed information on existing and potential future routes in other settlement statements would not prevent the opportunity for new or improved connections to be addressed through planning applications. Each settlement statement indicates that development may be required to contribute to local transport infrastructure and, where appropriate, allocation summaries refer to the need to provide connections to existing routes.

20. The need for development to provide new path connections is also covered in other policies in the proposed plan, for example paragraph B1.2 of policy B1 (town centre development) and paragraph P2.6 of policy P2 (open space and access in new development). Throughout the period of the local development plan, new or improved

active travel opportunities may be identified by developers, local communities or others and these could be included in future updates of the Delivery Programme. However I agree with the council that funding for studies to assess shortcomings in the existing transport network, not related to development proposals, is not a matter for the local development plan. No modifications are required on this matter.

21. Nestrans has requested that the “strategic transport” policy comments in each settlement statement within the influence of each strategic growth corridor be reviewed to establish an appropriate level of consistency. It expects that a statement requiring all development to contribute towards cumulative strategic transportation improvements would be included as standard, where appropriate.

22. Matters relating to infrastructure requirements and developer contributions are addressed in the schedule 4 for issue 12. In the absence of sufficient information in the proposed plan, a modification is recommended requiring the council to prepare statutory Supplementary Guidance on developer obligations and affordable housing. This guidance is expected to include information on the transport and related infrastructure required in association with allocations in the plan. It is my understanding that the details on how and by whom, this infrastructure is to be delivered and phased will be provided in the Delivery Programme, which will be subject to regular updates.

23. I agree with the council that a blanket requirement for all development in strategic growth areas to contribute to cumulative strategic transportation improvements would not be consistent with planning circular 3/2012. The preparation of supplementary guidance provides the opportunity for further consideration of the need and justification for contributions towards strategic transportation improvements. No further modifications are required.

Reporter’s recommendations:

Modify the local development plan by:

1. Amending the outcome heading in paragraph 4.7 on page 15 to read:
“To make efficient use of the transport network, reduce the need to travel and promote walking, cycling, wheeling and public transport.”
2. Replacing the definition of “active travel” in the glossary on page 1173 with:
“An approach to travel that focusses on physical activity such as walking, cycling and wheeling (travelling by wheelchair).”

Issue 15	Banff and Macduff	
Development plan reference:	Proposed LDP, Appendix 7A Banff and Buchan, Page 189-196 Proposed LDP, Appendix 7A Banff and Buchan, Page 236-242	Reporter: Stuart West
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Banff PP0199 Banff Springs Hotel PP0244 Tracy Fleming PP0543 Daniel Chalmers PP0558 Asda Stores Limited PP0977 Alexander Lorimer PP1030 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1241 Nestrans</p> <p>Macduff PP0126 Robert Sivewright PP0308 Lewis Hay PP0595 Aaron Lorimer PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian PP1241 Nestrans</p>		
Provision of the development plan to which the issue relates:	Banff Settlement Statement Macduff Settlement Statement	
Planning Authority's summary of the representation(s):		
<p>Banff</p> <p><u>Vision</u></p> <p>Nestrans has noted that options are being considered for an active travel bridge adjacent to Banff (River Deveron) Bridge. This will enhance safe linkages between the communities of Banff and Macduff. The A947 forms a key connection to Banff, and Nestrans supports the work of Aberdeenshire Council in relation to the action plan for this route (RD0227.A). No modification sought (PP1241).</p> <p><u>Site P2 – To protect an area of open space at Banff Castle</u></p> <p>Clarification has been sought as to the meaning of the protection and whether additional conditions will have to be met in order to build a house on the site (former Castle Orchard) that currently has lapsed planning permission, but which is intended to be renewed. Historically the site was advertised as a housing site. It is considered that the designation should not deter a fresh planning application (PP0977).</p>		

Site R1 – Reserved for cemetery extension

Scottish Environment Protection Agency (SEPA) has requested that additional wording is added to the allocation text for site R1, or as a separate bullet point, to state that a detailed groundwater assessment and water features survey will be required, due to the underlying geology and presence of a possible private water supply within 250m of this site (RD0214.B) (PP1219).

Concern has been raised about health and safety and environmental risks associated with cemetery site R1, and who will pay for the cost of moving the septic tanks of affected adjacent homes. Provision for privacy screening for adjacent properties and parking has been queried. It is considered that the current road will need to be reconfigured which will affect the local environment (PP0244).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Goldenknowes

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B) (PP1219).

Site OP1 could adversely affect the tourist business operation of the adjacent Banff Springs Hotel as a consequence of poor design layout of the new development which could have a negative impact on the amenity of the area (PP0199).

To avoid ambiguity, new neighbourhood facilities for site OP1 should be clearly restricted by maximum floorspace and not just specified as 'neighbourhood' facilities. The new facilities should also be subject to a retail impact assessment on existing centres (PP0558).

Site OP2 – Colleonard Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B) (PP1219).

Clarity is sought as to whether site OP2 will affect Wrack Woods. Concern has also been raised about road access to this part of the town and road safety for school children, as there are no pavements or street lighting along the existing road. A representee has requested to know if there will be a bypass (PP0244).

It has been highlighted that site OP2 has had no developer interest in 16 years and has not attempted to seek planning permission during this period. Being one of two long-term constrained sites in the settlement, and given the progression of OP1, the OP2 allocation

is less likely to attract developer interest due to marketability, physical and infrastructure constraints. The Council has not demonstrated that the allocation will be delivered during the Plan period which is contrary to SPP. Site OP1 will meet demand in the settlement for the Plan period (PP1030).

Non-Allocated Site – New N001 – Land North West of Site R1

It has been requested that additional land be included to the northwest of site R1 for 6 homes. The representee considered this is an acceptable site for continued growth from existing development sites to avoid sporadic development, and as the site is in close proximity to the town centre and proposed cemetery (PP0543).

Macduff

Vision

Nestrans noted that options are being considered for an active travel bridge adjacent to Banff (River Deveron) Bridge. This will enhance safe linkages between the communities of Banff and Macduff. The A947 forms a key connection to Banff, and Nestrans supports the work of Aberdeenshire Council in relation to the action plan for this route (RD0227.A). No modification sought (PP1241).

Site BUS – Safeguarded for business use

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation of BUS (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land South of Corskie Drive and Site CC1 – Corskie Drive/B9026 Commercial Centre

SEPA commented that they have no flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B) (PP1219).

There has been objection to site OP1 on the basis that this is a poor planning decision to allow new housing on the periphery of the settlement when there is an adequate supply of vacant houses, under-used sites and development opportunities. The representee considered that unless development of these sites is encouraged, the overall character, appeal and appearance of the settlement could be diminished (PP0308).

Concerns have been raised about the split of the former CC1 into OP1 housing/CC1 commercial use (PP0126 and PP0595). It is considered this is a poor development with a

long access corridor for the housing, and homes overlooking the old railway line path and sitting behind commercial retail development. It would make better sense to allocate this site for residential use only, given its proximity to the school and sports centre. This would provide a better fit with the residential nature of the area, and on account of there being little demand for commercial/retail development. The representee also queried whether there would be another access point to the main road for the commercial site and be the subject of future development (PP0126). Another representee had no objection to the revised site CC1/new OP1, but on the basis that the entire site is allocated as housing, if a commercial client cannot be found (PP0595).

NHS Grampian has objected to the failure of the Proposed Local Development Plan (PLDP) to safeguard land for a new health centre within site CC1 and is seeking to re-instate this. In the Local Development Plan (LDP) 2017 and in the Main Issues Report (MIR) (bid site BB031), site CC1 in Macduff was identified for a new health centre and large format stores. Allocation was sought for 0.8ha of land within CC1 for a health centre during the “call for sites”. In the MIR it was stated “inclusion of land for a health centre should be a condition on which this site is supported, as this remains a requirement for NHS Grampian at this location”. Subsequently, in the draft Proposed LDP it stated, “land is required for a new health centre within the CC1 site, which has been safeguarded as site R1” (PP1223).

Modifications sought by those submitting representations:

Banff

Site P2 – To protect an area of open space at Banff Castle

Modify the PLDP to clarify the meaning of P2 and what the implications are in relation to renewing a lapsed planning permission (PP0977).

Site R1 – Reserved for cemetery extension

Modify the PLDP to amend site R1 to clarify ground testing, health and safety/environmental risks, who is paying for moving septic tanks of affected adjacent homes, provision for privacy screening, parking and road upgrades to provide access to the proposed cemetery (PP0244).

Modify the PLDP to include the following wording to site R1 designation text or as a separate bullet point, “A detailed groundwater assessment and water features survey will be required to fully assess the suitability of this site as a cemetery.” (PP1219).

Site OP1 – Goldenknowes

Modify the PLDP to amend site OP1 to ensure development is set back from the roadside to maintain green areas and provide a welcoming approach to the town (PP0199).

Modify the PLDP to amend site OP1 to state that neighbourhood retail facilities are restricted by maximum floor space levels and are subject to a Retail Impact Assessment where over 400sqm gross floorspace (PP0558).

Site OP2 – Colleonard Road

Modify the PLDP to amend site OP2 to clarify impact on Wrack Woods, provision for road access, if there is to be a new bypass created, and provision of a safe route to school (PP0244).

Modify the PLDP to remove site OP2 in favour of identifying an alternative effective allocation in the RHMA or, if constrained by marketability, in the AHMA (PP1030).

Non-Allocated Site – New N001 – Land North West of Site R1

Modify the PLDP to include an area of land west of site R1 for 6 homes (PP0543).

Macduff

Site OP1 – Land South of Corskie Drive and Site CC1 – Corskie Drive/B9026 Commercial Centre

Modify the PLDP to remove site OP1 for 22 homes (PP0308).

Modify the PLDP to amend sites OP1 and CC1 to allocate the entire site for housing (PP0126) or include provision for site CC1 to be changed to housing land if a commercial use proves undeliverable (PP0595).

Modify the PLDP to include a site for a health centre within the CC1 allocation (PP1223).

Summary of responses (including reasons) by planning authority:

Banff

Vision

Comments from Nestrans are noted. No change is required.

Site P2 – To protect an area of open space at Banff Castle

In accordance with Policy PR1, development will not normally be permitted on any area of open space. The designation has been applied due to the significant contribution this area of land makes to the character of the place, as described in the Settlement Statement. The representee does not provide any mapped information to identify the plot of land in question nor has information been provided regarding the lapsed planning application. Our historical records identify planning application numbers B/86/0308 and B/88/0199 in relation to the 'Erection of Dwellinghouse at Castlehill, Castle Street, Banff', with the most recent application dating back to 1988. The Council can confirm the planning consent has lapsed. The Council maintain that site P2 as mapped in the PLDP should be protected. No change is required.

Site R1 – Reserved for cemetery extension

The Council notes the health and safety and environmental concerns raised in relation to site R1. It is not normally appropriate for the Settlement Statement to set out ground testing regimes for new cemeteries. Site R1 is a large area of land set aside until such a

time as trial digs are carried out to clarify if and how much of the land is feasible for burial ground use, and how much land is required for the new cemetery. In relation to privacy screen planting, parking and road upgrades, these would be addressed at the planning application stage.

Taking into consideration the aforementioned representee's environmental concerns together with SEPA's requested modification, the Council consider it appropriate that the designation text for R1 should be amended to read, "R1 – For a cemetery extension (subject to detailed groundwater assessment and water features survey)." The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Goldenknowes

Comments from SEPA are noted. No change is required.

The concern raised about the design layout of site OP1 is noted. Design policies are in place to ensure there is good visual and amenity appeal, and that places are distinctive, safe, pleasant and welcoming.

Regarding concerns about the impact of new neighbourhood retail facilities for OP1 on existing retail centres, and the request to restrict new facilities by maximum floorspace, it is stated in the Settlement Statement that new retail uses for this site are restricted to those associated with a 'neighbourhood' centre. As defined in Appendix 2 Retail Centres of the PLDP, a neighbourhood centre is a development providing retail provision of less than 500m². The requirement for a Retail Impact Assessment will be determined at the planning application stage. No change is required.

Site OP2 – Colleonard Road

Comments from SEPA are noted. No change is required.

In relation to the concerns about potential impact on adjacent woodlands, policies are in place to protect and enhance the natural environment. With regard to road access and road safety concerns, it is stated in the Settlement Statement that an Access Strategy will be required to address the issues raised. The Council can confirm that the link between A97 and A98 (the 'bypass') remains an 'aspiration', as stated in the Settlement Statement Vision. No change is required.

It is not agreed that site OP2 should be removed in favour of identifying an alternative effective allocation in the RHMA. The revised site as per bid BB020, which covers a smaller area than the previous OP2 from LDP 2017, has been assessed as deliverable and a good fit for the settlement, taking into account that Banff characteristically operates

at a slow rate of development due to market conditions in the area (MIR 2019, Appendix Banff and Buchan, AD0038.B, pages 7-10). No change is required.

Non-Allocated Site – New N001 – Land North West of Site R1

The Council does not support allocating a new site west of site R1 for 6 homes. The site was not put forward as a development bid so was not considered as such at the MIR stage, nor subject to site assessment and public consultation. The representation does not include any site details or site location plan, nor supporting information such as an environmental assessment to allow a detailed evaluation of the suitability of the proposal. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 – Shaping Homes and Housing – Housing Land Supply, Policy H1 Housing Land and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

Macduff

Vision

Comments from Nestrans are noted. No change is required.

Site BUS – Safeguarded for business use

Comments from SEPA are noted. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Site OP1 – Land South of Corskie Drive and Site CC1 – Corskie Drive/B9026 Commercial Centre

Comments from SEPA are noted. No change is required.

The Council note there is a concern regarding the split of the former CC1 to create a new housing site OP1. The intention for allocating a part of the site in this particular location for housing is to facilitate future expansion of the settlement westwards. In the process of assessing bid sites BB040 and BB037 to the west of proposed site OP1, the Council's Road and Transportation Service had identified that a joint access strategy would be required to overcome the challenge of accessing the area from the existing street network. By including OP1 in the PLDP with safeguarded access to the west, this provides the potential for the aforementioned bid site areas to be developed in future, and a road access solution found in the process. Thus, inclusion of site OP1 is considered important for its facilitating role, and to provide an appropriate amount of land to meet local housing need during the Plan period. No change is required.

With regard to the revised site CC1 (as set out in the PLDP for 2.5ha for large format stores with a link road), it is important to retain sufficient land as a commercial centre to protect the viability and vitality of the town centre and promote new commercial development. No change is required.

The site that was initially proposed to be reserved for healthcare uses as identified in the MIR 2019 and subsequent Issues and Actions papers (AD0040.A, pages 32-35), was subsequently removed. This was a late decision based on our best understanding of a changed situation with regards to healthcare needs in Macduff, as advised by NHS Grampian. In our ongoing dialogue with our partners in health and social care, our understanding was that it was unlikely there would be a requirement for a new health centre within Macduff within the lifespan of the LDP 2021. The Council consider a mid-term review of the LDP would assist NHS Grampian in relation to provision of healthcare needs. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to the settlement statement matters covered in Issue 15. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Banff

Site P2 – To protect an area of open space at Banff Castle

3. Site P2 consists of land surrounding Banff Castle, which has been identified as a protected area. The settlement statement contends that the protection is necessary due to the significant contribution the area of land makes to the character of the place. The representation states planning permission was granted to develop a house on land within site P2 approximately 20 years ago, which has since lapsed. The representation seeks reassurances that the designation will not impede any future planning application for a house on the same site.

4. The council has confirmed that there is no extant planning permission for a dwelling house within site P2 and that, in accordance with policy PR1, development would not normally be permitted on any area of open space. During my site inspection, I viewed the castle, its immediate context and views to and from the site from within the surrounding settlement. I am satisfied that the proposed extent of site P2 is necessary to ensure that the setting of the historic asset and the character of the surrounding area can be effectively preserved. No modification is required.

Site R1 – Reserved for cemetery extension

5. Site R1 lies to the northwest of the existing cemetery in Banff on the other side of Whinhill Road. The fields included within the designation are immediately adjacent to a

residential property situated to the southwest. I note the concerns raised regarding the potential impacts of the proposed use on amenity, privacy, health and safety matters, drainage, and potential road infrastructure upgrades. During my site inspection I observed that the low wall surrounding the residential property would result in inter-visibility between users of the cemetery and the occupants of the house when using their garden ground, thereby potentially affecting the occupants' privacy and amenity. However, detailed matters such as the layout of the site, identification of potential subsurface constraints, necessary infrastructure upgrades, boundary treatments and landscaping requirements would be addressed at the planning application stage, when interested parties would have the opportunity to comment.

6. I agree that additional text should be included to indicate that a detailed groundwater assessment and water features survey will be required, due to the underlying geology and presence of a possible private water supply within 250 metres of this site. The outcome of this assessment may indicate that elements of the site are not suitable for use as a cemetery. However, this does not prevent it being reserved for this purpose in the plan.

Site OP1 – Goldenknowes

7. Concerns have been raised by the adjacent commercial hotel regarding the potential for poor design to have an adverse impact on business operations and amenity in general. Site OP1 is included in the existing local development plan and a masterplan is already in place for the land allocation. In addition to the approved masterplan, design policies are provided within the proposed plan which require development to be distinctive, safe, welcoming and pleasant. The specific layout of any future development on the site would be determined at the application stage with policies in place to protect amenity. No modification is required.

8. Asda requests that neighbourhood facilities, which are proposed as part of new housing allocations, are restricted to a maximum gross floorspace of 400 square metres or require a retail impact assessment. I agree with the council that the nature of the proposed retail facilities and potential impact on the town centre are addressed in the allocation summary. I have no evidence before me to indicate that 500 square metres retail floorspace (as referred to in appendix 2 of the proposed plan) would be inappropriate in neighbourhood centres. Any planning applications would also require to be assessed in terms of policy B1 (Town Centre Development), which includes reference to retail impact assessments. No modification is required.

Site OP2 – Colleonard Road

9. No specific modifications to the plan are requested by representee PP0244. The council's response provides further clarification on the matters raised and I have nothing further to add. No modification is required.

10. Site OP2 is identified as being subject to physical, marketability and infrastructure constraints in the housing land audit. The representation seeking the removal of this site does not suggest a specific alternative allocation, claiming instead that the housing demand for the settlement as a whole would be met by site OP1.

11. The council contends that the identified physical and infrastructure constraints on the site can be overcome. Furthermore, I note that Banff is one of the regeneration areas

identified as a priority in the strategic development plan's spatial strategy. Whilst no evidence has been provided by the council regarding an expected start date or completion rates, the landowner has indicated an intention to focus on delivery of the site, following involvement with a successful nearby development.

12. I do not consider the removal of site OP2 from the plan to be justified. However, given the ongoing development of nearby site OP1, and the characteristic slow rate of development in Banff identified by the council, it is unlikely that 200 homes would be deliverable in the plan period. I consider that a contribution of 100 homes, towards the strategic development plan allowance for the Rural Housing Market Area in the period to 2032, would be more realistic. No modification to the Banff settlement statement is required, as the capacity of the site would still be 200 homes. However, a modification to the relevant table in appendix 6 Housing Land Allocations is recommended. The implication of deducting 100 homes from the allocations identified to meet the strategic development plan allowance in the period up to 2032 is addressed in issue 5.

Non-Allocated New Site N001 - Land North West of Site R1

13. This non-allocated site is situated outwith the settlement boundary to the north west of site R1, on land to the south of Gowanhall Farm. An allocation for six homes is being sought. However, the site was not put forward by the landowner as a bid site and has therefore not been subject to environmental assessment or consultation with key agencies or the public. No site plan or indicative layout has been provided.

14. Consideration of housing need is undertaken through the housing needs and demand assessment which has informed the strategic development plan allowances. Banff lies within the Rural Housing Market Area and it is concluded under issue 5 that no additional allocations are required to meet the strategic development plan allowance in the period up to 2032.

15. In the absence of any identified need for additional housing in the Rural Housing Market Area, and given that no engagement or assessment has taken place to establish the suitability of the site for housing, I do not support its allocation. No modification is required.

Macduff

Site OP1 – Land South of Corskie Drive

16. Site OP1 is allocated for retail use as part of CC1 in the existing local development plan. The council states that the site has been re-designated for housing in order to facilitate potential future expansion of the settlement westward. During my site inspection, I found the site and the adjacent site CC1 to represent a logical and sensitive future expansion of Macduff.

17. Site OP1 is the only housing designation within the settlement and, as such, is the only greenfield housing opportunity site within Macduff. I have not been provided with any evidence that would lead me to agree with the representation that there is a more than adequate supply of vacant houses, under-used sites and development opportunities within Macduff. The site contributes towards meeting the strategic development plan allowance for the Rural Housing Market Area to meet housing needs up to 2032. I do not

consider there is any justification to remove allocation OP1 from the plan.

18. I agree with the representation that the long access corridor from the B9026 to site OP1 is unfortunate. However, I consider that it is necessary to ensure that any short-term development of site OP1 does not impede the future development of site CC1 or vice versa, in the event that one site is delivered in advance of the other. The settlement statement is clear that a combined transport assessment with the adjacent site CC1 will be required to support any development proposal and I am satisfied that an appropriate access solution can be developed at that time, to serve both sites and to facilitate the future development of land to the west. No modification is required.

Site CC1 – Corskie Drive / B9026 Commercial Centre

19. Site CC1 is allocated in the existing local development plan. The site is identified in the proposed plan as the preferred location for large format stores, if town centre locations are not available. There are no alternative retail centres identified on the settlement map for Macduff. As such, I consider that it is important to allocate the site for the duration of the plan and do not agree that the site should be re-designated for housing, if there is no interest from a commercial client. As explained in issue 5, there is no requirement to allocate further housing sites to meet the strategic development plan allowance for the Rural Housing Market Area for the period up to 2032.

20. The main issues report and the subsequent issues and actions paper identify site CC1 for retail and health uses in line with the existing local development plan, with an area within the site identified as ‘R1 – Reserved for Healthcare use’. However, the council took a late decision to remove reference to healthcare facilities on the understanding that it was unlikely that there would be a requirement for a new health centre in Macduff within the lifetime of this plan.

21. NHS Grampian contends that there is still a requirement for the facility on the site, stating that there is no justification for its removal from the plan. Given that the Health Authority has advised of the continuing need for the facility, and that such a use formed part of the public consultation and committee approval, I am satisfied that it would be appropriate to amend the entry within the settlement statement to support the delivery of a healthcare facility on the site.

22. However, the area originally identified for a healthcare facility (R1) includes a section of the access route for, and forming part of, site OP1. I consequently find that, rather than specifically identifying an area on the settlement map, it would be more appropriate to update the allocation summary for CC1 to confirm that 0.8 hectares of the site is required for a healthcare facility. Furthermore, the allocation summary should be modified to require the preparation of a masterplan for site CC1 to identify a suitable location for the healthcare facility, which does not compromise the deliverability of sites OP1 or CC1. Modifications to this effect are recommended.

Reporter’s recommendations:

Modify the local development plan by:

1. Amending the entry for Banff OP2 in the relevant table for the Rural Housing Market Area in appendix 6 to replace the figure 200 in the column entitled “Local Growth RHMA” with the figure 100. (Note – a revised version of Appendix 6, incorporating all the

recommended modifications, is provided at the end of this report.)

2. Replacing the second row of the title for allocated site 'CC1 – Corskie Drive / B9026 Commercial Centre' in the Macduff settlement statement on page 239 with:

“Allocation: 2.5 hectares for large format stores and a healthcare facility, with a link road.”

3. Adding the following new third and fourth sentences to the first paragraph of the allocation summary for CC1 – Corskie Drive / B9026 Commercial Centre in the Macduff settlement statement on page 239:

“A site of 0.8 hectares is required for a healthcare facility. A Masterplan will be required to identify a suitable location for the healthcare facility, which does not compromise the deliverability of sites OP1 or CC1.”

<p>Issue 16</p>	<p>Other Settlements RHMA (Banff and Buchan) East – Cairnbulg and Inverallochy, Crovie, Fraserburgh, Gardenstown, New Aberdour, New Byth, Memsie, Pennan, Rathen, Rosehearty, Sandhaven and Pittulie and Tyrie</p>	
<p>Development plan reference:</p>	<p>Proposed LDP, Appendix 7A Banff and Buchan, Page 197-201 Proposed LDP, Appendix 7A Banff and Buchan, Page 206-207 Proposed LDP, Appendix 7A Banff and Buchan, Page 214-226 Proposed LDP, Appendix 7A Banff and Buchan, Page 227-230 Proposed LDP, Appendix 7A Banff and Buchan, Page 248-250 Proposed LDP, Appendix 7A Banff and Buchan, Page 251-253 Proposed LDP, Appendix 7A Banff and Buchan, Page 243-247 Proposed LDP, Appendix 7A Banff and Buchan, Page 254-255 Proposed LDP, Appendix 7A Banff and Buchan, Page 261-263 Proposed LDP, Appendix 7A Banff and Buchan, Page 264-268 Proposed LDP, Appendix 7A Banff and Buchan, Page 272-274</p>	<p>Reporter: Stuart West</p>
<p>Body or person(s) submitting a representation raising the issue (including reference number):</p>		
<p>Cairnbulg and Inverallochy PP0396 JKB Group Ltd PP1119 c a s e CONSULTING Limited PP1120 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Crovie PP1219 Scottish Environment Protection Agency</p> <p>Fraserburgh PP0737 Colaren Homes Ltd PP0810 James Reid and Sons PP0910 William West PP1079 c a s e CONSULTING Limited PP1080 c a s e CONSULTING Limited PP1104 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian PP1241 Nestrans</p> <p>Gardenstown PP1101 c a s e CONSULTING Limited</p>		

<p>PP1219 Scottish Environment Protection Agency</p> <p>Memsie PP0376 JNF Developments PP0377 JNF Developments PP0482 Annette Smith PP0813 James Reid and Sons PP1055 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>New Aberdour PP1035 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage)</p> <p>New Byth PP0374 Patricia Maisey PP1078 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Pennan PP1075 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Rathen PP1059 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1322 The Church of Scotland General Trustees PP1343 Historic Environment Scotland</p> <p>Rosehearty PP1086 c a s e CONSULTING Limited PP1088 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage)</p> <p>Sandhaven and Pittulie PP1219 Scottish Environment Protection Agency</p> <p>Tyrie PP0538 Ms C Coley</p>	
<p>Provision of the development plan to which the issue relates:</p>	<p>Cairnbulg and Inverallochy Settlement Statement Crovie Settlement Statement Fraserbrugh Settlement Statement Gardenstown Settlement Statement New Aberdour Settlement Statement New Byth Settlement Statement Memsie Settlement Statement Pennan Settlement Statement Rathen Settlement Statement</p>

	Rosehearty Settlement Statement Sandhaven and Pittulie Settlement Statement
Planning Authority's summary of the representation(s):	
<p>Cairnbulg and Inverallochy</p> <p><u>Flood Risk</u></p> <p>Scottish Environment Protection Agency (SEPA) has recommended that the 'Flood Risk' section is split into two separate bullet points, one for flood risk issues relevant to the settlement and the second relevant to OP1 (RD0214.B) (PP1219).</p> <p><u>Services and Infrastructure</u></p> <p>SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).</p> <p><u>Site OP1 – South of Allochy Road</u></p> <p>SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).</p> <p>A representee has objected to site OP1 remaining in the Local Development Plan (LDP) as it is a long-term constrained site having entered the Housing Land Audit (HLA) in 2006. The site was constrained in the 2019 HLA and was not seen as contributing any possible housing until 2024. An issue relating to a 'ransom strip' is noted as a constraint. Furthermore, the OP2 and OP3 sites will deliver housing and are associated with a committed housebuilder, which makes it even more unlikely that the OP1 site can be delivered during the lifetime of the Plan (PP1120).</p> <p><u>Site OP2 – Westhaven</u></p> <p>SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).</p> <p>The OP2 site should be removed and an alternative site in the Local Growth and Diversification Area of the Rural Housing Market Area (RHMA) or in the Local Growth and Diversification Area of the Aberdeen Housing Market Area (AHMA) should be identified. The OP2 site is a windfall site having entered the HLA in 2019 without being subject to public consultation. It is included as an existing effective land supply and therefore cannot count against the Strategic allowance. The reference to 6 houses counting against the allowances is erroneous as only 3 additional houses have been approved beyond the 37 homes in the HLA (PP1119).</p> <p><u>Site OP3 – Land North of Rathen Road</u></p> <p>Support has been received for the allocation of the OP3 site as it forms a logical expansion of the settlement and work is actively been undertaken with the development to</p>	

bring this site forward (PP0396).

SEPA has noted that the SFRA identifies surface water as a possible issue for site OP3, but have no further requirements for this site (RD0214.B). No modification sought (PP1219).

Crovie

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that an extra bullet point is added to the 'Strategic drainage and water supply' section to state that 'there is no public waste water infrastructure available' to be consistent with other Settlement Statements (RD0214.B) (PP1219).

Fraserburgh

Vision

Nestrans has indicated that they are aware of Fraserburgh Harbour Board's masterplan proposals, and the importance of strategic connectivity to and from the town via the A90(N) and A952 (RD0227.A). No modification sought (PP1241).

Site R1 – For a park, and sport and recreation facilities associated with the approved Masterplan for site OP2

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

The boundary of the southern part of the R1 site should be amended to exclude a parcel of land adjacent to a house known as 'Whinburn'. It is requested that the Masterplan for site OP2 is reviewed to correctly identify land ownership boundaries, as previously agreed with the Council. The representee has included an Appendix in their representation which provides further detail to support their position (PP0910).

Site R2 – Reserved for healthcare use

Support has been expressed for the inclusion of the R2 site for future healthcare requirements (PP1223).

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the designation summary for site R2 (RD0214.B). No modification sought (PP1219).

Site BUS1, BUS2, BUS3 and BUS4 – Safeguarded for business use

SEPA has no issues with the allocation text for sites BUS1, BUS2, BUS3 or BUS4, but note that the SFRA identifies flood risk issues that are due to small watercourses and/or surface water, which the Council's flood risk colleagues may wish to address through a Sustainable Drainage System (SuDS) or other measures (RD0214.B) (PP1219).

Flood Risk

SEPA has requested that the second 'Flood Risk' bullet point is amended to state that a buffer strip "will" be required as opposed to "may" be required (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Kirkton Development

SEPA has requested that as a cemetery is proposed within site OP1, that text is included within the allocation text or as a separate 'Flood Risk' bullet point requiring a detailed groundwater assessment and water features survey, as there may be a private water supply within 250m of this site and a well in the western part of the site (RD0214.B) (PP1219).

The number of homes likely to be completed between 1 January 2019 to 31 December 2037 is 395 homes and this should be reflected in Table 3 to avoid overstatement of the contribution this site will make to delivery during the lifetime of the LDP. This is based on residual capacity built at 20 homes per annum with a likely completion at the end of 2046 which falls outwith the Plan period (PP1080).

Site OP2 – Land to West of Boothby Road

SEPA recommends minor rewording to the last paragraph of the OP2 summary regarding the location of the buffer strip as the boundary of the site has changed from the Main Issues Report (MIR) to the Proposed Local Development Plan (PLDP) stage (RD0214.B) (PP1219).

The boundary of the Masterplan for site OP2 and R1 site should be amended to exclude a parcel of land adjacent to a house known as 'Whinburn', as it is in separate, private ownership. It had been previously agreed with the Council to exclude this land (PP0910).

The second phase of 240 homes is marketability constrained. Given the housebuilder's assessment of demand for the settlement and the anticipated delivery rate continuing at 15 homes per annum from phase 1 which will be completed mid-2031, the likely contribution to the effective supply will be 105 houses by the end of 2037. The combined site allocation should therefore be reduced from 590 to 291 to accurately reflect the likely contribution to the delivery of housing from this allocation (PP1079).

Site OP3 – Phingask

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification

sought (PP1219).

Site OP4 – Land at Tyronhill Farm

SEPA has requested that the allocation summary for the site states that the site will be required to connect to the public waste water sewer (RD0214.B) (PP1219).

The OP4 site is capable of accommodating more than 30 homes and increasing the allocation numbers would make more efficient use of the land and be consistent with the densities of the other sites in the LDP (PP0737). Reference to retaining the granite buildings should be removed from the Plan and the stipulation is unduly prescriptive that it should be decided through design analysis and structural survey as part of a planning application (PP0737).

Site OP4 is already developed with farm buildings. The delivery of infrastructure to this small area cannot be assured with confidence to satisfy SPP as the adjacent OP1 site has an anticipated completion is 2047. The density of the site is too high for the existing vernacular buildings to be retained on site and the pedestrian links with OP1 are unlikely to be available within the lifetime of the Plan. While the allocation should be removed, the settlement boundary should include the site to enable a more appropriate level of development brought forward as a windfall site should it be viable (PP1104).

Site OP5 – Land to the East of Phingask

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP5 (RD0214.B). No modification sought (PP1219).

Site OP6 – Land within Kirkton Development

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP6 (RD0214.B). No modification sought (PP1219).

Site CC1 – South Harbour Road Commercial Centre

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site CC1 (RD0214.B). No modification sought (PP1219).

Non-Allocated Site – Bid Site BB022 – Part of R1, Land West of Greenbank Gardens

A representee has requested that bid site BB022 is allocated for 95 homes to the west of OP2. It is argued that the site is ready to be developed as a housing area with landscape buffers and public open space. Site OP2 is subject to a masterplan and is partly developed, to the south, and partly constrained, to the north, as it is understood that the landowners are not intending to sell the land for any further development. Site BB022 is available for development and potentially could form part of the required masterplan covering the land currently allocated for housing development (PP0810).

Gardenstown

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Braegowan/ Morven View Road

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

The site is incorrectly stated as effective. The site is marketability constrained and the planning application submitted in 2014 has not been determined. There is the possibility of a ransom strip and the site has failed to deliver for 14 years and is constrained in the HLA 2019. There is no reason for confidence that the site will deliver during the lifetime of the Plan which is contrary to Scottish Planning Policy (SPP) (PP1101).

Site OP2 – Bracoden Road/ Knowhead

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

The site is incorrectly stated as being effective. The site is constrained by ownership and has been in the audit since 2004 with the planning permission on site lapsed and is constrained in the HLA 2019. There is no reason for confidence that the site will deliver during the lifetime of the Plan which is contrary to SPP (PP1101).

Memsie

Site R1 – For education or community uses

SEPA has requested that additional text is added to the allocation summary to state that the site is adjacent to a 1:200 fluvial extent of the Water of Philorth and a Flood Risk Assessment (FRA) may be required (RD0214.B) (PP1219).

Flood Risk

SEPA has requested that the Council's Flood Prevention Unit confirms whether an FRA for site OP2 is still required, as the site boundary has changed since the MIR consultation and the site is further away from the watercourse (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has requested that the bullet point under 'Strategic drainage and water supply' is amended as discharge from the OP2 site to the private waste water treatment works

(WWTW) is unlikely to be technically feasible (or highly challenging) due to the limited flows in the receiving watercourse, and the licence would need a variation from SEPA which they might not be able to authorise (RD0214.B) (PP1219).

Site OP1 – Crossroads

SEPA has requested that the last sentence of site OP1 is removed as it is not relevant as private drainage will not be acceptable at this location (RD0214.B) (PP1219).

This site is constrained, (PP0376 and PP1055) on ownership and marketability grounds and has had no developer interest in over 8 years. There is no basis of confidence that the site can deliver in the Plan period to satisfy SPP. The OP2 site is the preferred site as it is in keeping with the existing pattern of development of the settlement (PP1055). The site is undeliverable (PP0376).

The site is incapable of connecting to the necessary drainage infrastructure (PP0376, PP0482) as there is no public sewer in Memsie (PP0482) and unresolvable drainage issues with private soakaways failing due to ground conditions (PP1055). There are also no shops or recreation areas in Memsie and the school in Rathen is already exceeding capacity (PP0482). Additionally, the OP1 site would increase traffic in the area where there is only one point of entry, creating noise and safety issues (PP0482).

Site OP2 – Land North of Cairn Close

SEPA has confirmed that they do not require a FRA for this site but recommend the Council's Flood Prevention Unit confirms whether the requirement for an FRA still remains or whether this can be removed from the allocation summary (RD0214.B) (PP1219).

Additionally, SEPA has requested that the last paragraph in the allocation text for site OP2 is removed and replaced with text that clarifies the difficulties connecting to the private treatment plant north of site OP1 and a growth project will be required for the whole settlement (RD0214.B) (PP1219).

Support has been noted for the allocation of the OP2 site. However, objection is made to the inclusion of the requirement for a second point of access to the A981 and bus stops. Planning permission was granted for the site (APP/2012/3544) which made provision for access to the north into the bid site. The requirement to provide access to the A981 is restricted by the identification of P2 along the eastern boundary. It is also noted that the boundary of the allocation does not extend as far as the A981 nor was the requirement for the second point of access included within the Main Issues Report. The representee has included Appendices (RD0048.A and RD0048.B) in their representation which provides further detail to support their position (PP0377).

A representee objects to the Plan as the PLDP, fails to identify the land in its entirety. The allocation boundary should be extended, and housing numbers increased to 40 homes. The expansion of the site should happen now rather than in the future. The principle of development in this location has been accepted through previous LDPs. The representee has included Appendices (RD0047.A and RD0047.B) in their representation which provides further detail to support their position (PP0376).

Non-Allocated Site – Bid Site BB021 – Land South of Muir Road

A representee has requested that bid site BB021 be allocated in the LDP as it provides a logical extension to the settlement, avoids ribbon development and provides opportunities to improve drainage and enhancements to the Cairn for residents and visitors. Open space is provided to preserve views to the Cairn and its proximity is not considered a constraint to development. A masterplan could be created to plan the development in stages. This site is deliverable whereas the OP1 site is not and should be removed (PP0813).

New Aberdour

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – St Drostan's Lane

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

NatureScot requests that the allocation summary includes a requirement for active travel provision as it is a large development of 48 homes, and it would help promote safe and convenient active travel opportunities which is in keeping with the LDP's objectives (RD0255.B) (PP1300).

The OP1 site is constrained in the HLA 2019 and the allocation should not be relied upon due to its likely very slow build rate. The site was identified for housing over 15 years ago, there has been a recent planning application which shows a piecemeal approach to its development contrary to the Settlement Statement. The site is constrained by WWTW capacity, poor access, and overhead electricity lines with costs likely to discourage mainstream housebuilders given the low demand for housing (PP1035).

New Byth

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Former New Byth Primary School

SEPA has commented that they have no flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

The planning permission on this site has lapsed and no attempt has been made to progress the site in 10 years. The site will remain marketability constrained during the life of the Plan and demand in the settlement is readily met by individual plot developments. The smaller OP2 from the LDP 2017 might be a more viable alternative (PP1078).

Non-Allocated Site – Bid Site BB013 – Site Adjacent to Urquhart Road

Concerns are noted regarding the conflict between vehicles and walkers through increased traffic, there being limited amenities to support development and local drainage issues. It is thought that the access to the other end of Urquhart Road is considered a more sensible approach. The representee has included an Appendix (RD0046.A) in their representation which provides further detail to support their position (PP0374).

Pennan

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has requested, for consistency, that a 'Strategic drainage and water supply' bullet point is added that reflects Scottish Water's comments on the capacity of its infrastructure in Pennan (RD0214.B) (PP1219).

The community facilities and the sports and recreation facilities bullet points make reference that residential developments will be required to make developer obligation payments. There are no residential allocations identified in the conservation area, therefore the section is unnecessary (PP1075).

Rathen

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Site R1 – For a cemetery extension

SEPA has requested that the allocation text for site R1 includes the need for a groundwater assessment (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has requested that the first sentence of the 'Strategic drainage and water supply' bullet point is amended to state that Rathen lies within a SEPA Waste Water Drainage Consultation Area and that full site investigations for all private water proposals will be required (RD0214.B) (PP1219).

The only allocation in the settlement has planning permission with a Section 75 (S75) that makes no reference to developer obligations in respect of recycling and waste, community facilities and health care facilities. The Settlement Statement should be consistent with the developer obligations sought and the Council's position in relation to the S75 Agreement (PP1059).

OP1 – Bridge of Rathen

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Historic Environment Scotland (HES) has noted that the OP1 site is located approximately 140m west of the scheduled monument known as St Ethernan's, Rathen Old Parish Church, but HES is content that the potential impact on the setting of the monument is unlikely to be significant (RD0266.A) (PP1343).

Non-Allocated Site – Bid Site BB034 – Land North and East of Rathen West Church

The site was not identified as a preferred site in the MIR as it was not seen to be a logical extension to the settlement and would visually impact on the setting of listed buildings and monuments and additionally the community do not want additional development due to the current infrastructure conditions. It is however, considered that the site is a logical extension and would help to alleviate existing constraints and any required improvements would be undertaken in tandem with OP1. The site is available, viable and deliverable within the Plan period and has no challenges in terms of topography or gradient. A sustainable, accessible and high-quality development could be delivered and meet the objectives of the settlement by meeting local housing needs (PP1322).

Rosehearty

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – South of Ritchie Road

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

NatureScot has requested that as part of the masterplan process, further consideration should be given to the extent and siting of development within this site, embedding mitigation of landscape and visual effects by design, and that the proposed landscape planting should be of an appropriate scale and integrated into the development with good quality open space. NatureScot is concerned that the design, location and narrow width of the proposed strategic landscape planting will do little to mitigate the effects of the prominent and relatively large-scale site at this locale (RD0255.B) (PP1300).

The settlement currently has four allocated sites with a total capacity of 110 homes, the oldest from the 1990s, which are all constrained due to marketability. These are also either long-term constrained, have physical or ownership constraints. OP1 has had its capacity increased previously in an attempt to meet allowances despite being marketability constrained. The varying capacities of these sites have not attracted any planning applications. There is no reason to promote OP1 as contributing to the allowances given the lack of interest in the allocations available, removal of existing allocations and no basis to support confidence in the delivery of the site within the Plan period necessary to satisfy SPP (PP1086).

Site OP2 – Murison Drive

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Site OP3 – Cairnhill Road/adj Bowling Green

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

This allocation formed part of a larger site that goes back to 1978 where development activity has only taken place in one area. There has been no interest shown in this area and it remains allocated with no justification for retaining the site given SPP requires confidence in it becoming effective (PP1088).

Sandhaven and Pittulie

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – St Magnus Road, land opposite Caird Place

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification

sought (PP1219).

Tyrie

Non-Allocated Site – New N027 – Land to North and South of Main Road

Land to the north and south of Tyrie should be allocated in the LDP. Tyrie would be a desirable place in which to live because of the school being close by and accessible by the footpath indicated, and the close proximity of the settlement to Fraserburgh. There is a bus lay-by but development to the land south of the road could also lead to a bus lay-by being formed on the southbound carriageway too, as bus services regularly pass through and stop in Tyrie. Numerous access points could be used, and it is believed that services are available to connect to the development. Employment uses could be located to the south. The representee has included an Appendix (RD0083.A) in their representation which provides further detail to support their position (PP0538).

Modifications sought by those submitting representations:

Cairnbulg and Inverallochy

Flood Risk

Modify the PLDP to split the 'Flood Risk' bullet point into two bullet points, "Parts of the settlement are at risk from coastal flooding. Flood Risk Assessments may be required" and "A Flood Risk Assessment will be required for OP1 due to the risk of surface water flooding." (PP1219).

Site OP1 – South of Allochy Road

Modify the PLDP to remove site OP1 (PP1120).

Site OP2 – Westhaven

Modify the PLDP to remove the OP2 allocation and identify an alternative allocation in the Local Growth Area of the RHMA or in the Local Growth Area of the AHMA (PP1119).

Crovie

Services and Infrastructure

Modify the PLDP to add a new bullet point to the 'Strategic drainage and water supply' section to state, "There is no public waste water infrastructure available." (PP1219).

Fraserburgh

Site R1 – For a park, and sport and recreation facilities associated with the approved Masterplan for site OP2

Modify the PLDP to amend the southern boundary of the R1 site to exclude a parcel of land adjacent to 'Whinburn' which is in private ownership (PP0910).

Site BUS1, BUS2, BUS3 and BUS4 – Safeguarded for business use

Consider the need to raise flood risk issues for sites BUS1, BUS2, BUS3 and BUS4 in the Plan (PP1219).

Flood Risk

Modify the PLDP to amend the second 'Flood Risk' bullet point's last sentence to "... buffer strip will be required ..." (PP1219).

Site OP1 – Kirkton Development

Modify the PLDP to amend the allocation summary for the OP1 site to include, "A detailed groundwater assessment and water features survey will be required to fully assess the suitability of this site as a cemetery." (PP1219).

Modify the PLDP to amend the OP1 allocation from 600 to 395 homes and amend the allocation entry in Appendix 6 (PP1080).

Site OP2 – Land to West of Boothby Road

Modify the PLDP to amend the last paragraph allocation summary for the OP2 site, "A buffer strip will be required alongside the watercourse on the northern boundary running through the site ..." (PP1219).

Modify the PLDP to ensure the masterplan for site OP2 and R1 is amended to exclude a parcel of land adjacent to 'Whinburn' which is in private ownership (PP0910).

Modify the PLDP to amend the OP2 allocation from 590 to 291 homes and modify the allocation entry in Appendix 6 (PP1079).

Site OP4 – Land at Tyronhill Farm

Modify the PLDP to amend the allocation summary for OP4 to add, "Connection to the public waste water network will be required for this site." (PP1219).

Modify the PLDP to amend the OP4 allocation to increase the numbers from 30 homes to 40-50 homes and remove reference to retaining the existing granite steading buildings from the allocation summary (PP0737).

Modify the PLDP to remove the OP4 allocation whilst retaining the current settlement boundary and find an alternative site in the RHMA Local Growth Area or if marketability constrained, the Local Growth Area of the AHMA (PP1104).

Non-Allocated Site – Bid Site BB022 – Part of R1, Land West of Greenbank Gardens

Modify the PLDP to allocate bid site BB022 for 95 homes (PP0810).

Gardenstown

Site OP1 – Braegowan/Morven View Road

Modify the PLDP to remove site OP1 (PP1101).

Site OP2 – Bracoden Road/Knowhead

Modify the PLDP to remove site OP2 (PP1101).

Memsie

Site R1 – For education or community uses

Modify the PLDP to add the following text to the allocation summary, “The site is adjacent to the 1:200 fluvial extent of the Water of Philorth. A FRA may be required.” (PP1219).

Flood Risk

Modify the PLDP to amend the ‘Flood Risk’ section, if required, after confirmation is sought regarding the need for a Flood Risk Assessment (FRA) for OP2 (PP1219).

Services and Infrastructure

Modify the PLDP to amend the ‘Strategic drainage and water supply’ to read, “There is insufficient capacity at Memsie Cairn Stone septic tank ... The development at Westcroft Close is currently served by a private treatment plant which has not yet been taken over by Scottish Water. This treatment plant is expected to serve OP2. Due to limited flows in the receiving watercourse for this treatment plant, additional private treatment for the OP2 site may not be possible. Until a growth project can be implemented for the whole settlement, development during the Plan period may be limited at this site.” (PP1219).

Site OP1 – Crossroads

Modify the PLDP to remove the last sentence in the last paragraph, “Further private septic tanks in Memsie should be avoided as there have been a number of ineffective soakaways identified in the village.” (PP1219).

Modify the PLDP to remove site OP1 (PP0376 and PP0482).

Modify the PLDP to remove site OP1 and allocate an alternative effective site in the Local Growth and Diversification Area in the RHMA, or if marketability constrained, within the adjacent AHMA Local Growth and Diversification Area (PP1055).

Site OP2 – Land North of Cairn Close

Modify the PLDP to amend the OP1 allocation, if required, after confirmation if the FRA for OP2 is still required (PP1219).

Modify the PLDP to remove the last paragraph in the allocation text and replace it with, “Due to limited flows in the receiving watercourse for this treatment plant, additional private treatment for OP2 site is unlikely to be feasible. Until a growth project can be implemented for the whole settlement, development during the Plan period may be limited at this site. Early discussions with Scottish Water should take place in this regard.”

(PP1219).

Modify the PLDP to amend the OP2 allocation summary to remove the requirement of providing a second access onto the A981 and bus stops (PP0377).

Modify the PLDP to amend the OP2 allocation to increase the site boundary and allocate site capacity to 40 homes (PP0376).

Non-Allocated Site – Bid Site BB021 – Land South of Muir Road

Modify the PLDP to remove site OP1 and allocate BB021 for housing land (PP0813).

New Aberdour

Site OP1 – St Drostan's Lane

Modify the PLDP to amend the allocation summary for OP1 to include, "Provision for active travel is required. Efforts should be made through the site layout to link into the core path network." (PP1300).

Modify the PLDP to remove site OP1 (PP1035).

New Byth

Site OP1 – Former New Byth Primary School

Modify the PLDP to remove site OP1 and reallocate the OP2 site as per the LDP 2017 (PP1078).

Non-Allocated Site – Bid Site BB013 – Site Adjacent to Urquhart Road

Modify the PLDP to reconsider access to the site (PP0374).

Pennan

Services and Infrastructure

Modify the PLDP to add a bullet point in the 'Services and Infrastructure Service's section under 'Strategic drainage and water supply' that confirms the capacity in Pennan (PP1219).

Modify the PLDP to remove the 'Services and Infrastructure section' from the Pennan Settlement Statement (PP1075).

Rathen

Site R1 – For a cemetery extension

Modify the PLDP to amend the R1 site summary to add, "A groundwater assessment will be required to assess the hydraulic connectivity of the site with the Water of Philorth/Water of Tyrie." (PP1219).

Services and Infrastructure

Modify the PLDP to amend the first sentence of the 'Strategic drainage and water supply' so it reads, "There is no public waste water infrastructure in Rathen. Rathen lies within a SEPA Waste Water Drainage Consultation Area. SEPA will require full site investigations for all private waste water proposals." (PP1219).

Modify the PLDP to remove the sections on Recycling and Waste, Community facilities and Health Care facilities under the 'Services and Infrastructure section' of the Rathen Settlement Statement (PP1059).

Non-Allocated Site – Bid Site BB034 – Land North and East of Rathen West Church

Modify the PLDP to include the bid site BB034 for housing for 10 self-build plots (PP1322).

Rosehearty

Site OP1 – South of Ritchie Road

Modify the PLDP to insert the following text after the second sentence in the allocation summary for site OP1 in Rosehearty, "Landscape planting should be of an appropriate scale and integrated into the development with good quality open space. Consideration should be given to the extent and siting of development within this site, embedding mitigation of landscape and visual effects by design." (PP1300).

Modify the PLDP to remove the 49 homes contribution to the allowances for OP1 Rosehearty and identify an alternative effective allocation in the Local Growth Area of the RHMA, or if marketability constrained, in the Local Growth Area of the AHMA (PP1086).

OP3 – Cairnhill Road/adj Bowling Green

Modify the PLDP to remove site OP3 (PP1088).

Tyrie

Non-Allocated Site – New N027 – Land to North and South of Main Road

Modify the PLDP to allocate land to the north and south of Tyrie for housing and/or employment (PP0538).

Summary of responses (including reasons) by planning authority:

Cairnbulg and Inverallochy

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – South of Allochy Road

Comments from SEPA are noted. No change is required.

The Council does not agree that site OP1 should be removed. The OP1 site has been assessed as a good fit for development within the settlement, and it is not considered that the legal issue with road access is a constraint to development as the land in question is owned by Aberdeenshire Council (see MIR Issues and Actions Papers, AD0040.B, pages 7-11). It is noted that it is worth taking into account that development characteristically operates at a slower rate due to market conditions in the area. Therefore, it is seen that it is appropriate to allocate land within the northern towns that have the ability to deliver housing to meet local housing need. No change is required.

Site OP2 – Westhaven

Comments from SEPA are noted. No change is required.

The Council does not agree that the OP2 site should be deleted from the Plan and an alternative sought. The site is an effective site as outlined in the HLA and is an appropriate extension to the settlement and should be allocated. Discussion regarding strategic allowances is noted, however more information can be found within Schedule 4 Issue 5: Section 8 – Shaping Homes and Housing – Housing Land Supply, Policy H1 Housing Land and Appendix 6 Housing Land Allocations.

Site OP3 – Land North of Rathen Road

Comments in support of the allocation are noted. No change is required.

Comments from SEPA are noted. No change is required.

Crovie

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Fraserburgh

Vision

Comments from Nestrans are noted. No change is required.

Site R1 – For a park, and sport and recreation facilities associated with the approved

Masterplan for site OP2

Comments from SEPA are noted. No change is required.

The area of land identified has been incorrectly included within the site boundary of the R1 site as it has previously been acknowledged by both the Council and through the 2016 LDP Examination, (AD0036, page 295), that the area of land within private ownership adjacent to 'Whinburn' at Greenbank of Phingask, should be removed from the R1 designation. The Council confirms that it intends to address this issue through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site R2 – Reserved for healthcare use

Support for the inclusion of the site is noted. No change is required.
Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Sites BUS1, BUS2, BUS3 and BUS4 – Safeguarded for business use

SEPA has highlighted that they have no issues with the allocation text for the BUS site but note that there may be a case for the Council's Flood Risk and Coast Protection Team to address any flood risk on the site. It is however considered that this would be achieved at the planning application stage for any future potential development. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Kirkton Development

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not agree that site OP1 should be amended to reduce the allocation. The OP1 site has been assessed as a good fit for development within the settlement. It should be taken account of that development in the northern towns characteristically operates at a slow rate of development due to market conditions in the area. Therefore, it is seen that it is appropriate to allocate land within the northern towns that have the ability to deliver housing to meet local housing need. No change is required.

The Council notes the following non-notifiable modification has been made to the PLDP to update factual references since the PLDP was agreed, to include "(planning application reference APP/2016/0618 for 120 homes)" at the end of the first paragraph. This is as set out in the List of Non-Notifiable Modifications.

Site OP2 – Land to West of Boothby Road

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

As noted above (see site R1), the area of land identified adjacent to 'Whinburn' at Greenbank of Phingask has been incorrectly included within the site boundary of the R1 site. It had previously been acknowledged by both the Council and through the 2016 LDP Examination, (AD0036, page 295), that the area of land within private ownership should be removed from the R1 designation. To address the matter, in addition to excluding the land from site R1 in the PLDP mapping, the allocation summary text for site OP2 should be amended to ensure that the land in question is excluded from the Masterplan in any future revision. The Council confirms that it intends to address this issue through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not agree that site OP2 should be amended to reduce the allocation. The OP2 site has been assessed as a good fit for development within the settlement. It should be taken account of that development in the northern towns characteristically operates at a slow rate of development due to market conditions in the area. Therefore, it is seen that it is appropriate to allocate land within the northern towns that have the ability to deliver housing to meet local housing need. No change is required.

Site OP3 – Phingask

Comments from SEPA are noted. No change is required.

Site OP4 – Land at Tyronhill Farm

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The comments relating to increasing the capacity of the site are noted, however, taking into account the requirement to retain the granite buildings on site, the capacity is deemed appropriate. The comments regarding the removal of the requirement for the retention of the granite buildings is noted, however it is felt these provide an important attribute, adding character and enhancing sense of place which is one of the six qualities of designing a successful place as noted through Policy P1 Layout, Siting and Design (AD0041.A, paragraph P1.5, page 48). It is also not agreed that the allocation should be removed from the Plan. The land is suitable for development and there is a clear logic for allocating the site and extending the settlement boundary around it such that the site can be absorbed into the wider development of the OP1 site as it progresses over time. No change is required.

Site OP5 – Land to the East of Phingask

Comments from SEPA are noted. No change is required.

Site OP6 – Land within Kirkton Development

Comments from SEPA are noted. No change is required.

Site CC1 – South Harbour Road Commercial Centre

Comments from SEPA are noted for the CC1 site (bulky comparison outlets). No change is required.

Non-Allocated Site – Bid Site BB022 – Part of R1, Land West of Greenbank Gardens

The Council does not support allocating bid site BB022 for 95 homes to the west of OP2. The comments relating to the deliverability of the site are noted. However, as stated in the MIR the site is not well related to the existing settlement or the facilities the settlement offers and is constrained due to poor connectivity. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

Gardenstown

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Braegowan/Morven View Road

Comments from SEPA are noted. No change is required.

Site OP1 is considered to be an effective site as this was granted planning permission on 28 July 2020 (APP/2014/2686). This is a relatively recent planning permission and there is nothing to note that the site cannot now come forward within the Plan period under this application. The Council notes the following non-notifiable modification has been made to the PLDP to update factual references since the PLDP was agreed to insert at end of first paragraph, “Planning permission has been granted for the construction of 25 homes (planning application reference APP/2014/2686)”. This is set out in the List of Non-Notifiable Modifications.

Site OP2 – Bracoden Road/Knowhead

Comments from SEPA are noted. No change is required.

This site is subject to planning permission which has been deemed to have commenced, however no houses are yet developed. As the permission has been implemented, the development of the houses can then follow. It is not agreed that site OP2 should be removed in favour of identifying an alternative effective allocation in the RHMA. The OP2 site has been assessed as a good fit for development within the settlement, taking into account that Gardenstown characteristically operates at a slow rate of development due to market conditions in the area. Therefore, it is seen that it is appropriate to allocate land within the northern towns that have the ability to deliver housing to meet local housing need. No change is required.

Memsie

Site R1 – For education or community uses

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Flood Risk

After confirmation with the Council's Flood Risk and Coast Protection Team that they agree SEPA's standpoint regarding flood risk, it is concluded that the requirement for a Flood Risk Assessment can be removed. The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Crossroads

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Drainage issues have been identified as concerns relating to the site. Neither SEPA nor Scottish Water noted issues of drainage as to a reason as to why the site could not continue to be allocated. A specific solution for the site would be developed at the early stages of the planning application process, and like all developments Scottish Water highlight that early engagement is encouraged. With regard to the questioned deliverability of this development, whilst the site has been deemed constrained in the HLA for reasons of marketability and ownership, it is the slow market conditions that present the primary constraint. This would not preclude the site from being allocated but would have an equal effect on any site in the village. It is maintained that the site fits appropriately in the settlement and presents an opportunity to consolidate the settlement. Issues relating to amenity and road safety will be matters that would be considered when a planning application was submitted. No change is required.

Site OP2 – Land North of Cairn Close

Support expressed for site OP2 is noted.

After confirmation received from the Council's Flood Risk and Coast Protection Team as requested, the Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

With regard to the last paragraph in the allocation text, the Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The requirement for the second access is something that is set out in Aberdeenshire

Council's Road Standards. The Standards stipulate that where an access road serves more than 50 homes but less than 100 homes, an emergency access route must be provided, and when it exceeds 100 homes it must have two points of access (AD0111, paragraph 12.1, page 33). The specific requirements for this site would be discussed at the planning application stage. No change is required.

The request for the full extent of the site requested to be allocated is noted. However, as stated within the Issues and Actions paper the full area would be a significant extension overall for a village the size of Memsie in an open, flat countryside setting, and in a location distant from key services and facilities (AD0040.B, page 40). Whilst the Council acknowledge that the principle of development in this part of the village has already been accepted by existing development and site OP2, and that the development would make effective use of existing infrastructure investment, we maintain that the smaller extension of 20 homes (site OP2) is a more appropriate scale of development for this settlement over the next Plan period. No change is required.

Non-Allocated Site – Bid Site BB021 – Land South of Muir Road

The Council does not support allocating bid site BB021 for housing land. The request to allocate the land is noted, however, the allocation of this site would result in a significant extension into open countryside which would have a detrimental impact on the landscape of the settlement. The scale of the proposed allocation would also result in the overdevelopment of Memsie and change the character of the settlement which is all noted in the MIR Issues and Actions Papers, (AD0040.B, pages 36 – 44). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

New Aberdour

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – St Drostan's Lane

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not agree that the OP1 allocation should be removed from the LDP. Sites within the northern settlements characteristically operate at a slower rate of development due to market conditions in the area. Therefore, it is seen that it is appropriate to allocate land within the northern towns that have the ability to deliver housing to meet local housing need. It is acknowledged however, that there has been

recent development on the OP1 site but to avoid further piecemeal development and to allow for a continuation of the planned approach to the settlement additional text was added into the Settlement Statement Vision and the allocation summary to advise against further piecemeal development. No change is required.

New Byth

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Former New Byth Primary School

Comments from SEPA are noted. No change is required.

It is noted that the representee considers that the planning permission on this site has lapsed. However, as the demolition of the old school building has been undertaken and formed part of the planning application it is considered that the consent was implemented. Furthermore, the site is considered to be a brownfield site and promotion of development on brownfield sites is considered to be in keeping with SPP rather than developing the alternative site noted as this is a greenfield site. It is not agreed that site OP3 should be removed in favour of identifying an alternative effective allocation in the RHMA. Sites within the northern settlements characteristically operate at a slower rate of development due to market conditions in the area. Therefore, it is seen that it is appropriate to allocate land within the northern towns that have the ability to deliver housing to meet local housing need. No change is required.

Non-Allocated Site – Bid Site BB013 – Site Adjacent to Urquhart Road

The Council does not support allocating bid site BB013 for 10 self-build homes. Concerns relating to this site are noted. The site was identified to be carried forward at the Main Issues Report Stage, however in consideration of comments received at the Issues and Actions stage, (see Issues and Actions Papers, AD0040.B, pages 47-50) the bid site was not proposed to be allocated within the LDP 2021. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the RHMA. No change is required.

Pennan

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable

modification, as set out in the List of Non-Notifiable Modifications.

The comments relating to the developer obligations not being required are noted. This being said, these comments do not only relate to allocated development but are a requirement for any development within the settlement. It is noted that the settlement of Pennan is within a conservation area, so new development is likely to be limited but the comment remains relevant. No change is required.

Rathen

Site R1 – For a cemetery extension

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The comments relating to the developer obligations not being required are noted. It is correct that the only allocation has planning permission with a related S75 Agreement which includes details of any developer obligations required. However, these comments do not only relate to allocated development but are a requirement for any development within the settlement. It is noted that the settlement of Rathen has a number of constraints to overcome before development can happen so any new development is likely to be limited but the comment remains relevant. No change is required.

Site OP1 – Bridge of Rathen

Comments from SEPA and Historic Environment Scotland are noted. No change is required.

Non-Allocated Site – Bid Site BB034 – Land North and East of Rathen West Church

The Council does not support allocating bid site BB034 for 10 self-build plots. It is noted within the Issues and Actions Papers, that development in this location does not provide a logical extension to the settlement and is located close to scheduled monuments and listed buildings (AD0040.B, pages 55-57). Issues relating to infrastructure constraints are noted for this site. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the RHMA. No change is required.

Rosehearty

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – South of Ritchie Road

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

It is not agreed that site OP1 should be removed in favour of identifying an alternative effective allocation in the RHMA. The OP1 site has been assessed as a good fit for development within the settlement, taking into account that Rosehearty characteristically operates at a slow rate of development due to market conditions in the area. Therefore, it is seen that it is appropriate to allocate land within the northern towns that have the ability to deliver housing to meet local housing need. No change is required.

Site OP2 – Murison Drive

Comments from SEPA are noted. No change is required.

Site OP3 – Cairnhill Road/adj Bowling Green

Comments from SEPA are noted. No change is required.

The Council does not agree that site OP3 should be removed in favour of identifying an alternative effective allocation in the RHMA. The OP3 site has been assessed as a good fit for development within the settlement, taking into account that Rosehearty characteristically operates at a slow rate of development due to market conditions in the area. Therefore, it is seen that it is appropriate to allocate land within the northern towns that have the ability to deliver housing to meet local housing need. No change is required.

Sandhaven and Pittulie

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – St Magnus Road, land opposite Caird Place

Comments from SEPA are noted. No change is required.

Tyrie

Non-Allocated Site – New N027 – Land to North and South of Main Road

The Council does not support allocating new site N027 for housing and / or employment. The site was not put forward as a development bid so was not considered as such at the MIR stage, nor subject to site assessment and public consultation. The representation does not include any supporting information such as an environmental assessment to allow a detailed evaluation of the suitability of the proposal. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 16. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Cairnbulg and Inverallochy

Flood risk

3. I agree that the suggestion from the Scottish Environment Protection Agency (SEPA) to split the ‘flood risk’ bullet, to create a dedicated bullet for flood risk issues relevant to the settlement as a whole and those relevant to site OP1 separately, will add clarity. A modification to this effect is recommended.

Site OP1 – South of Allochy Road

4. Site OP1 is identified as being constrained for marketability reasons in the 2020 Housing Land Audit. I note from the further information submitted by the council in response to request FIR 016 that the access constraint, referenced in the third party representation, the main issues report and the issues and actions paper, has been resolved to enable development to commence on the site.
5. Whilst the council is unable to provide detailed information on the likely start date and the rate of completion, I have been informed that the site OP2 in the settlement has provided on average 10 completions per year and is programmed to be completed in 2022. I note from the bid submission that the land is presently marketed for sale and I am satisfied that the resolution of the access constraint would allow site OP1 to be deliverable by 2032.

6. I have been provided with no specific evidence to convince me that the site would not become effective during the plan period. No modification is required.

Site OP2 – Westhaven

7. The representation does not seek to remove the allocation of site OP2, as suggested by the council. Rather, it seeks for the contribution of the site to the strategic allowances in table 3 of appendix 6 in the proposed plan to be deleted and an alternative allocation to be identified to make up the shortfall. No specific alternative site is suggested within the representation.

8. Table 3 of appendix 6 in the proposed plan states that the site will contribute six units to the Rural Housing Market Area between 2020 and 2032. The representation contends that this figure should only be three units, as only three houses have been approved beyond the initial 37 houses noted in the housing land audit 2019.

9. The allocation summary in the proposed plan indicates that the site has permission for 43 homes, which is six more than the total shown in the 2019 audit. I have no reason to dispute this figure. Furthermore, I have been provided with no evidence to convince me that it would not be possible to deliver 43 homes in total on the site, and no constraints have been brought to my attention that would lead me to believe that this cannot be achieved during the lifetime of this plan. No modification is therefore required.

Crovie

Services and infrastructure

10. SEPA has requested that an additional bullet point be added to highlight the absence of public wastewater infrastructure. I consider that this amendment would provide clarification on this matter and consistency with other settlement statements. A modification is therefore recommended.

Fraserburgh

Site R1 – For a park, and sport and recreation facilities associated with the approved Masterplan for site OP2

11. A representation seeks the removal of an area of privately-owned land from site R1. The council has confirmed that the inclusion of the land was a mapping error and has provided evidence to show that its removal has been previously agreed. Given the circumstances, it would be reasonable and appropriate to amend the settlement map to exclude the area in question. I note that as a consequence, the settlement boundary would also need to be amended. Modifications are recommended.

Flood risk

12. SEPA has requested a minor rewording of a bullet point to clarify that an appropriate buffer strip will be required adjacent to existing watercourses within parts of specified housing sites. I agree that such a change would provide certainty to developers and users of the plan and a modification is therefore recommended.

Site OP1 – Kirkton Development

13. I agree that the additional text suggested by SEPA in relation to the requirement of a detailed groundwater assessment and water features survey to assess the suitability of the site as a cemetery is necessary. I have included a modification to that effect.

14. Representation PP1080 does not seek to reduce the density of the site, as suggested by the council. Rather, it seeks for the contribution of the allocation toward the delivery of houses during the lifetime of the plan to be reduced within table 3 of Appendix 6.

15. Table 3 in Appendix 6 of the proposed plan indicates that site OP1 forms part of the existing housing land supply and is not identified as contributing towards the strategic development plan allowances for the period 2020 - 2032. The agreed 2019 housing land audit forms the base supply for the strategic development plan and the proposed plan. Consideration was given to the contribution that existing sites would make towards meeting the housing land requirement for the period up to 2032 through the strategic development plan examination. This included an assessment of agreed and extrapolated completion rates for these sites and this information was used to inform the strategic development plan allowances. No evidence has been presented to suggest that there has been a change in circumstances in relation to this site since the strategic development plan examination. A modification is recommended in Issue 5 to make clear that the figures in the final column of the tables in Appendix 6 may include homes that are not expected to be built until after 2032. No further modification is required.

16. The council has proposed additional text to the allocation summary to provide the specific planning application reference for phase one of development on the site. However, since this suggested change has not been prompted by a representation, it does not form part of my examination.

Site OP2 – Land to West of Boothby Road

17. I agree that the modification suggested by SEPA would more accurately respond to the conditions on site following the boundary change between the main issues report stage and the extent of the site included within this plan.

18. To align with the proposed change referenced at paragraph 11 above, I agree that the allocation summary should be amended to provide clarity and to ensure the land in question is excluded from any future revision of the adopted masterplan. A modification to that effect is therefore proposed.

19. Representation PP1079 does not seek to reduce the density of the site as suggested by the council. Rather, it requests that the contribution made by the second phase of development of the site to the effective land supply be reduced to reflect the projections outlined within the 2019 housing land audit.

20. Table 3 in appendix 6 of the proposed plan indicates that site OP2 forms part of the existing housing land supply. The part of the site (240 homes) noted as constrained in the 2019 audit is not identified as contributing towards the strategic development plan allowances for the period 2020 - 2032. The anticipated programming of development beyond 2032 does not require a change to the overall capacity of the site. However, as

indicated above, a modification is recommended in issue 5 to make clear that the figures in the final column of the tables in appendix 6 may include homes that are not expected to be built until after 2032. No further modification is required.

Site OP4 – Land at Tyronhill Farm

21. The additional text suggested by SEPA in relation to the public waste water network would provide useful information for future development proposals. I agree that a modification is appropriate.

22. The landowner/developer of the site has requested that the reference to the retention of the existing granite steading buildings be removed from the allocation summary and that the notional capacity of the site should be increased to 40-50 dwellings to align with allocations of a similar scale in the plan. During my site inspection, I noted that the building group is formed of a mixture of traditional steading buildings and modern block/concrete byres/stores. The more modern buildings are in a state of disrepair, but the traditional buildings appear to be in a reasonable condition.

23. The allocation summary does not implicitly state that the granite buildings must be retained. Rather it is stated that their retention is preferred, with any proposal to remove the buildings to be justified by a supporting design statement. I find this to be a reasonable approach to take as it is not uncommon to highlight key or prominent characteristics of an allocation. Any design statement prepared by the landowner/developer could consider the condition of the buildings, their architectural merit, and their contribution toward the sense of place. Any proposal to replace the buildings and deliver an alternative density of development to the indicative capacity noted in the allocation summary could be effectively communicated through the design statement. No modification is needed.

24. A representation seeks the allocation to be deleted from the plan contending that the connecting infrastructure cannot be assured. I do not agree. It was clear during my site inspection that the closer elements of OP1 have already been built or are under construction. It is reasonable to assume that any prerequisite infrastructure can be in place during the coming ten years.

25. The representation also contends that the high density is of concern given the preference for the retention of the existing traditional buildings. Having viewed the site, I am satisfied that 30 units is not an unrealistic level of development for the site taking into consideration the removal of the modern structures and the potential conversion of the traditional steading should it be retained. No modification is required.

Non-allocated Bid Site BB022 – Part of R1, Land West of Greenbank Gardens

26. The bid site is situated immediately to the south east of site OP2. The eastern section of the proposed site is situated within the settlement boundary forming part of site R1, which is reserved for a park, sport and recreation facilities. The landowner contends that the site is easily accessible for pedestrians and cyclists from recently developed land to the east via land under his control. Whilst the land may be accessible to pedestrians and cyclists, I noted during my site inspection that it would be challenging for vehicular traffic to access the site directly from the main settlement in the east. Any access from the west would result in the development being remote from the wider settlement.

27. Depending on how sites OP2 and R1 are developed in the future, it may be possible to effectively link the site to the settlement as a logical long-term expansion. However, at this time the development of the site in isolation, or in advance of the substantial allocation to the north east, would result in the bid site being disjointed and remote from the existing settlement and its facilities. Consideration of housing need is undertaken through the Housing Needs and Demand Assessment which has informed the strategic development plan allowances. Fraserburgh lies within the Rural Housing Market Area and it is concluded under issue 5 that no additional allocations are required to meet the strategic development plan allowance in the period up to 2032. No modification is required.

Gardenstown

Sites OP1 – Braegowan/Morven View Road

28. A representation contends that table 3 in Appendix 6 of the proposed plan wrongly shows site OP1 as effective. From checking the relevant entry in the 2019 housing land audit, I agree that there is an error in the table and that the site should instead be included in the “Constrained 2019” column. The council has confirmed that planning permission has recently been granted for the construction of 25 homes on site OP1 (APP/2014/2686). On this basis, I consider it reasonable to conclude that the marketability constraint can be overcome and the site can therefore contribute towards the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032. I agree with the council that reference to this planning permission should be included in the allocation summary for OP1 to provide clarity on the planning status of the site. Modifications to the relevant table in Appendix 6 and the allocation summary for OP1 are recommended. The implications of these changes for the housing land provision in the Rural Housing Market Area are addressed in Issue 5.

Site OP2 – Bracoden Road/Knowhead

29. A representation also contends that table 3 in Appendix 6 of the proposed plan wrongly shows site OP2 as effective. From checking the relevant entry in the 2019 housing land audit, I agree that there is an error in the table and that the site should also be included in the “Constrained 2019” column. The council has advised that there is an extant planning permission for housing on the site and development could start at any time. However, from the information provided in the representation, it would appear that the site has had permission for some time, with no homes having been built. Furthermore, the 2019 housing land audit indicates that the site is subject to an ownership constraint. On the basis of the information before me, it is uncertain whether the site would be deliverable during the plan period. Whilst I consider that site OP2 should not be identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area, this would not prevent development coming forward on the site during the plan period. A modification is required to the relevant tables in Appendix 6 to move the site from the effective to constrained column. No other modifications are recommended.

Memsie

Vision

30. SEPA has requested that the general text in the Memsie vision be amended to remove reference to constraints regarding waste water treatment and poor ground conditions for soakaways, following the implementation of the wider amendments they have suggested for the settlement statement. I note that the council has not addressed these points in its responses above. SEPA contends that the sentences are not required and do not add clarity regarding the drainage constraints in the village.

31. I consider that matters relating to infrastructure constraints are more appropriately addressed in the service and infrastructure section of the settlement statement. However, the vision section of the Memsie settlement statement includes reference to a number of constraints. It would be potentially misleading to remove reference to those relating to drainage and retain the others, which are not the subject of representations. Whilst I agree that the sentences relating to drainage matters are not necessary, I do not consider they are causing harm. No modification is therefore recommended.

Site R1 – For education or community uses

32. SEPA has requested additional text be added to the description to highlight that the site is adjacent to an area at risk of flooding, which may require a flood risk assessment to be carried out. I agree that the modification would provide important information to prospective developers. A modification is recommended.

Flood risk

33. Following the realignment of the boundary for site OP2 in the proposed plan, SEPA has suggested that the bullet point regarding flood risk be updated. The council proposes to delete the second sentence of the bullet point to remove the reference to the potential for a flood risk assessment to be required for site OP2. However, I am satisfied that the amended boundary of the settlement results in the allocation being a significant distance from the watercourse. I therefore consider that the bullet point relating to flood risk and the close proximity of the watercourse to OP2 should be removed in its entirety; subject to the change referenced at paragraph 30 above being implemented, which highlights relevant flood risk implications for the settlement.

Services and infrastructure

34. I agree with SEPA's suggestion to reword the bullet point relating to strategic drainage and water supply to highlight the constrained flows into the Memsie Cairn Stone septic tank. Whilst the rewording proposed by the council does not totally align with the text suggested by SEPA, I find that it is sufficient to effectively communicate the issues identified. I recommend a modification on this basis.

Site OP1 – Crossroads

35. Given SEPA's advice that private drainage solutions will not be acceptable in this location, I agree with the proposed modification to the allocation summary.

36. The representation seeking the removal of this site does not suggest a specific alternative allocation. It contends that the alleged lack of developer interest since 2013 shows that there is no basis to assume that the site will deliver housing during the plan

period. Site OP1 is identified as constrained for marketability and ownership reasons in the 2020 housing land audit, although the council contends that the primary constraint is the slow market conditions.

37. In order to better understand matters relating to the deliverability of this allocation, I asked the council to provide a copy of the bid submission (FIR08). I note that the submission was made on behalf of a party who is the sole owner of the site. Whilst no details are provided regarding previous marketing of the site, I have no specific evidence before me to indicate that the ownership constraint cannot be overcome. In terms of marketability, I note that the allocation summary provides support in principle for self build plots. I consider that a flexible approach to the form of development on the site may help overcome the marketability constraint. Furthermore, in response to a further information request in relation to issues 2 and 5 (FIR08), the council has explained that a range of measures are being used to support housing development, particularly in the Rural Housing Market Area. This is a relatively small site and I consider it reasonable to assume that 15 units can be delivered by 2032. I conclude that the allocation should be retained.

38. Other representations raise concerns regarding road safety, drainage and amenity issues regarding the site. During my site inspection, I considered the position of the allocation, potential access points and the proximity of the site to existing properties. I am satisfied that a design solution could be achieved to ensure that the position of dwellings would have no unacceptable impact on the amenity of nearby properties, and that an appropriate access solution could be realised for the modest number of houses proposed.

39. Furthermore, any growth project initiated by Scottish Water could potentially facilitate wastewater management from the site and surface water drainage could be a consideration of any proposal. I am satisfied that the constraints identified could be resolved during the lifetime of the Plan. No modification is required.

Site OP2 – Land North of Cairn Close

40. Following the modification to the services and infrastructure bullet point referred to in paragraph 34, I am satisfied that the allocation summary should likewise be amended to align with the additional information provided. I therefore agree that a modification would provide additional clarity for developers.

41. The landowner/developer has requested that site OP2 be extended to the northeast to include all land between OP2 and P2 as part of the allocation. I note that the Main Issues Report included the land as a potential allocation option. The Issues and Actions Paper (AD0040.B) concluded that including the extra land would result in a significant extension overall for a village the size of Memsie, which should take place on an incremental basis.

42. During my site inspection, I noted that the additional land to the northeast of OP2 would make a logical expansion to the settlement. However, consideration of housing need is undertaken through the housing needs and demand assessment which has informed the strategic development plan allowances. Memsie lies within the Rural Housing Market Area and it is concluded under issue 5 that no additional allocations are required to meet the strategic development plan allowance in the period up to 2032. Therefore, no modification is required to the extent of site OP2.

43. The landowner/developer contends that it is unreasonable and impractical to require a second vehicular access to the site onto the A981. The council has advised that the requirement for a second access is set out within Aberdeenshire Council's Road Standards. Having viewed the site and its context, I am satisfied that there are multiple opportunities to provide additional access to the land which could be explored at the design stage of any development proposal. A modification to the allocation summary text and the Local Transport Infrastructure bullet point is therefore recommended to reflect this.

44. The landowner/developer contends that there are bus stops within 400 metres of the site and does not agree with the allocation summary, which states that there is poor accessibility to the existing stops meaning that new stops/links are required. During my site inspection I noted that, aside from a small section of the B9032, there is a continuous footway from the new developments at Cairn Close and Westcroft Close to the existing bus stops. However, it would appear that the northernmost element of OP2 would be a considerable distance from these bus stops and the extension of the settlement to the north may indeed require that the existing public transport links are brought closer to the most populist area in the village, as development takes place.

45. Active travel requirements, and the means of connecting the development to public transport links, will ultimately be a consideration at the planning application stage. Modifications are therefore recommended to the settlement allocation and the 'local transport infrastructure' bullet point to reflect that the specific requirements will be identified at the planning application stage.

Non-Allocated Bid Site BB021 – Land South of Muir Road

46. This site was included in the main issue report consultation. The Issues and Actions Paper indicates that the site was not recommended to be taken forward because of its impact on the setting of the Cairn of Memsie and on the overall openness of the landscape, which the council contends is a defining characteristic of the village.

47. Having visited this extensive site, I acknowledge the suggestion of the landowner that a significant portion of the land in the east could be retained as open space to preserve the setting of the scheduled monument. I also note the landowner's comments regarding the positive drainage characteristics of the site compared to the wider settlement.

48. However, consideration of housing need is undertaken through the housing needs and demand assessment which has informed the strategic development plan allowances. Memsie lies within the Rural Housing Market Area and it is concluded under issue 5 that no additional allocations are required to meet the strategic development plan allowance in the period up to 2032. Therefore, even if the site would potentially be an effective development opportunity, there is no justification to allocate it at this time. No modification is required.

New Aberdour

Site OP1 – St Drostans Lane

49. Representation PP1035 contends that the allocation should be deleted as it is noted as being long-term constrained in the housing land audit and that the settlement statement should be updated accordingly. The council has advised that sites within the northern settlements traditionally operate at a slower rate of development due to market conditions in the area. Whilst the site may indeed be constrained, I note that it is not listed as providing a contribution towards the strategic development plan allowance for the Rural Housing Market Area in the period 2020 - 2032. I am therefore satisfied that it should remain in the plan and be available in the event that there is local demand for housing in the future.

50. I agree with NatureScot that it would be useful to highlight within the allocation summary that there is a requirement for active travel provision to link the site with the core path to the north of the site. A modification to this effect is recommended.

New Byth

OP1 – Former New Byth Primary School

51. Representation PP1078 contends that the allocation should be deleted because progress has not been made on the delivery of housing on the site since planning permission was approved in 2010. The council has confirmed that the planning permission remains extant since the former primary school was demolished, thereby implementing the consent. Whilst the site may be listed within the housing land audit as being marketability constrained, I note that it is not identified as providing a contribution towards strategic development plan allowance for the Rural Housing Market Area in the period 2020-2032. I am therefore satisfied that it should remain in the plan and be available in the event that there is local demand for housing in the future. No modification is required.

Non-Allocated Bid Site BB013 – Site Adjacent to Urquhart Road

52. This site was included in the main issues report for 10 self-build homes and was not recommended to be taken forward by officers in the Issues and Actions Paper owing to concerns regarding access, road safety, the loss of prime agricultural land, and a community preference for infill development as opposed to the outward expansion of the settlement. A representation suggests that the site may be a more viable alternative to site OP1 given the nature of demand in the settlement.

53. For the reasons highlighted at paragraph 51, I am satisfied that site OP1 should remain allocated within the plan. Furthermore, it is concluded under issue 5 that no additional allocations are required to meet the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032. Therefore, even if the concerns raised by the council could be addressed, there is no justification to allocate further sites at this time. No modification is required.

Pennan

Services and Infrastructure

54. A representation requests that the services and infrastructure section of the settlement statement be deleted. It contends that the developer contributions listed within

the section are not relevant as there are no housing allocations within the settlement. However, I am satisfied that the requirements may be relevant for any future development proposals in or close to the settlement boundary. I do not therefore agree that the section should be deleted.

55. SEPA has suggested that an additional bullet point be added for consistency with other settlement statements to highlight the constrained sewerage system in Pennan. I agree that this information would be useful for potential developers and would be consistent with other settlement statements in the plan. A modification is therefore recommended.

Rathen

Site R1 – For a cemetery extension

56. SEPA has requested that additional information be included within the settlement statement to highlight that a groundwater assessment will be required to assess the hydraulic connectivity of the site with the Water of Philorth/Water of Tyrie. I agree that this information will provide clarity regarding the steps necessary to realise the proposed use and a modification is therefore recommended to that effect.

Services and Infrastructure

57. SEPA has suggested modifications to clarify that Rathen lies within a SEPA Wastewater Consultation Area and that full site investigations will be required for all private water proposals. I agree that this is important information that will add value to the settlement statement. I therefore agree with the modification proposed.

58. A representation seeks the removal of the references to developer contributions within the services and infrastructure section because the sole allocation within the settlement already benefits from planning permission, which was issued pursuant to a section 75 agreement which makes no reference to any developer obligations. However, I am satisfied that the requirements may be relevant for any future development proposals in or close to the settlement boundary. I do not therefore agree that the references to developer obligations should be deleted.

Non-Allocated Bid Site BB034 – Land North and East of Rathen West Church

59. This extensive bid site was considered through the main issues report stage but was not recommended to be taken forward to the plan due to the potential negative visual impacts on the historic environment and the setting of the settlement itself. Having viewed the site, I agree with the council that providing access to any development would prove challenging given the topography, the presence of mature trees to its western boundary, the constrained road to the south, and the various historic buildings and archaeological remains in the vicinity.

60. However, I do not agree that the site necessarily represents an illogical extension to the settlement. I find that development could potentially integrate well with the surrounding environment, providing the site layout and its overall design responds accordingly to its context. This is especially the case given the topography, which could be utilised to ensure that visual impacts on nearby sensitive receptors are minimised.

61. However, Rathen is located within the Rural Housing Market Area. It is concluded under issue 5 that no additional allocations are required to meet the strategic development plan allowance in the period up to 2032. Therefore, even if the site is effective and immediately available for development as the landowner contends, there is no justification to allocate it at this time. No modification is required.

Rosehearty

Site OP1 – South of Ritchie Road

62. The representation seeking the removal of this site and the deletion of its contribution toward the strategic allowance in the Rural Housing Market Area does not suggest a specific alternative allocation. It contends that the alleged lack of developer interest since 2013 shows that there is no basis to assume that the site would deliver housing during the plan period. Site OP1 is identified as constrained for marketability reasons in the 2020 housing land audit, although the council highlights that the settlement characteristically operates at a slow rate of development due to market conditions in the area.

63. The vision section of the settlement statement describes Rosehearty as providing a commuter role with a range of local services. The existing local development plan includes four sites for housing. However, I note that a site at Cairnhill Croft for 40 homes has not been included in the proposed plan and sites OP2 and OP3 in the proposed plan are not identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area. As a result, mixed use allocation OP1 is the only site in Rosehearty where housing is expected to be delivered with the plan period. On this basis and in the absence of any specific evidence to the contrary, I consider it reasonable to assume that 49 homes can be delivered in the period to 2032. I recommend that the site is retained in the plan.

64. NatureScot has requested that additional text be provided within the allocation summary to communicate the necessary steps that will require to be taken to mitigate potential visual effects of future development on the landscape. I am satisfied that the proposed information will add clarification regarding the expected content of any future masterplan. A modification is therefore recommended.

Site OP3 – Cairnhill Road/adj Bowling Green

65 Representation PP1088 contends that the allocation should be deleted and that the settlement statement should be updated accordingly because it has been part of an identifiable residential development site for an extended period with no interest having been shown in the element covered by site OP3. Whilst the site may indeed be marketability constrained as confirmed within the 2020 Housing Land Audit, I note that it is not listed as providing any contribution toward the strategic development plan allowance for the Rural Housing Market Area in the period 2020 - 2032. I am satisfied that it should remain in the plan and be available for housing development in the event that there is future demand. No modification is required.

Tyrie

Non-Allocated New N027 – Land to North and South of Main Road

66. This bid site did not form part of the main issues report consultation and as such has not been subject to any environmental assessment or public consultation. The site is of approximately the same size as the adjoining hamlet of Tyrie, straddling the busy A98 and bounded in part to the south by a watercourse. It is concluded under issue 5 that no additional housing sites are required to meet the strategic development plan allowance for the Rural Housing Market Area within which Tyrie is situated. There is therefore no current justification to allocate the site on the grounds of housing need and no modification is recommended.

Reporter's recommendations:

Modify the local development plan by:

Cairnbulg and Inverallochy

1. On page 198, in the Cairnbulg and Inverallochy settlement statement, splitting the 'Flood Risk' bullet point into the following two bullet points:
“- Parts of the settlement are at risk from coastal flooding. Flood Risk Assessments may be required”; and
“- A Flood Risk Assessment will be required for OP1 due to the risk of surface water flooding.”

Crovie

2. Inserting the following additional bullet point into the Services and Infrastructure section of the Crovie settlement statement on page 206:
“Strategic drainage and water supply: There is no public waste infrastructure available.”

Fraserburgh

3. Amending the key map and map 3 in the Fraserburgh settlement statement on pages 223 and 225 to exclude the area of land immediately to the east of Greenbank of Phingask from site R1, as per the plan submitted within representation PP0910. (As a consequence, the settlement boundary will need to be amended).
4. Replacing the last sentence of the second Flood Risk bullet point, in the Fraserburgh settlement statement on page 216 with:
“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 existing watercourses.”
5. Inserting the following text at the end of the first paragraph of the allocation summary for OP1: Kirkton Development in the Fraserburgh settlement statement on page 217:
“A detailed groundwater assessment and water features survey will be required to fully assess the suitability of this site as a cemetery.”
6. Replacing the first sentence in the last paragraph of the allocation summary for OP2: Land to west of Boothby Road in the Fraserburgh settlement statement on page 218 with:
“A buffer strip will be required alongside the watercourse running through the site and

should be integrated positively into the development”

7. Adding the following sentence to the end of the first paragraph in the allocation summary for OP2: Land to west of Boothby Road in the Fraserburgh settlement statement on page 218:

“Future revision of the masterplan must ensure that the parcel of land to the south of R1, adjacent to ‘Whinburn’ at Greenbank of Phingask, is excluded.”

8. Amending the allocation summary for OP4 – Land at Tyronhill Farm in the Fraserburgh settlement statement on page 219 to add the following sentence at the end of the second paragraph:

“Connection to the public waste water network will be required for this site.”

Gardenstown

9. Inserting the following sentence at the end of the first paragraph in the allocation summary for OP1: Braegowan/Morven View Road in the Gardenstown settlement statement on page 229:

“Planning permission has been granted for the construction of 25 homes (planning application reference APP/2014/2686)”

10. Amending the entry for Gardenstown OP1 in the relevant table in Appendix 6 to delete the number 25 from the “Effective 2019” column and add 25 to the “Constrained 2019” column and the “Local Growth RHMA” column. (Note – a revised version of appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

11. Amending the entry for Gardenstown OP2 in the relevant table in Appendix 6 to delete the number 11 from the “Effective 2019” column and add 11 to the “Constrained 2019” column. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

Memsie

12. Adding the following text to the end of the description for reserved site R1 in the Memsie settlement statement on page 243:

“The site is adjacent to the 1:200 fluvial extent of the Water of Philorth. A flood risk assessment may therefore be required.”

13. Removing the flood risk title and bullet point from the Memsie settlement statement on page 243.

14. Replacing the strategic drainage and water supply bullet point in the Memsie settlement statement on page 244 with:

“Strategic drainage and water supply: There is insufficient capacity at Memsie Cairn Stone septic tank to serve OP2. Due to limited flows in the receiving watercourse for this treatment plant, additional private treatment for OP2 may not be possible. Until a growth project can be implemented for the whole settlement, development during the Plan period may be limited at this site.”

15. Deleting the final sentence in the last paragraph of the allocation summary for OP1: Crossroads in the Memsie settlement statement on page 245.

16. Replacing the third paragraph in the allocation summary for OP2 – Land North of Cairn Close in the Memsie settlement statement on page 246 with:

“Due to limited flows in the receiving watercourse for the waste water treatment plant associated with the site, additional private treatment for OP2 site is unlikely to be feasible. Until a growth project can be implemented for the whole settlement, development during the Plan period may be limited at this site. Early discussions with Scottish Water should take place in this regard.”

17. Replacing the second sentence in the first paragraph of the allocation summary for OP2 – Land North of Cairn Close in the Memsie settlement statement on page 246 with:

“A new access onto the A981 may be required to provide additional vehicular access.”

18. Replacing the final sentence in the first paragraph of the allocation summary for OP2 – Land North of Cairn Close in the Memsie settlement statement on page 246 with:

“New bus stop infrastructure may be required on the A981 together with associated footway links to ensure that the public transport network is easily accessible from the site.”

19. Replacing the first two sentences of the ‘Local transport infrastructure’ bullet point in the Memsie settlement statement on page 244 with:

“A new access from the A981 will be required into site OP2 connecting internally to Westcroft Close. New bus stops may be required on the A981. New footway provision will be required on the B9032 to link site OP1 with the existing network.”

New Aberdour

20. Adding the following sentences after the existing third sentence of the third paragraph of the allocation summary for OP1: St Drostans Lane in the New Aberdour settlement statement on page 249:

“Provision for active travel is required. Efforts should be made through the site layout to link into the core path network.”

Pennan

21. Adding the following additional bullet point within the services and infrastructure section of the Pennan settlement statement on page 254:

“Strategic drainage and water supply: The sewerage system in Pennan consists of a combined network that drains to a pumping station, which then pumps to a septic tank for treatment. Scottish Water will initiate a growth project if required once development meets their five growth criteria. Early engagement with Scottish Water is encouraged.”

Rathen

22. Adding the following text to the end of the description for site R1 in the settlement features table of the Rathen Settlement Statement on page 261:

“A groundwater assessment will be required to assess the hydraulic connectivity of the site with the Water of Philorth/Water of Tyrie.”

23. Replacing the first sentence of the ‘strategic drainage and water supply’ bullet point in the Rathen settlement statement on page 262 with:

“There is no public waste water infrastructure in Rathen. Rathen lies within a SEPA Waste Water Drainage Consultation Area. SEPA will require full site investigations for all private waste water proposals.”

Rosehearty

24. Inserting the following new sentence after the second sentence of the first paragraph in the allocation summary for OP1: South of Ritchie Road in the Rosehearty settlement statement on page 266:

“Landscape planting should be of an appropriate scale and integrated into the development with good quality open space. Consideration should be given to the extent and siting of development within this site, embedding mitigation of landscape and visual effects by design.”

<p>Issue 17</p>	<p>Other Settlements RHMA (Banff and Buchan) West – Aberchirder, Bogton, Cornhill, Crudie, Fordyce, Inverboyndie, Ladysbridge, Portsoy, Sandend and Whitehills</p>	
<p>Development plan reference:</p>	<p>Proposed LDP, Appendix 7A Banff and Buchan, Page 186-188 Proposed LDP, Appendix 7A Banff and Buchan, Page 202-205 Proposed LDP, Appendix 7A Banff and Buchan, Page 208-210 Proposed LDP, Appendix 7A Banff and Buchan, Page 211-213 Proposed LDP, Appendix 7A Banff and Buchan, Page 231-232 Proposed LDP, Appendix 7A Banff and Buchan, Page 233-235 Proposed LDP, Appendix 7A Banff and Buchan, Page 256-260 Proposed LDP, Appendix 7A Banff and Buchan, Page 269-271 Proposed LDP, Appendix 7A Banff and Buchan, Page 275-277</p>	<p>Reporter: Stuart West</p>
<p>Body or person(s) submitting a representation raising the issue (including reference number):</p>		
<p>Aberchirder PP1050 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Bogton PP0623 James Ironside</p> <p>Cornhill PP1116 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Crudie PP1109 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Fordyce PP0323 Seafeld and Strathspey Estates PP0980 Kevin and Vivien Buchanan PP1115 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Inverboyndie PP1219 Scottish Environment Protection Agency</p> <p>Ladysbridge PP1064 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p>		

<p>PP1223 NHS Grampian PP1343 Historic Environment Scotland</p> <p>Portsoy PP0150 Jodie Brice PP0322 Seafield and Strathspey Estates PP1219 Scottish Environment Protection Agency</p> <p>Sandend PP1089 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Whitehills PP0323 Seafield and Strathspey Estates PP1106 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p>	
<p>Provision of the development plan to which the issue relates:</p>	<p>Aberchirder Settlement Statement Cornhill Settlement Statement Crudie Settlement Statement Fordyce Settlement Statement Inverboyndie Settlement Statement Ladysbridge Settlement Statement Portsoy Settlement Statement Sandend Settlement Statement Whitehills Settlement Statement</p>
<p>Planning Authority's summary of the representation(s):</p>	
<p>Aberchirder</p> <p><u>Flood Risk</u></p> <p>Scottish Environment Protection Agency (SEPA) has recommended that site P3 is removed from the 'Flood Risk' section and that this is amended to reflect the BUS site only (see RD0214.B) (PP1219).</p> <p><u>Non-Allocated Site – Site OP1 (LDP 2017) – West of Cranna</u></p> <p>It is considered important for the settlement to have an identified housing allocation to maintain the viability of the community. The allocation was first made when an existing site was under construction therefore demand exists with a windfall delivering homes at the start of the Plan period. The site has only been in the Housing Land Audit (HLA) for 6 years and removal of sites has not been applied consistently (PP1050).</p> <p>Bogton</p> <p><u>Settlement Status</u></p> <p>Bogton should be included as a settlement with a defined boundary due to its recent expansion. This should incorporate land to allow for further development, in particular Carnousie Avenue area (PP0623).</p>	

Cornhill

Flood Risk

SEPA has requested that the 'Flood Risk' section is amended to exclude reference to SEPA's indicative flood risk map and to note the adjacent watercourse (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Midtown

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Site OP2 – Land to the West of Midtown

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

A representee has requested that site OP2 be removed from the PLDP. It was not promoted as a potential residential allocation through the Main Issues Report (MIR) and no reasonable alternative was identified. The OP2 allocation of 63 houses in a settlement (Cornhill) where an existing adjacent site has remained undeveloped (apart from demolition work), would be marketability constrained if it entered the housing land audit. Taken with OP1, the total capacity of both sites would exceed the number of houses in the existing settlement. Such an excessive allocation is not warranted (PP1116).

Crudie

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land at Hawthorn Croft and Site OP2 – Hawthorn Crescent

SEPA has confirmed that that they have no flooding, strategic drainage or water supply issues with the allocation summary for sites OP1 and OP2 (RD0214.B). No modification sought (PP1219).

A representee requested that the OP1 and OP2 sites are deleted and a new OP1 allocation is allocated for 14 homes, 1 of which was built by January 2019. It has also been highlighted that only one home has been built since its planning history back to 1999, with failure to stimulate any interest in the development. The OP1 and OP2 sites

have marketability and infrastructure constraints. As an existing site it does not qualify as a contribution to the allowances to avoid double counting. It should be restricted to 8 homes to reflect the effective and post 5-year effective entries of the HLA 2019 (PP1109).

Fordyce

Flood Risk

SEPA has recommended a new 'Flood Risk' bullet point should be added to cover the settlement due to the presence of the Burn of Fordyce (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has requested that for consistency, a 'Strategic drainage' bullet point is added under 'Services and Infrastructure' that confirms with Scottish Water that the proposed population growth is within the design criteria for the existing waste water infrastructure or, if not, it highlights the need for an upgrade (RD0214.B) (PP1219).

Site OP1 – West Church Street

SEPA has commented they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

The continued inclusion of site OP1 for 5 homes has been supported. The representee has included a supporting statement (RD0043.A) in their representation which provides further detail to support their position (PP0323). Other representees have objected to the site on the basis that there is no need for the additional housing (PP0980), and that the site is constrained by marketability and misrepresented as a qualifying new allocation in the established supply as at, January 2019 (PP1115). It is considered an alternative location should be found for the site in the Rural Housing Market Area (RHMA) or in the Local Growth Area of the Aberdeen Housing Market Area (AHMA), as the site is constrained by marketability as identified in the HLA 2019, and the site has not been promoted through a planning application (PP1115).

There is a concern that 5 homes could be located within what is a large field and it is considered that further information is required as to positioning, type and aesthetics of the homes. The representee has included a supporting statement (RD0043.A) in their representation which provides further detail to support their position (PP0323). A representee considers this will set a precedent for further development of the entire field. Overdevelopment would impact on the character and pattern of the settlement which should be protected and preserved. There are also concerns relating to the impact on neighbouring properties' privacy, views, house value, increased traffic and safety and the amenity of the settlement. Impact on the conservation area is a particular concern in relation to its associated appearance, layout and historical value, together with an impact on tourism. Impact on wildlife within adjacent woodland due to noise/pollution are further concerns, and there is a lack of infrastructure to support development. Access would be taken from an unsafe, unlit road at the school. It is considered the development is not needed when Portsoy and other areas are available that could easily be extended (PP0980).

Inverboyndie

Site BUS – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for the BUS site (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has requested that for consistency, a strategic drainage bullet point is added under 'Services and Infrastructure' that confirms with Scottish Water that the proposed population growth is within the design criteria for the existing waste water infrastructure or, if not, it highlights the need for an upgrade (RD0214.B) (PP1219).

Ladysbridge

Services and Infrastructure

SEPA has requested that for the avoidance of doubt, a 'Strategic drainage' bullet point is added under 'Services and Infrastructure' that states all development will be required to connect to the waste water network (RD0214.B) (PP1219).

NHS Grampian has objected to the failure of the Proposed Local Development Plan (PLDP) to make reference to the need for health care facilities under 'Services and infrastructure' in the Ladysbridge Settlement Statement. It is requested that an additional section is provided stating, "Health and care facilities: All residential development must contribute towards the creation of additional capacity at existing medical facilities or a new health centre in Macduff. Contributions towards expansion of existing pharmacy facilities or within a new facility may be required." (PP1223).

Site OP1 – Phase 5, Ladysbridge Village

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

The site has approval after the base date of the LDP and is a windfall site and not an allocation that can count towards the allowances. This approach would set an unacceptable precedence in allowing the allowances to be met in part throughout the lifetime of the plan by the contribution from windfall sites. The bid for additional housing on the site was not supported with no alternative identified for public consultation at the MIR (PP1064).

Site OP1 is located approximately 500m northwest of the Scheduled Monument known as Hills of Boyndie, barrows & enclosures 700m southwest of Mill of Boyndie, but Historic Environment Scotland is content that the proposed development will not significantly impact on its setting (RD0266.A). No modification sought (PP1343).

Portsoy

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Target Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has objected to site OP1 on the basis of loss of sea views for a number of residents. Park Road is often lined with parked cars making access difficult and there are already two other construction sites close by (PP0150).

Site OP2 – Depot, Park Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B) (PP1219).

Site OP3 – Former Campbell Hospital

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B) (PP1219).

Non-Allocated Site – Bid Site BB028 – OP3 Durn Road

It is considered that the former site OP3 should be reallocated for 125 homes to support sustainable delivery of housing in the RHMA, support the future growth of Portsoy and sustain the town's existing services. It is considered there is no evidence to support flood risk concerns, and the site may be able to offer a positive solution to existing drainage issues in the area. The representee has included a supporting statement (RD0042.A) in their representation which provides further detail to support their position (PP0322).

Sandend

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has requested that for consistency, a strategic drainage bullet point is added under 'Services and Infrastructure' that confirms with Scottish Water that the proposed

population growth is within the design criteria for the existing waste water infrastructure or, if not, that it highlights the need for an upgrade (RD0214.B) (PP1219).

Site OP1 – Rear of Seaview

SEPA has recommended that the last sentence in the allocation summary for Site OP1 is removed from the first paragraph, as this requirement is repeated in the second paragraph, and new text is added to the last sentence of the second paragraph, to clarify a Flood Risk Assessment is required due to overland runoff (RD0214.B) (PP1219).

A representee has objected to site OP1 on the basis of it being long-term constrained, having been in the HLA since 1995, and planning applications have either been withdrawn or expired. The site does not relate well to the settlement and any demand could be accommodated by the rural policies. The site inflates the established supply (PP1089).

Whitehills

Site P5 – To protect the playing field and recreation ground

It is considered that a blanket designation is not appropriate and site P5 should be removed or altered to only cover the very east of the site. It could be a requirement for future developers of the area to ensure the setting of Red Well is protected, or for policies to provide the protection. The representee has included a supporting statement (RD0043.A) in their representation which provides further detail to support their position (PP0323).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has requested that for consistency, a strategic drainage bullet point is added under 'Services and Infrastructure' that confirms with Scottish Water that the proposed population growth is within the design criteria for the existing waste water infrastructure or, if not, it highlights the need for an upgrade (RD0214.B) (PP1219).

Site OP1 – Knock Street

Support has been given to the inclusion of site OP1 for 30 homes. The representee has included a supporting statement (RD0043.A) in their representation which provides further detail to support their position. No modification sought (PP0323).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B) (PP1219).

The site has been in the audit for 8 years and not attracted developer interest or planning application, it is marketability constrained and the increased capacity in 2016 was still while it was constrained and devoid of interest. It is poorly located as highly visible backlands development would be difficult to integrate with the existing settlement. A

previous adjacent allocation to the south was removed as no interest was shown in that site. It should remain in the Plan but not contribute to meeting the allowances due to its constrained status and absence of developer interest (PP1106).

Modifications sought by those submitting representations:

Aberchirder

Flood Risk

Modify the PLDP to remove site P3 from the 'Flood Risk' section and amend to read, "Due to the presence of a watercourse on its eastern edge, a Flood Risk Assessment may be required for the BUS site. A buffer strip will be required adjacent to the watercourse which should be integrated positively into the development." (PP1219).

Non-Allocated Site – Site OP1 (LDP 2017) – West of Cranna

Modify the PLDP to reinstate former site OP1 for 45 homes (PP1050).

Bogton

Settlement Status

Modify the PLDP to identify and include Bogton as a settlement in the Banff and Buchan Settlement Statements (PP0623).

Cornhill

Flood Risk

Modify the PLDP to amend the 'Flood Risk' section to read, "There is a risk of flooding from a small watercourse and fields adjacent to OP1 and OP2, which are located within the Scottish Environment Protection Agency's indicative 1 in 200-year flood risk area. A Flood Risk Assessment will be required." (PP1219).

Site OP2 – Land to the West of Midtown

Modify the PLDP to remove site OP2 (PP1116).

Crudie

Site OP1 – Land at Hawthorn Croft and Site OP2 – Hawthorn Crescent

Modify the PLDP to remove OP1 Crudie and amend OP2 allocating it as OP1 for 8 homes with the Appendix 6 entry stating LDP 2017 as 14, 1 built by Jan 2019, 8 effective 2019 and 5 constrained 2019 with no entry for the Allowances 2020-2032 and the LDP allocation of 8 homes (PP1109).

Fordyce

Flood Risk

Modify the PLDP to include a new 'Flood Risk' bullet point to cover the settlement, identifying the presence of the Burn of Fordyce (PP1219).

Services and Infrastructure

Modify the PLDP to add a new bullet point under the 'Services and Infrastructure' section 'Strategic drainage and water supply' that confirms with Scottish Water that the proposed population growth is within the design criteria for the existing waste water infrastructure or, if not, that there is the need to upgrade it (PP1219).

Site OP1 – West Church Street

Modify the PLDP to remove site OP1 (PP0980).

Modify the PLDP to remove site OP1 and identify an alternative site in the Local Growth Area of the RHMA, or in the AHMA, in a location where marketability constraints are not an issue (PP1115).

Inverboyndie

Services and Infrastructure

Modify the PLDP to add a new bullet point, 'Strategic drainage and water supply' stating the requirement to confirm with Scottish Water that the proposed population growth is within the design criteria for the existing waste water infrastructure or, if not, that there is the need for an infrastructure upgrade (PP1219).

Ladysbridge

Services and Infrastructure

Modify the PLDP to add a new sentence after 'Strategic drainage and water supply' to read, "All development will be required to connect to the public waste water network." (PP1219).

Modify the PLDP to add a section for "Health and care facilities" stating, "All residential development must contribute towards the creation of additional capacity at existing medical facilities or a new health centre in Macduff. Contributions towards expansion of existing pharmacy facilities or within a new facility may be required." (PP1222).

Site OP1 – Phase 5, Ladysbridge Village

Modify the PLDP to remove the contribution to the allowances for OP1 Ladysbridge and allocate an alternative site in the Local Growth Area of the RHMA, or if marketability constrained, in the Local Growth Area of the AHMA (PP1064).

Portsoy

Site OP1 – Target Road

Modify the PLDP to remove site OP1 and identify an alternative site for the development that has less impact on residents (PP0150).

Non-Allocated Site – Bid Site BB028 – OP3 Durn Road

Modify the PLDP to reallocate former site OP3 (bid site BB028) for 125 homes (PP0322).

Sandend

Services and Infrastructure

Modify the PLDP to include a new bullet point 'Strategic drainage and water supply' that confirms with Scottish Water that the proposed population growth is within the design criteria for the existing waste water infrastructure or, if not, that there is the need to upgrade (PP1219).

Modify the PLDP to remove reference to developer obligations (PP1089).

Site OP1 – Rear of Seaview

Modify the PLDP to amend the allocation summary for OP1 to remove the last sentence in the first paragraph and add the following text to the last sentence of the second paragraph, "... Flood Risk Assessment, due to overland runoff, must ..." (PP1219).

Modify the PLDP to remove site OP1 (PP1089).

Whitehills

Site P5 – To protect the playing field and recreation ground

Modify the PLDP to remove site P5 and extend the P3 designation to the south to provide protection for Red Well (PP0323).

Services and Infrastructure

Modify the PLDP to add a new bullet point under the 'Services and Infrastructure' section 'Strategic drainage and water supply' that confirms with Scottish Water that the proposed population growth is within the design criteria for the existing waste water infrastructure or, if not, that there is the need to upgrade it (PP1219).

Site OP1 – Knock Street

Modify the PLDP to remove the contribution to the allowances of 30 homes for OP1 Whitehills and reallocate an alternative site in the RHMA Local Growth Area, or if marketability constrained, the Local Growth Area of the AHMA (PP1106).

Summary of responses (including reasons) by planning authority:

Aberchirder

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Site – Site OP1 (LDP 2017) – West of Cranna

The Council does not support allocating bid site OP1 (LDP 2017) for 45 homes. The site was removed from the Plan as there was no certainty over the development of the site. There was no developer interest in the site and also no bid submission was received for the site which again shows the lack of support for the site moving forward. It should be noted that the site would form a logical extension to the settlement in the future should demand exist, but it is not currently seen that there is appropriate demand to retain the site. No change is required.

Bogton

Settlement Status

The comments from the representee are noted. However, Bogton does not meet the definition of a 'settlement' as per the Glossary. There is also no proposed protected or opportunity sites within the area therefore there is no requirement for Bogton to be included in the Local Development Plan. No change is required.

Cornhill

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Midtown

Comments from SEPA are noted. No change is required.

Site OP2 – Land to the West of Midtown

Comments from SEPA are noted. No change is required.

The bid submission made for the MIR had been to keep the site as it currently stands in the LDP 2017 for housing and the school, but with a change to the housing allocation from 25 to 18 homes. In response to comments from Aberdeenshire Council's Education Service, the Officers' recommendation was to remove the P3 site as there was no prospect of a primary school being built in the location, and to revise the site capacity for OP2 further to 12 homes (see MIR Issues and Action Papers, AD0040.B, pages 12-13). At the Banff and Buchan Area Committee on 27 August 2019 the Committee decision was to reallocate the whole area for housing rather than removing the protected land, (AD0117). This was the decision as there was a keen desire to retain an opportunity for

future growth to the west within the settlement boundary. The number of homes applied to the allocation of 63 homes is an indicative capacity. It is not agreed that the site would automatically become constrained within the HLA as there was a desire for the site to be allocated for housing. It is therefore, seen as appropriate to allocate the land for housing within the Plan to allow for growth within the settlement. No change is required.

Crudie

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land at Hawthorn Croft and Site OP2 – Hawthorn Crescent

Comments from SEPA are noted. No change is required.

The Council does not agree that the OP1 and OP2 sites should be deleted from the PLDP and a new OP1 site allocated. The sites are an appropriate extension of the settlement and the OP2 site has Full Planning Permission for 9 homes and should be allocated. It is also noted that it is worth taking into account that development characteristically operates at a slower rate due to market conditions in the area. Therefore, it is seen that it is appropriate to allocate land within the northern towns that have the ability to deliver housing to meet local housing need. Discussion regarding strategic allowances is noted however, more information can be found within Schedule 4 Issue 5: Section 8 - Shaping Homes and Housing – Housing Land Supply, Policy H1 Housing Land and Appendix 6 Housing Land Allocations. No change is required.

Fordyce

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – West Church Street

Comments from SEPA are noted. No change is required.

The comments in support for the inclusion of the site are noted. No change is required.

Comments of concern related to the OP1 site are noted. However, the Council maintain that the site for 5 homes should be retained as an allocation as this site presents the only potential direction of development for the settlement without impacting on its historic setting. Comments relating to concerns regarding infrastructure and amenity would be matters that would be considered at the planning application stage. No change is required.

It is not agreed that the OP1 site should be deleted from the Plan and an alternative sought. As identified above, the site presents the only appropriate extension of the settlement and should be allocated. It should also be taken into account that development characteristically operates at a slower rate due to market conditions in the area. Therefore, it is seen that it is appropriate to allocate land within the northern towns that have the ability to deliver housing to meet local housing need. No change is required.

Inverboyndie

Site BUS – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Ladysbridge

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Throughout the preparation of the LDP and in consultation with stakeholders, information was not forthcoming on the requirements for Ladysbridge, however if the Reporter is minded, to make an amendment, then the Council recommend that an additional bullet point could be inserted into the Services and Infrastructure section of the Ladysbridge Settlement Statement as follows, "Health and care facilities: All residential development must contribute towards the creation of additional capacity at existing medical facilities or a new health centre in Macduff. Contributions towards expansion of existing pharmacy facilities or within a new facility may be required".

Site OP1 – Phase 5, Ladysbridge Village

Comments from SEPA and Historic Environment Scotland are noted. No change is required.

The site was included within the Main Issues Report and therefore was subject to public consultation. There is no requirement to have multiple sites per settlement for public consultation through the Main Issues Report. The market in the northern towns can be slightly slower than elsewhere in Aberdeenshire meaning that there may not be two different sites within a town that could be brought forward. Therefore, it is seen that it is appropriate to allocate land within the northern towns that have the ability to deliver housing to meet local housing need. Discussion regarding strategic allowances is noted

however, more information can be found within Schedule 4 Issue 5: Section 8 – Shaping Homes and Housing – Housing Land Supply, Policy H1 Housing Land and Appendix 6 Housing Land Allocations. No change is required.

Portsoy

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Target Road

Comments from SEPA are noted. No change is required.

Concerns were raised in relation to the access, but it should be noted that within the ‘Services and Infrastructure’ section of the Settlement Statement, under the ‘Local transport infrastructure’ bullet point, that the OP1 site along with the OP2 site is required to consider the cumulative total of existing units served from Park Road and provide a secondary access in line with Aberdeenshire Council standards, see Proposed LDP, AD0041.D, page 257. Issues relating to amenity for existing residents would also be considered through the planning application stage, but it should be noted that the right to a view is not a material planning consideration.

Site OP2 – Depot, Park Road

Comments from SEPA are noted. No change is required.

Site OP3 – Former Campbell Hospital

Comments from SEPA are noted. No change is required.

Non-Allocated Site – Bid Site BB028 – OP3 Durn Road

The Council does not support allocating bid site BB028 for 125 homes. It is maintained that site OP3 can no longer be deemed deliverable owing to the specific nature of the flood risk to this site and should therefore be removed. The key issue is that development on this site, at this scale, would not be permitted without two primary access points north and south; however, the only viable access point which is from the north through the LDP 2017 OP4 site is at high risk of flooding from the Soy Burn. Taking access from this point therefore risks cutting off the development during flood times. There is also the additional issue of the steeply sloping nature of the site and its questioned ability to achieve a suitable sustainable drainage solution. These recommendations were presented through the MIR Issues and Actions Papers, AD0040.B, pages 52-54, to Banff and Buchan Area Committee meeting on 27 August 2019, (AD0117) and subsequently at Infrastructure Services Committee (ISC) on 3 October 2019, (AD0151). Aberdeenshire Council remains to be convinced that a suitable sustainable drainage solution is feasible on this sloping site to address surface water issues. The community’s concerns regarding the site and flooding in general remain relevant, and their desire to see this site removed on account of

repeated flooding in recent years was another factor that the Committee took into consideration in agreeing to remove this site.

It should be emphasised that Scottish Planning Policy (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, (AD0012, page 29). Unfortunately, the Council are not confident that site OP3 is deliverable within the Plan period. It is notable that the site was first indicated as a future housing site in the 2006 Local Plan, and subsequently allocated in the LDP 2012 and LDP 2017, with no progress to date.

Sandend

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Rear of Seaview

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

This site is a small-scale allocation and provides the opportunity for self-build within the locality. It is also worth noting that the OP1 site has been assessed as a good fit for development within the settlement, taking into account that development characteristically operates at a slower due to market conditions in the area. Therefore, it is seen that it is appropriate to allocate land within the northern towns which has the ability to deliver housing to meet local housing need. No change is required.

Whitehills

Site P5 – To protect the playing field and recreation ground

The decision to include the land as the P5 designation was discussed and recommendations made at the Banff and Buchan Area Committee on 27 August 2019, see MIR Issues and Actions Papers, Issue 37 Whitehills, pages 66-68 (AD0117 and AD0040.B). This area of land was included within the Settlement Statement to conserve the setting of the settlement. It is considered appropriate to retain this protection in the interests of maintaining the strong sense of place and identity related to the settlement's distinctive coastal setting. Impact on landscape and visual sensitivities of the area are key considerations to take into account, together with the amenity quality of the settlement.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Knock Street

Comments in support of site OP1 are noted. No change is required.

Comments from SEPA are noted. No change is required.

It is not agreed that the OP1 site should be deleted from the PLDP. The site is an appropriate extension of the settlement. It is also noted that it is worth taking into account that development characteristically operates at a slower rate due to market conditions in the area. Therefore, it is seen that it is appropriate to allocate land within the northern towns that have the ability to deliver housing to meet local housing need. Discussion regarding strategic allowances is noted however, more information can be found within Schedule 4 Issue 5: Section 8 - Shaping Homes and Housing – Housing Land Supply, Policy H1 Housing Land and Appendix 6 Housing Land Allocations. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 17. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Aberchirder

Flood Risk

3. The Scottish Environment Protection Agency (SEPA) has requested that the bullet point on flood risk be reworded. The changes proposed would more accurately reflect the nature of flood risk in the settlement, and would highlight the potential need for a flood risk assessment prior to the development of site BUS. I therefore recommend a modification to this effect.

Non-Allocated Site – Site OP1 (LDP 2017) – West of Cranna

4. OP1 – West of Cranna is one of two housing sites in Aberchirder allocated in the 2017 local development plan, neither of which are included in the proposed plan. This

site has an indicative capacity of 45 homes and formed part of the main issues report consultation. The site is listed as marketability constrained in the 2019 housing land audit and the Issues and Actions paper (ADA0040.B) recommended its exclusion from the proposed plan, due to a lack of confidence that it is deliverable. A representee contends that the allocation should be reinstated so as to be consistent with other marketability-constrained sites, especially since the settlement now has no identified housing allocations.

5. In response to a request for further information (FIR016), the council has confirmed that there have been two recent pre-application enquiries regarding the site, although no planning application has been submitted. It has indicated that the local primary school is presently operating at 57% capacity, with a projected decline to 52% in 2025.

6. The council considers that the site has potential for development and suggest that its status could be reviewed again for development in a future plan or mid-term review of the current plan. It does not have any specific evidence that the marketability constraints in Aberchirder are more acute than other comparable areas within the Rural Housing Market Area.

7. The council has indicated that the only other known issues affecting development of this site are the need to provide appropriate vehicular access and contributions towards providing additional capacity at An Caorann Medical Practice. I have no evidence before me to suggest that these matters cannot be addressed. With regards to strategic environmental assessment, the 2019 interim environmental report for the main issue report finds that the development of the site would have an overall slightly positive impact, providing affordable homes and helping to sustain the settlement.

8. I note that a number of the sites identified to meet the strategic development plan allowance for the Rural Housing Market Area are subject to marketability constraints. Non-site specific representations on this matter are addressed under Issue 2. In response to a further information request (FIR008), the council explained that it employs a range of measures to assist the delivery of housing in areas where marketability is a problem. On the basis of the information before me, I am satisfied that there are no particular reasons why this site could not be developed during the lifetime of the plan.

9. Given the suitability of the site as a logical expansion to the settlement, the recent pre-application enquiries, the absence of any other housing sites in Aberchirder and the opportunity to support the local school, I consider that it would be appropriate to reinstate it as a housing allocation. As the site does not form part of the 2019 effective supply, I consider that it should be identified as contributing land for 45 homes towards the strategic development plan allowance for the Rural Housing Market Area.

10. It is recommended that the plan be modified to allocate the site as allocation OP1: West of Cranna for 45 homes and include an allocation summary based on that provided in the existing local development plan, as set out in the recommendations below. Whilst included in the Delivery Programme 2021, there has been no consultation on the need for contributions towards a medical practice during the preparation of the plan and the matter has not been raised by NHS Grampian or any other party. I therefore do not consider that this should be included as a requirement in the allocation summary. The Aberchirder settlement map should be amended to show site OP1 and include it within the settlement boundary. A change would also be required to appendix 6 to identify site OP1 Aberchirder as contributing 45 homes to the strategic development plan allowance for the

Rural Housing Market Area. The implications of this change for the overall housing land provision are addressed under Issue 5.

Bogton

11. Due to the absence of any local facilities, I do not consider that Bogton meets the definition of “a settlement” provided in the glossary of the proposed plan. However, I note that the use of this definition is not applied consistently in the proposed plan and there are settlement statements included for settlements which do not meet this definition. The council has explained that statements are provided where there are allocated, protected or reserved sites to be shown.

12. Bogton does not have any existing or proposed protected or opportunity sites. I therefore agree with the council that a settlement statement should not be provided. No change is required.

Cornhill

Flood Risk

13. SEPA has requested a rewording of the bullet point to clarify that there is a risk of flooding from a small watercourse and fields adjacent to sites OP1 and OP2. I agree that such a change would highlight the need for a flood risk assessment to be undertaken, providing clarity to potential developers and users of the plan and a modification is therefore recommended.

Site OP2 – Land to the West of Midtown

14. I note that the inclusion of site OP2 for housing was specifically requested by the Area Committee, following the main issues report consultation. The strategic environmental assessment for the site indicates only a minor negative effect in relation to water. Matters relating to flood risk and strategic drainage and water supply are covered in the settlement statement. Furthermore, neither SEPA nor any local residents have raised objection to the inclusion of the site within the proposed plan.

15. The representation seeking the removal of this site does not suggest a specific alternative allocation. The representation contends that when the site enters the housing land audit it will be constrained for marketability reasons, arguing that there can be no basis to express confidence that the site will become effective during the plan period.

16. As site OP2 is a new allocation, and no specific evidence has been provided to demonstrate that it is not effective, I do not agree that the site should be removed from the plan. I agree with the representation that the indicative capacity of 63 units is high relative to the scale of the settlement. However, from viewing the site and its context within the settlement, I am not convinced that the level of development proposed would be unachievable. No modification is required.

Crudie

Site OP1- Land at Hawthorn Croft and Site OP2 – Hawthorn Crescent

17. A representee has requested that sites OP1 and OP2 are deleted and a new OP1 allocation is allocated for 14 homes. Site OP1 in the 2017 local development plan has been separated into two distinct allocations (OP1 and OP2) in the proposed plan. Site OP2 consists of an area of land that already benefits from planning permission for nine houses, one of which has been constructed. The remaining eight homes on this part of the site form part of the effective 2019 housing land supply and do not contribute to the strategic development plan allowance.

18. Site OP1 is the residual land from the existing 2017 land allocation, considered through the main issues report consultation as site BB006, following the submission of a bid from the landowner. Site OP1 is allocated for ten houses in the proposed plan, which represents an increase in capacity from the five homes envisaged in the current local development plan. This part of the site is shown as constrained in the 2019 housing land audit and, as such, all 10 homes can potentially contribute towards the strategic development plan allowance for the Rural Housing Market Area.

19. The 2020 housing land audit identifies the site as constrained for marketability and infrastructure reasons. As the allocation is located next to a site which has planning permission and is under construction, I consider it reasonable to conclude that the marketability constraint can be overcome. Furthermore, the services and infrastructure section of the settlement statement sets out a way forward to address the waste water treatment capacity constraint. I am satisfied that the constraints identified for site OP1 could be resolved to allow the homes to be deliverable by 2032. From viewing the site, I do not consider that 10 homes would be excessive and envisage that a design solution could be identified to deliver such a density on the site. No modification is required.

Fordyce

Flood Risk

20. SEPA has requested that an additional bullet point be added to the settlement statement to advise that parts of Fordyce are at risk of flooding from the Burn of Fordyce. I find that an additional bullet point to highlight that flood risk assessments may be required would add clarity to potential developers and users of the plan. The modification proposed by the council does not effectively communicate that flood risk assessments may be necessary. An alternative modification to that proposed by the council is therefore recommended.

Services and Infrastructure

21. SEPA has requested, for consistency with other settlement statements, that a strategic drainage bullet point be added to highlight the need to connect to the local sewer and provide upgrades if there is not sufficient capacity. I am satisfied that the inclusion of information highlighting these matters will add value to the settlement statement for potential users of the document. A modification is therefore recommended.

Site OP1 – West Church Street

22. One representee objects to the allocation, contending that full layout information is required for the site to ensure that the five houses are of an appropriate form and positioned in a suitable location. Specific concerns have been raised regarding potential

adverse impacts on the conservation area, the appearance of the wider settlement, traffic, privacy, amenity and wildlife.

23. The allocation summary on page 212 of the proposed local plan highlights that the layout and design of any development must be sympathetic to the conservation area and the density of the existing built form. When undertaking my site inspection, I noted that site OP1 is positioned on low-lying land to the south of the village, which is already bounded to the north by modern development that was delivered as a sensitive southward expansion from the historic core of the settlement.

24. I am satisfied that there are sufficient opportunities to access the land and that the design policies in the plan would serve to preserve amenity and require that any future development integrates positively with its context. From observing the scale of the site, I find that it would be possible to deliver five residential units without having any unacceptable adverse impact on amenity. Furthermore, it is important to note that the potential impact of any future development on the character and appearance of the conservation area is a statutory consideration.

25. A number of other concerns were raised within the representation that are not material planning considerations. These include the potential identities of future residents and how they may behave, impacts on private views, and devaluation of existing properties in the settlement. I have not taken these matters into consideration as part of the examination.

26. Another representee requests that the five houses are deleted from contributing towards the Rural Housing Market Area because the site is marketability constrained. I note that the landowner has submitted a bid proposal for the inclusion of the land, advising that the site is now being actively marketed and that there is a good prospect that it will be developed.

27. I am aware that a number of sites identified to meet the strategic development plan allowance for the Rural Housing Market Areas are subject to a marketability constraint. Non-site specific representations on this matter are addressed under Issue 2. In response to a further information request (FIR008), the council has explained that it employs a range of measures to assist the delivery of housing in areas where marketability is a problem. This is the only housing allocation in Fordyce and I consider it reasonable to conclude that five homes would be deliverable by 2032. No modification is therefore recommended.

Inverboyndie

Services and Infrastructure

28. SEPA has requested that, for consistency with other settlement statements, a strategic drainage bullet point be added to highlight the need to connect to the local sewer and provide upgrades if there is not sufficient capacity. I am satisfied that the inclusion of information highlighting these matters will add value to the settlement statement for potential users of the document. A modification is therefore recommended.

Ladysbridge

Services and Infrastructure

29. SEPA has requested that the strategic drainage and water supply bullet point be modified to clarify that all development will be required to connect to the public sewer. I am satisfied that the modification would add clarity for developers and be consistent with the other settlement statements in the plan.

30. NHS Grampian has requested that additional information be added to clarify that contributions will be required from residential development toward the creation of additional capacity at existing medical facilities or a new health centre in Macduff. It has likewise been suggested that there may be a requirement to upgrade existing pharmacy facilities to serve the settlement. The council contends that these requirements were not highlighted throughout the preparatory stages of the proposed plan, including in response to the main issues report consultation.

31. Policy RD2.14 in the proposed plan indicates that it may be appropriate to seek contributions towards health and care facilities. Whilst NHS Grampian has indicated that there is a need for additional capacity at existing medical facilities or a new health centre at Macduff, it has not been demonstrated that financial contributions from development at Ladysbridge would meet the tests of Circular 3/2012. Furthermore, I note that planning permission has already been granted for allocation OP1. I consider that the wording suggested by NHS Grampian should be amended to indicate that there may be a requirement for contributions towards both medical and pharmacy facilities. A modification to this effect is recommended.

Site OP1 – Phase 5, Ladysbridge Village

32. A representee requests that the allocation is removed from the plan and therefore would not contribute towards the strategic development plan allowance for the Rural Housing Market Area. The representee further contends that the site is a windfall site and not an allocation that can count toward meeting strategic allowances. No alternative site has been suggested.

33. I note that planning permission in principle has been granted for the development of 35 houses on the site (APP/2019/0569) and that the wider site has already been developed. The site does not form part of the 2019 base supply and can therefore contribute towards the strategic development plan allowances. I see no justifiable reason to remove the allocation or to suspect that the site cannot be effectively delivered during the plan period. No modification is required.

Portsoy

Site OP1 – Target Road

34. A representee raised concerns regarding access and the impact of any future development on the views of existing residents, suggesting that an alternative site should be identified. No alternative site has been suggested. During my site inspection, I noted that accessing the site was problematic due to the relatively narrow width of the road. However, the settlement statement specifically identifies access as an issue for potential developers to address.

35. Furthermore, the allocation is for only ten homes and any development would need to meet the council's standards for off-street parking. The limited increase in traffic would not be insurmountable and I note that an additional emergency access would be required when triggered by new development. Whilst private views are not a material planning consideration, the impacts on the amenity of the surrounding area (including on residential amenity) would be a consideration at the planning application stage. No modification is required.

Non-Allocated Bid Site BB028 – OP3 Durn Road

36. This site was allocated within the 2012 and 2017 Local Development Plans and formed part of the main issues report consultation. The site is listed as being constrained physically in the 2019 and 2020 housing land audits. The Issues and Actions paper recommended its exclusion from the proposed plan due to constraints regarding flooding, surface water management and access.

37. The land is not identified as being directly at risk of flooding on SEPA's flood maps, but it is bounded to the north by a small watercourse (Soy Burn). The council contends that two accesses are required to serve the site, one of which would need to traverse land subject to flooding. During my site inspection I noted several opportunities to access the site, including from Durn Avenue to the south, from Soy Avenue in the north east, and from Soy Burn Gardens in the north. I noted the proximity of the watercourse to the north of the site and accept that the second access point would require to cross the Soy Burn in an area identified as being at risk of flooding on SEPA's flood maps. Anecdotal evidence has also been provided within the submission that land adjacent to the site has flooded in recent years.

38. The council further contends that the steeply sloping nature of the site is such that it is questionable whether surface water on the site can be effectively managed. I visited the site and did not consider it to slope excessively. I would fully envisage that an appropriate solution could be found to manage surface water within the site.

39. The council states that Scottish Planning Policy 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 to be confident that the land can be brought forward through the development plan period. The landowner contends that any development of the site should be subject to full flood risk assessment and traffic impact assessment to ensure that the identified constraints can be overcome.

40. Given the constraints identified, and the lack of certainty that these constraints could be overcome to enable the site to come forward for development during the plan period, I agree with the council that the site cannot be relied upon to meet identified demand. Consideration of housing need is undertaken through the Housing Needs and Demand Assessment which has informed the strategic development plan allowances. Portsoy lies within the Rural Housing Market Area and it is concluded under issue 5 that no additional allocations are required to meet the strategic development plan allowance in the period up to 2032. No modification is therefore required.

Sandend

Services and Infrastructure

41. SEPA has requested, for consistency with other settlement statements that a strategic drainage bullet point be added to highlight the need to connect to the local sewer and provide upgrades, if there is not sufficient capacity. I am satisfied that the inclusion of information highlighting these matters will add value to the settlement statement for potential users of the document. A modification is therefore recommended.

Site OP1 – Rear of Sandend

42. SEPA has recommended a slight modification to the allocation summary to highlight that the necessary flood risk assessment is required due to overland runoff. I am satisfied that this would add clarity for potential developers and therefore agree with the suggested modification.

43. A representee requests that the allocation is deleted because it is poorly sited and marketability constrained. I noted during my site inspection that the topography of the site is very challenging and that accessing the site may prove difficult. However, this is the only housing allocation within the settlement and the site is allocated in the existing local development plan. The site is not identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area which provides an element of flexibility in terms of delivery timescales. I am therefore satisfied that no modification is required.

Whitehills

Site P5 – To protect the setting of the ancient ‘Red Well’

44. A representee seeks the removal of site P5 and suggests that P3 be extended to the south, as this would effectively preserve the setting of the ancient Red Well. In response to the representation, the council states that the area of land was included to conserve the setting of the settlement, in order to maintain the strong sense of place and identity related to the settlement’s distinctive coastal setting. However, the supporting text in the settlement statement describes the purpose of site P5 as being “to protect the setting of the ancient ‘Red Well’ as a significant contribution to the character of the place.” No mention is made of the role of site P5 being to preserve the setting of the settlement itself, its sense of place or its identity.

45. Having visited the site, I found it to be prominently situated on the approach to the settlement from the south east. Retaining the site free of development would ensure sufficient distance between any built form and the Red Well, by establishing a buffer around the monument. However, I agree with the representation that the allocation of the entire field is not necessary to preserve the setting of the Red Well.

46. The Issues and Actions paper explains that it was the Committee’s intention to identify the site as protected land in order to conserve the setting of the settlement. This purpose has not been included in the proposed plan. However, as there is no representation seeking to amend the description, I am unable to make any changes through this examination.

47. Whilst I consider the reason given in the proposed plan for protecting site P5 to be

inaccurate, I am clear that the designation is serving the purposes intended by the committee. As the land has been included within the settlement boundary, I consider the protected land designation to be necessary to ensure the preservation of the setting of both the historic monument and the settlement. I do not recommend a modification to remove or reduce the extent of the designation.

Services and Infrastructure

48. SEPA has requested that the strategic drainage and water supply bullet point be modified to clarify that all development will be required to connect to the public sewer. I am satisfied that the modification of the bullet point will add clarity for developers and will be consistent with the other settlement statements in the plan.

Site OP1 – Knock Street

49. Representation PP1116 contends that the allocation should remain but that the contribution toward the Rural Housing Market Area allowances be removed from appendix 6 in the proposed plan and an alternative site be identified to deliver the shortfall. No alternative site is specifically suggested.

50. The 2019 housing land audit identifies the site as being marketability constrained. However, the landowner has advised that the site is presently being marketed and that there is interest amongst local housebuilders.

51. I note that a number of sites identified to meet the strategic development plan allowance for the Rural Housing Market Areas are subject to a marketability constraint. Non-site specific representations on this matter are addressed under Issue 2. In response to a further information request (FIR008), the council has explained that it employs a range of measures to assist the delivery of housing in areas where marketability is a problem. This is the only housing allocation in Whitehills and no specific information has been presented to demonstrate that the marketability constraint cannot be overcome. Given the reassurance provided by the landowner, I consider it reasonable to conclude that the site would be deliverable by 2032. No modification is recommended.

Reporter's recommendations:

Modify the local development plan by:

Aberchirder

1. Replacing the flood risk bullet point in the Aberchirder settlement statement on page 186 with:

“Due to the presence of a watercourse on its eastern edge, a Flood Risk Assessment may be required for the BUS site. A buffer strip will be required adjacent to the watercourse which should be integrated positively into the development.”

2. Amending the Aberchirder settlement map on page 188 to show allocation OP1 as per the 2017 local development plan and the 2019 Main Issues Report and include site OP1 within the settlement boundary.

3. Inserting the following new allocation under a new heading “Allocated Sites” in the Aberchirder settlement statement on page 187:

“OP1: West of Cranna, Allocation: 45 homes

This site was previously allocated as site OP1 in the LDP 2017. It partially overlooks the village and the design of the development should reflect both its historic character and the single storey houses in Cranna View. The principle road access is likely to be off Murray Crescent/Old Road with secondary access off Cranna View (currently a footpath). It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. These should be integrated into the design of the development to provide a mix of house types and sizes to meet local needs.”

4. Adding Aberchirder OP1 (45 homes) to the list of existing sites contributing towards the strategic development plan allowance for the Rural Housing Market Area in the relevant table in Appendix 6. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

Cornhill

5. Replacing the flood risk bullet point in the Cornhill settlement statement on page 202 with:

“There is a risk of flooding from a small watercourse and fields adjacent to OP1 and OP2, which are located within the Scottish Environment Protection Agency’s indicative 1 in 200-year flood risk area. A Flood Risk Assessment will be required.”

Fordyce

6. Adding a new flood risk section with the following bullet point to the Fordyce settlement statement on page 211.

“Flood Risk: Parts of Fordyce are at risk of flooding from the Burn of Fordyce. Flood Risk Assessments may be required.”

7. Adding the following additional bullet point to the Services and Infrastructure section of the Fordyce settlement statement on page 211:

“Strategic drainage and water supply: All new development will be required to connect to the waste water network. Developers should seek early engagement with Scottish Water to identify the capacity of waste water infrastructure, and if required upgrade the facility.”

Inverboyndie

8. Adding the following additional bullet point to the services and infrastructure section of the Inverboyndie settlement statement on page 232:

“Strategic drainage and water supply: All new development will be required to connect to the waste water network. Developers should seek early engagement with Scottish Water to identify the capacity of waste water infrastructure, and if required upgrade the facility.”

Ladysbridge

9. Replacing the strategic drainage and water supply bullet point in the Ladysbridge settlement statement on page 233 with:

“Strategic drainage and water supply: Sewer network investigations may be required. All development will be required to connect to the public waste water network.”

10. Adding the following bullet point to the services and infrastructure section of the

Ladybridge settlement statement on page 233:

“Health and care facilities: Residential development may be required to contribute towards the creation of additional capacity at existing medical facilities or a new health centre in Macduff. Contributions towards expansion of existing pharmacy facilities or within a new facility may also be required.”

Sandend

11. Adding the following additional bullet point to the services and infrastructure section of the Sandend settlement statement on page 269:

“Strategic drainage and water supply: All new development will be required to connect to the waste water network. Developers should seek early engagement with Scottish Water to identify the capacity of waste water infrastructure, and if required upgrade the facility.”

12. Removing the last sentence in the first paragraph of the allocation summary for OP1: Rear of Seaview in the Sandend settlement statement on page 270.

13. Replacing the last sentence of the second paragraph of the allocation summary for OP1: Rear of Seaview in the Sandend settlement statement on page 270 with:

“In addition, all necessary site surveys and assessments deemed to be required through the planning permission process such as Archaeological Survey, Drainage Impact Assessment, and Flood Risk Assessment due to overland runoff must also be carried out on the development site as a whole.”

Whitehills

14. Adding the following additional bullet point to the services and infrastructure section of the Whitehills settlement statement page 275:

“Strategic drainage and water supply: All new development will be required to connect to the waste water network. Developers should seek early engagement with Scottish Water to identify the capacity of waste water infrastructure, and if required upgrade the facility.”

Issue 18	Peterhead	
Development plan reference:	Proposed LDP, Appendix 7B Buchan, Page 348-364	Reporter: Andrew Sikes
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>PP0431 Pale Blue Dot Energy PP0446 Alexander Duthie and Sons PP0447 Alexander Duthie and Sons PP0503 Scottish Enterprise PP0558 Asda Stores Limited PP0573 Chrysaor PP0578 Scottish Government Planning and Architecture Division PP0740 Aldi Stores Ltd PP0762 Total E and P UK Ltd PP0764 Arcus Design Ltd PP0899 Peterhead Port Authority PP1060 c a s e CONSULTING Limited PP1076 c a s e CONSULTING Limited PP1095 c a s e CONSULTING Limited PP1145 Shell UK Ltd PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian PP1241 Nestrans PP1300 NatureScot (Scottish Natural Heritage)</p>		
Provision of the development plan to which the issue relates:	Peterhead Settlement Statement	
Planning authority's summary of the representation(s):		
<p><u>General</u></p> <p>Nestrans has highlighted that the Draft Regional Transport Strategy (RTS) (2020) contains actions seeking the dualling of the A90(T) north of Ellon to the Toll of Birness, and other improvements between Toll of Birness to Peterhead. The draft RTS also recognises the strategic importance of Peterhead Port, and supports walking and cycling developments in the town. No modification proposed (PP1241).</p> <p><u>Site P12 – To protect the cemetery as an amenity for the settlement and for contributing to the character of the place</u></p> <p>A representee has requested removal of site P12 and designating the site as an opportunity site for mixed-use development. The representee has argued that the designation of site P12 ignores the extant planning history and development implemented to date. Open space was considered at the planning applications stage. There are no material changes to the planning or environment context to justify site P12 for open space,</p>		

including no changes to the cemetery to set aside the extant permissions, which is currently white land in the Aberdeenshire Local Development Plan (LDP) 2017. There were no significant archaeological finds during archaeological evaluations on the site. The Proposed Local Development Plan (PLDP) ignores the aspirations for development that will bring forward a second retail unit on this site under extant Planning Permission in Principle and potentially mixed-use development on the western plot. This proposal was not put forward within the Main Issues Report (MIR) or Draft Proposed Local Development Plan and the site does not appear to be considered within the Aberdeenshire Open Space Audit. The representee has included a number of Appendices (RD0124.A, RD0124.C and RD0124.D, RD0124.E and RD0124.F) in their representation which provides further detail to support their position (PP0740).

Site R1 – For sport and recreation uses

The Scottish Environment Protection Agency (SEPA) has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation for site R1 (RD0214.B). No modification required (PP1219).

Site R2 – For development related to Peterhead Power Station, Carbon Capture and Storage, a possible landfall for a potential international North Sea interconnector, onshore connections to support offshore renewable energy, and major energy developments as set out in National Planning Framework 3

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation for site R2 (RD0214.B). No modification required (PP1219).

Several representees have requested that the boundary of site R2 be amended to cover the full extent of the existing decommissioned pipeline corridor between Peterhead Power Station and the jetty in the South Bay Harbour of Peterhead Port to allow a connection between the port to the power station for Carbon Capture and Storage related development (PP0431, PP0503, PP0573, PP0762, PP0899 and PP1145). One representee seeks to include site P9 (PP0573). This will allow a connection between the port to the power station for Carbon Capture and Storage related development. Illustration map shows the basis around which to extend the boundary of the R2 designated area north and east to the boundary of the P9 area designated to protect for 'port related activities' (PP0573). This is to ensure that the proposal is in line with the Acorn project (to import and export carbon dioxide via Peterhead Port and produce hydrogen from natural gas at St Fergus) and is protected under the relevant and appropriate policy within the PLDP (PP0503). The representees have included map as part of their representation to support their position (PP0431, PP0503, PP0573, PP0762, PP0899 and PP1145).

Site R4 – For care and support service facilities

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation for site R4 (RD0214.B). No modification required (PP1219).

TC – Peterhead Town Centre

A representee has requested extending the town centre boundary to include site P12. The site lies within 140m of the boundary and given this distance and extant planning permissions, the boundary should be extended as it forms a logical extension where an

existing store generates significant linked trips with other shops and services within the town centre. Planning history demonstrates the acceptability of development across the entire site noting applications granted in 2010 before Aldi revised their development strategy. The supporting statement submitted with planning applications noted the importance of regenerating the site which is still relevant as it is partially developed. The representee has included a number of Appendices (RD0124.A, RD0124.B and RD0124.D) in their representation which provides further detail to support their position (PP0740).

Site BUS1 – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation for site BUS1 (RD0214.B). No modification required (PP1219).

Site BUS2 – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation for site BUS2 (RD0214.B). No modification required (PP1219).

Flood Risk

SEPA has requested amending the first 'Flood Risk' bullet point to accurately state that all of Peterhead is identified as an area potentially vulnerable to flooding in the National Flood Risk Assessment and parts are at risk from coastal flooding (RD0214.B) (PP1219).

SEPA has requested amending the second 'Flood Risk' bullet point to be more accurate and state sites OP1, OP2, OP3, OP4, OP5, OP6, CC1, R2, R3, BUS3, BUS4 and SR1 may be at risk of flooding as shown on the SEPA Indicative Flood Maps. They note that sites BUS4, SR1 R2 and R3 have a number of watercourses adjacent or throughout these sites, part of site OP6 is within SEPA's indicative flood risk map and the SFRA requires a FRA for site BUS3 (RD0214.B) (PP1219).

SEPA has also requested amending the second 'Flood Risk' bullet point to remove site P7 for consistency (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Inverugie Meadows

NHS Grampian has welcomed a portion of the land within the site to be provided for a health centre. No modification required (PP1223).

A representee has requested removing reference to "significant alterations to the A90 to provide vehicular access to the site" in paragraph one of the allocation summary unless there is evidence of support and approval from Transport Scotland, who have previously resisted attempts to significantly alter the existing access points into the site from the A90. They suggested if there is no evidence then alternative access arrangements should be contemplated, or the allocation significantly reduced in capacity (PP1076).

A representee has requested removing references to preserving the railway line in paragraph one of the allocation summary. They argue there is no realistic possibility of the railway line opening and the route has been compromised at various points by substantial developments since its closure. Its status as the Formartine and Buchan Way should be used for clarity that the footpath is being preserved (PP1076).

A representee has requested removing references to requiring land for a health centre in paragraph one of the allocation summary. Peterhead Hospital may not remain open in the future, but it could be redeveloped as a new health centre due to its central location. It is unnecessary to propose development that has not been decided to be delivered (PP1076).

SEPA has requested additional text highlighting the need for opportunities to restore and enhance the straightened watercourse to be investigated (RD0214.B) (PP1219).

NatureScot has requested that the allocation summary for site OP1 requires compensatory planting in relation to the Control of Woodland Removal Policy – e.g. that equivalent compensatory planting must be provided should there be tree loss. They note there are areas of commercial forestry at the south of site OP1, which is identified as site BU052 in the MIR 2019, which suggested there may be 180 homes in this locality (RD0255.B) (PP1300).

Site OP2 – Wester Clerkhill

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation for site OP2. No modification sought (RD0214.B) (PP1219).

Site OP3 – Land at West Road

One representee welcomes the allocation of OP3 for 225 homes. No modification sought (PP0558).

A representee has requested reducing the allocation of site OP3 to 206 homes to be consistent with the Housing Land Audit 2019 (HLA) (PP1060).

SEPA has requested rewording the last paragraph of site OP3 on enhancing straightened watercourses and to highlight the need for a Geomorphological Assessment for consistency and hydromorphology concerns (RD0214.B) (PP1219).

Site OP4 – Land West of A90(T)

The Scottish Government has requested that the allocation summary for site OP4 states Transport Scotland is to be consulted for future planning applications, as it is for site OP5. They note that sites OP4 and OP5 used to be site BUS3 in the LDP 2017 (PP0578).

The Scottish Government also requested that the PLDP states that crossing points over the A90 require to be grade separated, and not just the Formartine and Buchan Way. This will provide clarity for developers on the infrastructure requirements (PP0578).

SEPA has recommended adding that “a Flood Risk Assessment (FRA) may be required” to assess surface water flooding on the site (RD0214.B) (PP1219).

Site OP5 – Land at Wellbank Land

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation for site OP5. No modification sought (RD0214.B) (PP1219).

Site OP6 – Land West of Damhead Way

SEPA has stated they will object unless the allocation summary for site OP6 highlights that this site falls partially within the SEPA's indicative flood risk map, and a FRA will be required. They also note that site P4 is unlikely to be of sufficient width to eliminate this flood risk (RD0214.B) (PP1219).

Site CC1 – Upperton Industrial Estate

SEPA has recommended that site CC1 should include the need for a FRA to assess surface water flooding on the site (RD0214.B) (PP1219).

Non-Allocated Site – Bid Site BU043 – Land at Dales Industrial Estate, North of Damhead Way

A representee requested removing site BUS3 in favour of allocating bid BU043 for 100 homes. It is argued that promoting growth in Peterhead is important, as it is Aberdeenshire's largest settlement, is a major employment and service centre, and it is the northern anchor of the Energetica Corridor. They also note the lack of new sites contradicts the MIR 2019, which states "There is demand and opportunities in Peterhead..." states. Sites OP1 and OP2 are not moving forward. They report there is a lack of choice of sites for development, and this site will provide a balanced housing distribution, with consequential benefits to traffic flows and traffic management in Peterhead and impact on schools and community facilities. Re-zoning the primary school catchment to Meethill would resolve the education constraint. The site is not too large when compared with sites OP1 and OP2. The site relates better to the adjoining residential land to the north at site OP2. A portion of land is reserved for care and support facilities at R4 and the open space to the east at Dales Park (PP0447).

The representee also argues that this bid site should be considered because it is screened and therefore isolated from the rest of Dales Industrial Estate making it suitable for residential use. Being within the Health and Safety Executive (HSE) hazard consultation zone should not prevent residential development and a consultation process can be carried out. The site can overcome constraints in terms of screening from employment uses, health and safety and education. Also, the loss of around 4 hectares of employment land is not a major issue based on the supply of employment land in Peterhead (PP0447).

Non-Allocated Site – Bid Site BU044 – Land at Wellington Place Farm, West of A90 and Dales Industrial Estate

A representee has requested that bid BU044 to be allocated as an opportunity site for 500 new homes and 30,000sqm of industrial, business, commercial and retail floorspace (mixed-use). It is argued that site BU044 is deliverable, and promoting growth in Peterhead is important, as it is Aberdeenshire's largest settlement, is a major employment and service centre, and it is the northern anchor of the Energetica Corridor. They also

note the lack of new sites contradicts the MIR 2019, which states “There is demand and opportunities in Peterhead...”. Sites OP1 and OP2 are not moving forward. They report there is a lack of choice of sites for development. This mixed-use site is located adjacent to existing employment land. It reduces the need to travel for workers on the other side of the A90. The precedent for development on the west side of the A90 has already been set by the OP1 development at Inverugie Meadows and the allocated land immediately to the south of the Wellington Place Farm site at OP5 and BUS 4. Any standalone element will be addressed by good and safe connectivity across the A90. Re-zoning the primary school catchment to Meethill would resolve the education constraint. The site is not too large when compared with sites OP1 and OP2. They also suggested the allocation summary should cover the following:

- A masterplan is required for this new site.
- There should be reference to affordable homes.
- Contribution shall be made for a safe crossing at the A90(T) road.
- Contribution shall be made towards community facilities and other requirements that may be identified.
- The development should support the capacity at Meethill Primary, which is forecasted to be at 39% in 2022.
- To minimising potential noise nuisance, the industrial park and the proposed housing will be separated by the A90, a landscaped boundary on the western side of the A90 and soft Class 4 business uses would be provided.
- The second access would be provided onto the trunk road (without detriment to the road network and the trunk road) and this provides the opportunities to connect with the wider road network.
- A possible addition of an employment site within this bid site. It would be acceptable to add this in a future phase. The representee submitted a location plan (RD0068.A) in support of the representation (PP0446).

Non-Allocated Site – Bid Site BU055 – Site South of Faith Acres (OP1 Extension), Berryhill

A representee has requested extending site OP1 to include land between the A950 and the unclassified road at Stella’s Voice for 150 homes, which is identified as bid site BU055 in the MIR 2019. They report that Transport Scotland has resisted approaches from the landowner of site OP1 to approve the modifications necessary for site access from the A90, delaying the delivery of the site. They argue, this extension would provide greater flexibility for additional vehicular access without reference to Transport Scotland. The modification has a defensible boundary with the opportunity to provide a gateway feature to Peterhead. The plantation on site, which is ready for harvesting, can be replaced as part of the extension of the site to create a more homogenous landscape setting for the whole OP1 development. The representee submitted a location plan (RD0192.A) in support of the representation (PP1095).

Non-Allocated Site – New Site N016 – Waterside Hotel

A representee has requested amending the settlement boundary to include the Waterside Hotel and land associated with it. It is adjacent to the existing settlement boundary and falls within the coastal zone. They state that the site is a brownfield site and including it within Peterhead’s settlement boundary will allow it to form part of the settlement and provide the opportunity for new housing. They note the review of the coastal zone is not proposed to be carried out until 2022 to enable changes. Removing this designation

would benefit businesses impacted by Covid and Peterhead is within a regeneration priority area. A visual separation of the site from the coast would remain, as it is east of the River Ugie and the golf course provides a further buffer. The undeveloped part of the hotel, which is located to the northeast of the site, can be retained as protected land and accessible to the public. The representee has included an Appendix (RD0134.A) in their representation which provides further detail to support their position (PP0764).

Modifications sought by those submitting representations:

Site P12 – To protect the cemetery as an amenity for the settlement and for contributing to the character of the place

Modify the PLDP to remove site P12 (PP0740).

Site R2 – For development related to Peterhead Power Station, Carbon Capture and Storage, a possible landfall for a potential international North Sea interconnector, onshore connections to support offshore renewable energy, and major energy developments as set out in National Planning Framework 3

Modify the PLDP to amend the boundary of R2 to cover the full extent of the existing decommissioned pipeline corridor between Peterhead Power Station and the jetty in the South Bay Harbour of Peterhead Port. An illustrative for pipeline route is provided (PP0431, PP0503, PP0573, PP0762, PP0899 and PP1145). The illustrative plan shows the expansion at the east of the boundary covering site P9 to protect for 'port related activities' (PP1145).

TC – Peterhead Town Centre

Modify the PLDP to extend Peterhead's Town Centre boundary to include site P12 (PP0740).

Flood Risk

Modify the PLDP to amend the first 'Flood Risk' bullet point from, "Parts of Peterhead lie within an area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment. Flood Risk Assessments may be required." to "Peterhead is identified as an area potentially vulnerable to flooding in the National Flood Risk Assessment. Parts of the town are at risk from coastal flooding. Flood Risk Assessments may be required." (PP1219).

Modify the PLDP to amend the second 'Flood Risk' bullet point from, "Parts of sites OP1, OP2, OP3, OP4, OP5, R2, CC1, P7 and BUS3 lie within an area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment or have a small watercourse running through or adjacent to the site. A detailed Flood Risk Assessment may be required to accompany any future development proposals and/or an appropriate buffer strip required adjacent to the watercourse." to "Parts of sites OP1, OP2, OP3, OP4, OP5, OP6, CC1, R2, R3, BUS3, BUS4 and SR1 may be at risk of flooding as shown on the SEPA Indicative Flood Maps or because there is a small watercourse running through or adjacent to the site. Flood Risk Assessments may be required. Buffer strips will be required alongside all watercourses." (PP1219).

Site OP1 – Inverugie Meadows

Modify the PLDP to amend the allocation summary of site OP1 to remove from paragraph one, “significant alterations to the A90 to provide vehicular access to the site.” (PP1076).

Modify the PLDP to amend the allocation summary of site OP1 to remove from paragraph one, “to preserve the railway line.” (PP1076).

Modify the PLDP to amend the allocation summary of site OP1 to remove from paragraph one, “provision of land for a health centre.” (PP1076).

Modify the PLDP to amend the allocation summary of site OP1 to add a new sentence after the second sentence in the last paragraph, to read, “Opportunities to restore and enhance the straightened watercourse should be investigated.” (PP1219).

Modify the PLDP to amend the allocation summary of site OP1 to add at the end of the penultimate paragraph to read, “Compensatory planting must be provided should there be tree loss.” (PP1300).

Site OP3 – Land at West Road

Modify the PLDP to amend site OP3 to reduce the number of homes from 225 to 206 (PP1060).

Modify the PLDP to amend the allocation summary of site OP3 to change the last paragraph from, “A Flood Risk Assessment will be required. A buffer strip will be required along the watercourse and should be integrated positively into the development. Enhancement of the watercourse/burn through re-naturalisation and removal of redundant structures will require to be investigated.” to “A Flood Risk and Geomorphological Assessment will be required. A buffer strip will be required along the Collie Burn and should be integrated positively into the development. No construction should take place within the natural river corridor. Opportunities to restore and enhance the straightened watercourse should be investigated.” (PP1219).

Site OP4 – Land West of A90(T)

Modify the PLDP to amend the allocation summary of site OP4 to add, “Transport Scotland must be consulted at the early stage of the planning application to agree on impacts related to the trunk road network.” (PP0578).

Modify the PLDP to amend the allocation summary of site OP4 to clarify that all crossing points over the A90 require to be grade separated (PP0578).

Modify the PLDP to amend the allocation summary of site OP4 to add, “A Flood Risk Assessment may be required to assess surface water flooding on the site.” (PP1219).

Site OP6 – Land West of Damhead Way

Modify the PLDP to amend the allocation summary of site OP6 to add, “The SEPA Indicative Flood Map shows a significant portion of this site to be at risk of flooding from the watercourse running through it. A Flood Risk Assessment will be required to

determine the developable area and width of the buffer strip required along the watercourse. It is likely the buffer strip will need to be significantly wider than that already provided by the protected area P4. Opportunities to restore and enhance the straightened watercourse should be investigated.” (PP1219).

Site CC1 – Upperton Industrial Estate

Modify the PLDP to amend the allocation summary of site CC1 to add, “A Flood Risk Assessment may be required to assess surface water flooding on the site.” (PP1219).

Non-Allocated Site – Bid Site BU043 – Land at Dales Industrial Estate, North of Damhead Way

Modify the PLDP to remove allocation BUS3 and allocate bid site BU043 as an opportunity site for 100 homes. The allocation summary should include the following statements:

- “Consultation with HSE needs to be carried out in terms of health and safety regulations”.
- “Landscaping must be provided on all sides to create a buffer between the industrial estates.” (PP0447)

Non-Allocated Site – Bid Site BU044 – Land at Wellington Place Farm, West of A90 and Dales Industrial Estate

Modify the PLDP to include bid site BU044 for 500 new homes and 30,000sqm of industrial, business, commercial and retail floorspace (mixed-use). In the allocation summary, state, “a landscaped boundary on the western side of the A90 and soft Class 4 business uses need to be provided to minimise noise concern and to enhance landscape setting”, as well as the following:

- A masterplan is required for this new site.
- Reference to affordable homes.
- Contribution shall be sought for a safe crossing at the A90(T) road.
- Contribution shall be made towards community facilities and other requirements that may be identified.
- To minimise potential noise nuisance, the industrial park and the proposed housing will be separated by the A90, a landscaped boundary on the western side of the A90 and soft Class 4 business uses would be provided.
- The second access would be provided onto the trunk road (without detriment to the road network and the trunk road) and this provides the opportunities to connect with the wider road network (PP0446).

Non-Allocated Site – Bid Site BU055 – Site South of Faith Acres (OP1 Extension), Berryhill

Modify the PLDP to extend site OP1 to include land between the A950 and the unclassified road at Stella’s Voice for 150 homes, which is identified as bid site BU055 in the MIR 2019.

Non-Allocated Site – New Site N016 – Waterside Hotel

Modify the PLDP to amend the Peterhead Settlement boundary to include new site N016 and designate the undeveloped grounds of the hotel as protected land for public open space (PP0764).

Summary of responses (including reasons) by planning authority:

General

It is noted that Draft Regional Transport Strategy (RTS) (2040) (AD0024) contains potential actions for dualling of the A90(T) north of Ellon to the Toll of Birness in page 58 and strategic importance of Peterhead Port. No change is required.

Site P12 – To protect the cemetery as an amenity for the settlement and for contributing to the character of the place

It is noted that a supermarket has been built on part of the site (to the northeast) and the land adjacent to the built-up area appears to be a gap site and has the potential to become an infill site. Therefore, to rectify this error, the Peterhead settlement map would require to be updated. If the Reporter is minded to make an amendment, then the Council recommend to remove site P12 from the Peterhead Settlement Plan and amend labelling P13-P15 accordingly.

Site R1 – For sport and recreation uses

Comments from SEPA are noted. No change is required.

Site R2 – For development related to Peterhead Power Station, Carbon Capture and storage, a possible landfall for a potential international North Sea interconnector, onshore connections to support offshore renewable energy, and major energy developments as set out in National Planning Framework 3

Comments from SEPA are noted. No change is required.

The purpose of designating reserved land is to protect land for certain development that is in the public interest. The land that is proposed to be reserved is usually unbuilt. It is suggested to extend the boundary towards the northeast of existing R2 and this is not achievable because the site in question is mostly built-up. The pipeline corridor is already established and unlikely to affect the built-up areas. Site P9 is protected for port related activities, which means that it plays a role in delivering this development and more, therefore, it is not required to change its designation. No change is required.

Site R4 – For care and support service facilities

Comments from SEPA are noted. No change is required.

TC – Peterhead Town Centre

The site P12 is designated to protect the cemetery, however, this designation was made in error. There is a large retail unit (Aldi) development on the site. The town centre boundary has been carefully selected based on activities and shops in the area. Although the Aldi store is not far away from the existing boundary of the town centre, the presence

of this single shop set on the opposite side of a roundabout does not justify it being included within the town centre boundary. Furthermore, there are no other shops next to this Aldi store. No change is required.

Sites BUS1 and BUS 2 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Inverugie Meadows

The support for a health centre within site OP1 has been noted.

The OP1 site has been brought forward from the Aberdeenshire Local Development Plan 2017 (AD0034.E, pages 248-249). During the review of the site, the Council's Transportation Team has been consulted and they sought to add the words "significant alterations to the A90 to provide vehicular access to the site". The Planning and Environment Service must take cognisance of the view of the consultee to provide a development that is safe, reliant and secure. Transport Scotland shall be consulted at the planning application or further masterplanning stage. Transport Scotland did not raise any concerns regarding the infrastructure requirement for this site in their consultation but mentioned that previous communication had taken place regarding safe connections over the A90(T). No change is required.

The Formartine and Buchan Way is a core path and is used by the public for recreation. It is also a cycle route connecting with Mintlaw and other settlements. The Formartine and Buchan railway line is protected in the event the railway line becomes active in the future regardless of how unlikely a situation this is at the present time. Any compromises can be dealt with during the preparation of the re-opening of the railway line and a Compulsory Purchase Act may be applied to gain control of the land. Therefore, it is not recommended to remove the reference for preserving the railway line. No change is required.

A health centre must be provided within the site OP1 due to the scale of the population likely to derive from this development. It can be estimated that over 4000 people may reside on this site once it is developed. Furthermore, the neighbouring sites OP2 and OP3 and other recently developed sites, together shall bring a major pressure on the existing health centre. The NHS has confirmed with the Planning and Environment Service, through bid and public consultation responses, that a health centre shall be allocated within this site. No change is required.

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Wester Clerkhill

Comment from SEPA has been noted. No change is required.

Site OP3 – Land at West Road

Support for the allocation for 225 homes has been noted. No change is required.

The Council does not agree to reducing the allocation from 225 to 206 homes. The allocation total of 225 homes reflects the agreed planning applications on this site. The site boundaries have not been adjusted within the site being carried forward and thereby totals are also representative of completed units within the allocated areas. Housing completions are set out within Appendix 6 Housing Land Allocations. Details on the calculation of the housing land supply and contributions to the allowances is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations. No change is required.

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP4 – Land West of A90(T)

The Council confirms that it intends to address Scottish Government Planning and Architecture Division's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

This site was previously designated as BUS3 and no agreement was made with Transport Scotland regarding a crossing point on to the BUS3 site. Therefore, it is not considered necessary to clarify all the crossing points over the A90. Should this be required, this matter can be dealt with at the planning application stage. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP5 – Land at Wellbank Land

Comment from SEPA has been noted. No change is required.

Site OP6 – Land West of Damhead Way

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site CC1 – Upperton Industrial Estate

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Site – Bid Site BU043 – Land at Dales Industrial Estate, North of Damhead Way

The Council does not support the allocation of bid site BU043 for 100 homes on site BUS3 (business/employment site). This bid site was not a preferred site in the MIR (AD0038.C, page 54). The site is adjacent to the existing industrial park, and access via an existing industrial estate is not deemed suitable. It is argued by the representee that there is a lack of choice of sites for development in Peterhead. However, there are several opportunities and choice of sites in Peterhead. Three large opportunity sites have been identified for this Plan period and brownfield and gap site opportunities may also arise during this Plan period. Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area.

Peterhead is a well-established town and has a high demand for new homes. This brings pressure for the primary schools and secondary school and some of the primary schools in Peterhead are forecast to be at overcapacity. It has been suggested by the representee to rezone the primary school catchment to Meethill in order to resolve the education constraint. The Council's Education Service predicts that the capacity at Meethill Primary would be on the rise over the next few years and it is only this Service that can re-zone a school, after public consultation.

It is agreed that the site is not too large in comparison to other opportunity sites, however, the housing density would be high. The site area is 4.35 hectares aiming to deliver 100 homes. This usually would not be an issue in many towns, but Peterhead is predominately spread out and new developments are delivering ample open spaces. In addition, it has not been noted that the stretch of linear woodland at the north of the site covers 0.85ha of grounds and 0.75ha of grounds at the south, meaning only 2.785ha of land would be developable. This means that a similar layout is unlikely to be delivered on this site.

The site is screened to the north, south and west, but it is very close to a business park, which means that the properties are likely to be affected from various nuisance. This business park mainly has businesses that falls within use class order 5 and 6 and some offices. Therefore, screening is unlikely to solve the constraints associated with the distance. The representee mentions that site R4 reserved for a care home is set just to the north of this proposed site. The site R4 is not as close to the business park in comparison to the proposed site. The site also falls within Health and Safety Executive (HSE) hazard consultation zone and HSE may likely object to this site at the planning application stage. The site is designated as BUS3 site in the PLDP, and it is preferred that this site remains safeguarded for business uses.

In conclusion, no change is required.

Non-Allocated Site – Bid Site BU044 – Land at Wellington Place Farm, West of A90 and Dales Industrial Estate

The Council does not support the allocation of land on bid site BU044 for 500 homes, and 30,000sqm of industrial, business, commercial and retail floorspace. The employment and

retail element were not proposed in the original bid, which was not identified as a preferred site in the MIR (AD0038.C, page 54). In the MIR, the site was not preferred because it is set directly opposite an industrial park that would make it a “standalone” development for some time in the future. Also, a second access would have to be taken from the A90(T) and this would result in further traffic congestion and would unlikely be supported by Transport Scotland. Finally, there is constraint on education provision in the local primary schools which is supported by the School Roll Forecasts 2019 (AD0095). The location of the site permits access to limited primary schools and safe crossings would be required.

Peterhead is a well-established town and has a high demand for new homes. This brings pressure for the primary schools and secondary school and some of the primary schools in Peterhead are forecast to be at overcapacity. It has been suggested by the representee to rezone the primary school catchment to Meethill in order to resolve the education constraint. It has been predicted by the Education Service that the capacity at Meethill Primary would be on the rise over the next few years. Furthermore, due to the location of the site, this may not be possible.

It is argued by the representee that there is a lack of choice of sites for development in Peterhead. Six large opportunity sites for housing, employment and commercial land have been identified for this Plan period, which provide a sufficient and appropriate choice of sites in Peterhead. Brownfield and gap site opportunities may also arise during this Plan period. Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area.

The representee argues that “This mixed-use site is located adjacent to existing employment land. It reduces the need to travel for workers on the other side of the A90”. The housing development is highly unlikely to be tied to the industrial development, i.e., worker’s accommodation, therefore, it cannot be presumed that the employees of those industries shall reside within this housing scheme which would reduce the need to travel.

The site is set next to site BUS3, which is safeguarded for business uses. The BUS3 site is almost fully developed with a couple of small pockets of land left to build. The bid site is set north of BUS3 site sharing a border. This is not favoured as it would be a standalone development.

In conclusion, no change is required.

Non-Allocated Site – Bid Site BU055 – Site South of Faith Acres (OP1 Extension), Berryhill

The Council does not support the allocation of Bid Site BU055 as an extension of site OP1. This bid site was not identified as a preferred site in the MIR (AD0038.C, pages 55 and 56). This bid site contains pockets of woodland to the south, which would significantly impact on the existing wildlife and their habitat if removed or reduced. Furthermore, there are many minor watercourses flowing throughout the site. The road infrastructure does not meet the standard required to service the site. Finally, the impact on the setting of the listed building which is set directly to the west of the site would be adversely affected.

The site is set directly west of A90(T) therefore Transport Scotland shall be consulted for this development at a planning application stage. During the initial consultation with

Transport Scotland prior to MIR submissions, Transport Scotland did not welcome this site for further discussion. No further progress was made because the site was not favoured by the Planning and Environment Service. The Roads Development Team of Aberdeenshire Council were not in favour of this development due to the proximity to the A90(T) and access arrangements.

The precedent for development on the west side of the A90 has been somewhat set, but this site should only be considered after site OP1 is delivered. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area.

In conclusion, no change is required.

Non-Allocated Site – New Site N016 – Waterside Hotel

The Council does not support the new site N016 to be included within the Peterhead Settlement boundary. The site is situated north of Peterhead. The site falls within the coastal zone. In addition to this, the setting of the site is rural. The hotel is a standalone building set within the countryside. To the east the River Ugie is flowing north to south and to the west is the A90(T). For these reasons, the Planning and Environment Service is not recommending the site to be included within the Peterhead settlement boundary. The site is well screened from the A90(T) and residential developments. It is important to retain the setting of the site and prevent urban sprawling. The natural setting surrounding the hotel is important for wildlife and their habitat. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the proposed plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the provisions of the proposed plan, or which simply make comments that do not seek modifications to the proposed plan. Therefore, unless these relate to an issue which is unresolved, they are not addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as 'non-notifiable modifications' to the Peterhead settlement statement. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Flood risk

3. The Scottish Environment Protection Agency (SEPA) seeks a number of modifications in respect of sites OP1, OP2, OP3, OP4, OP5, OP6, CC1, R2, R3, BUS3, BUS4, SR1 and P7. I note that the council is content to amend the flood risk bullet points and the allocation summaries for sites OP1, OP3, OP4, OP6 and CC1 as sought, to highlight the potential for flooding and the requirement for flood risk assessments to be undertaken. To provide clarification on these matters, I agree that the proposed plan should be modified and recommend below the modifications sought by SEPA.

Site P12 (land immediately south of Kirk Street)

4. As I noted at my site inspection, a supermarket and associated customer car parking occupy part of the site. Also, vehicular access has been created to serve two further plots which benefit from an extant planning permission in principle for food and non-food retail development. The council has acknowledged its error in identifying the site as 'protected land' and is content for the proposed plan to be modified to remove the site from the table of protected land and associated mapping. I note that the site has been the subject of past archaeological investigations, which have not revealed any significant finds. In light of the foregoing, I agree that the proposed plan should be modified to remove reference to site P12 from the settlement statement, including the table of settlement features, key map and map 5.

5. I do not, however, agree that the site should be identified as a development opportunity; it is partially developed and the principle of development has been established on the remainder of the site, for which planning permission in principle has been granted. Nor do I agree that the town centre boundaries should be extended to include it; despite its proximity, there is no continuity of shopping/commercial uses between the town centre and the site. The site also lies beyond the busy A982/ King Street/ Kirk Street roundabout. No modifications to the proposed plan are required in this regard.

Site R2 (land south of Peterhead)

6. Site R2 is allocated 'reserved land' for development related to; Peterhead Power Station; Carbon Capture and Storage; landfill for a potential international North Sea interconnector; onshore connections to support offshore renewable energy; and, major energy developments, as set out in National Planning Framework 3. The council's support for carbon networks designed to store CO₂ in offshore oil and gas fields, especially around Peterhead and the gas fired power station, is expressed in Policy C3.2.

7. As noted in representations, the facilities at the port are considered essential to projects reliant on the importation and exportation of carbon dioxide and hydrogen, among other things. As such, it would appear prudent to ensure that the route of the pipeline corridor between the port and the power station is safeguarded. The illustration that accompanies the representations indicates a pipeline corridor that broadly follows the line of South Base Road; it does not run through a built-up area as suggested by the council. While site P9 safeguards land between South Base Road and the tanker jetty for port-related activities, there would nonetheless remain a gap between site P9 and R2.

8. The importance of creating a carbon capture and storage network at Peterhead is recognised in National Planning Framework 3 (national development 3). For this reason, and to provide the assurance sought by Scottish Enterprise, the port authority and a number of energy companies, that the land requirement for such a project is safeguarded, I conclude that site R2 should be extended to include the line of the pipeline corridor. I recommend a modification below.

9. Our conclusions on matters relating to the wording of Policy PR2.2 are addressed under Issue 10 (protecting resources).

Site OP1: Inverugie Meadows

10. The provision of a health centre on site OP1 is supported by NHS Grampian; its representation makes no reference to the future of Peterhead Hospital. Whilst the NHS requirement is not defined, I find that it is reasonable to assume that development on the scale proposed would give rise to a need for health facilities, among other community amenities. I do not accept that such a requirement is inappropriate or will lead to land being sterilised, as suggested. The council's position on the provision of essential infrastructure to facilitate planned development is clearly expressed in the proposed plan (Section 14: responsibilities of developers). I do not agree that reference to a health centre should be removed from the supporting text to proposal OP1. Accordingly, no modification is required in this regard.

11. A representee also seeks the removal of the phrase 'to preserve the railway line' from the supporting text, as there is no real prospect of the Peterhead to Mintlaw railway line being reopened; adding that the route has been compromised at various points by development following its closure. Whilst I agree that the phrase does not accurately describe the current use of the route as a foot/cycle path, the proposed plan seeks to protect former railway lines from development should they be required for future transport projects. I recommend a modification below to better reflect the council's intention in this regard.

12. Allocation OP1 is a feature of the existing plan. Transport Scotland has not objected to its inclusion in the proposed plan. It is, however, keen to ensure the provision of safe and convenient pedestrian/cycle crossing points over the trunk road. The site is considered to be effective (housing land audit 2020) and a masterplan for part of the site has been approved. The council adds that Transport Scotland will be consulted as part of the preparation of future masterplans and planning applications as proposals progress. On this basis, I am satisfied that the scale of development proposed is capable of being served by vehicular accesses taken from the A90(T) to the satisfaction of Transport Scotland and the council, as Roads Authority. Accordingly, no modification is required.

13. I agree with NatureScot that the need for compensatory tree planting should be mentioned, to reflect the Scottish Government's control of woodland removal policy. In this regard, I recommend that the proposed plan is modified accordingly.

OP3: Land at West Road

14. The reference to the development of 225 houses on site OP3 reflects an extant planning permission. I do not agree that the number of houses noted in the proposed plan should be amended to 206 merely to accord with an entry in the housing land audit 2019. The audit simply provided a snapshot of the amount of land available for the construction of housing at that time. I note that the corresponding entry in the Housing Land Audit 2020 records the site's capacity as 225 houses, with a construction programme running to 2027. No modification to the proposed plan is required in this regard.

OP4: Land West of A90(T)

15. In the interests of consistency, I agree that the proposed plan should be amended to include the same sentence regarding consultation with Transport Scotland, as currently provided for site OP5. A modification is recommended.

Non-allocated Bid Site BU043 (land at Dales Industrial Estate)

16. I agree that the site is not suitable for housing development; it lies adjacent to existing business uses and within a Health and Safety Executive hazard consultation zone; vehicular access would be via industrial estate roads; and, although screened in part by woodland planting, new housing would most likely be affected by noise and other nuisances from nearby industrial and open storage operations.

17. I note the comments made in representations regarding the need to provide choice of housing sites in Peterhead. However, as we conclude under issue 5 in this report, sufficient land has been identified in the Rural Housing Market Area to meet identified needs. I conclude that the site should remain part of business allocation BUS3. No modification required.

Non-allocated Bid Site BU044 (Wellington Place Farm)

18. The site lies immediately beyond the settlement boundary to the west of the A90(T) and opposite the Dales Industrial Estate, which for the most part is screened by an embankment and a belt of mature trees. The representee seeks a modification to the proposed plan that would see the site allocated for 500 houses and 30,000 square metres of industrial, business, commercial and retail uses. It adds, the precedent for development extending beyond A90(T) to the west has been established with the allocation of site OP1 (Inverugie Meadows). Although the site is considered well-located in relation to the settlement, the council argues that its proximity to an industrial estate, infrastructure constraints to adequately serve new development and potential for traffic congestion are such that it is unable to support the proposal. Furthermore, the council considers that there is a sufficient supply of deliverable housing sites throughout the Rural Housing Market Area.

19. The extant development plan identifies Peterhead as part of a strategic growth area; a focus for new housing development in support of the Energetica Corridor. Peterhead is also identified as a regeneration priority area. The proposed plan continues this policy position. As such, I accept that the successful development of the site could contribute housing and employment opportunities to support economic growth and regeneration activities in the town and beyond. However, as we conclude in Issue 5 (shaping homes and housing), sufficient land has been allocated in the Rural Housing Market Area to meet identified needs. Also, the amount of employment land allocated throughout the strategic growth area is significantly above that required by the strategic development plan, Appendix 1, Table 1 (summary of employment land allocations) refers. Furthermore, the proposed plan promotes a strategic reserve of employment land extending to 42.6 hectares immediately to the south of proposed site (ref: SR1).

20. The representation also refers to the provision of 5,000 square metres of commercial and retail space. However, it does not support the proposal with a sequential assessment or predicted demand for further retail facilities in the area. In this regard, the proposed plan allocates land a short distance to the south-east of the site (ref: CC1), which is a committed commercial centre for large format retailing, including the potential development of a supermarket.

21. While I accept that the promoter of the site has suggested ways in which infrastructure constraints could be overcome, these do not appear to have been examined in any detail, including the acceptability of new junction onto the trunk road; the position of Transport Scotland on this matter is unknown.

22. Finally, I note that the strategic development plan, at paragraph 4.19, states that allocations within local development plans should be of a scale which would not inhibit the delivery of current strategic allocations, that is, major land allocations which are to be delivered over a number of phases (as defined in the strategic development plan glossary). In this context, a development of the scale and mix proposed at Wellington Place Farm could be regarded as having the potential to inhibit the delivery of development on allocated site OP1 (1265 houses, community facilities and four hectares of employment land) which, as the proposed plan notes on page 352, is expected to be developed in phases. In conclusion, for the reasons set out above, I agree with the council that the proposed plan should not be modified.

Non-allocated Bid Site BU055 (site south of Faith Acres)

23. The council’s assessment of the site contained in the Main Issues Report recognises that the site has some merit as a housing allocation. It relates well to the settlement as it would in effect be an extension to the allocated housing-led mixed-use site OP1 (Inverugie Meadows). However, for a number of reasons, the council chose not to promote the site as a housing development opportunity in the proposed plan. I broadly agree with its assessment and note in particular the concerns regarding vehicular access, impact on the A90(T)/ A950 junction and the potential effects of development on the conservation interests of the site and its surroundings.

24. Furthermore, the 2020 housing land audit indicates that development at site OP1 is not due to commence until 2023 and is likely to continue beyond the plan period. There is therefore no justification for an extension of the site at this time. Also, as we conclude elsewhere in this report, sufficient land has been identified in the Rural Housing Market Area to meet identified needs.

Non-allocated New Site N016 (Waterside Hotel)

25. The A982 North Road provides a clear defined boundary to Peterhead in this location. I do not accept that the hotel’s inclusion within the ‘coastal zone’ is an anomaly. It stands alone in a landscaped setting, beyond which the Collieburn embankment is protected as an amenity for the setting of the town and as part of the green-blue network. No modification is required in response to the representation.

Reporter’s recommendations:

Modify the local development plan by:

1. Replacing the first bullet point under the heading ‘Flood Risk’ on page 350 with the following:

“Peterhead is an area potentially vulnerable to flooding, as identified by the National Flood Risk Assessment. Parts of the town are at risk from coastal flooding. Flood risk assessments may be required.”

2. Replacing the second bullet point under the heading ‘Flood Risk’ on page 350 with the following:

“Parts of sites OP1, OP2, OP3, OP4, OP5, OP6, CC1, R2, R3, BUS3, BUS4 and SR1 may be at risk of flooding, as shown on SEPA’s Indicative Flood Maps or due to

watercourses running through or adjacent to the sites. Flood Risk Assessments may be required in support of development proposals. Buffer strips will be required alongside watercourses.”

3. Deleting proposed allocation P12 from the table of ‘Protected Land’ in Appendix 7B, on page 349.

4. Removing proposed allocation P12 from the Peterhead key map, map 5 and map 6, on pages 356, 361, 362, respectively.

5. Extending site R2 in a north easterly direction to the boundary of the P9 area along the route of the pipeline corridor (shown on the map in representation PP0573 and others) on the Peterhead Key Map on page 356 (and maps 1 to 8 where applicable).

6. Replacing the fifth sentence of the first paragraph of the allocation summary for OP1 (Inverugie Meadows) on page 352 with:

“At least one crossing should link the Formartine and Buchan Way (Core Path) across the A90 (T).”

7. Adding the following seventh sentence to the end of the first paragraph of the allocation summary for OP1 (Inverugie Meadows) on page 352:

“Development proposals, including pedestrian crossing arrangements, should not compromise the ability of the former railway line to form part of a future transportation project, should it be required.”

8. Adding the following sentence to the penultimate paragraph of the allocation summary for OP1 (Inverugie Meadows) on page 352:

“Compensatory planting must be provided should there be any loss of trees.”

9. Adding the following sentence as a new third sentence to the last paragraph of the allocation summary for OP1 (Inverugie Meadows) on page 352:

“Opportunities to restore and enhance the straightened watercourses should be investigated.”

10. Replacing the final paragraph of the allocation summary for OP3 (land at West Road) on page 354 with:

“A Flood Risk and Geomorphological Assessment will be required. A buffer strip will be required along the Collie Burn and should be integrated positively into the development. No construction should take place within the natural river corridor. Opportunities to restore and enhance the straightened watercourse should be investigated.”

11. Adding the following sentence after the fourth sentence of the allocation summary for OP4 (land west of A90(T)) on page 354;

“Transport Scotland must be consulted at an early stage in the preparation of planning applications in order to assess the impacts of development proposals on the trunk road network.”

12. Adding the following sentence at the end of the allocation summary for OP4 (land west of A90(T)) on page 354:

“A Flood Risk Assessment may be required to assess surface water flooding on the site.”

13. Adding the following sentence after of the first sentence of the allocation summary for

OP6 (land west of Damhead) on page 355:

“A SEPA Indicative Flood Map shows that a significant portion of the site to be at risk of flooding from the watercourse running through it. A Flood Risk Assessment will be required to determine a developable area and width of buffer strip required along the watercourse. It is likely that the buffer strip will need to be significantly wider than that provided by site P4 (protected land). Opportunities to restore and enhance the straightened watercourse should be investigated.”

14. Adding the following sentence as a third paragraph to the allocation summary for CC1 (Upperton Industrial Estate) on page 355:

“A Flood Risk Assessment may be required to assess surface water flooding at the site.”

Issue 19	Other Strategic Growth Area Settlements (Buchan) – Boddam, Hatton and Longhaven	
Development plan reference:	<p>Proposed LDP, Appendix 7B Buchan, Page 288-291 Proposed LDP, Appendix 7B Buchan, Page 307-310 Proposed LDP, Appendix 7B Buchan, Page 311-313</p>	Reporter: Andrew Sikes
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Boddam PP0060 Boddam Community Association PP0754 E Smith PP0756 E Smith PP1036 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1343 Historic Environment Scotland</p> <p>Hatton PP0163 Cruden Community Council PP0198 Alistair Nicol PP0296 Sheila Anderson PP1105 c a s e CONSULTING Limited PP1182 Sentinel Properties Limited PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian PP1300 NatureScot (Scottish Natural Heritage)</p> <p>Longhaven PP1057 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian</p>		
Provision of the development plan to which the issue relates:	<p>Boddam Settlement Statement Hatton Settlement Statement Longhaven Settlement Statement</p>	
Planning authority's summary of the representation(s):		
<p>Boddam</p> <p><u>General</u></p> <p>A representee has indicated that planning permission (APP/2020/0758) for a shelter for walkers that would meet the requirements of different individuals such as disabled members of the public and parents with electric prams. The area is relatively traffic free and provides a safe environment for walkers. It is located within close to bus stop and to the A90(T). No modification sought (PP0060).</p>		

Flood Risk

Scottish Environment Protection Agency (SEPA) has recommended that the 'Flood Risk' bullet point should be split in two and refer them to the National Flood Risk Assessment and coastal flooding for site OP1 (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply'. No modification sought (RD0214.B) (PP1219).

Site OP1 – East of Inchmore Gardens

A representee objects to the allocation due to being marketability constrained and being absent from the HLA 2019. The representee stated that the site has been deleted from the audit because the area of the site has been reduced for less than five homes (PP1036).

This site is located approximately 50m north of the Scheduled Monument known as Boddam Castle, but Historic Environment Service (HES) is content that some additional houses in this location of a similar scale/height to those which have already been built, are unlikely to significantly impact on its setting. No modification sought (PP1343).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation for site OP1 (RD0214.B). No modification required (PP1219).

Non-Allocated Site – Bid Site BU030 – Land off A90

Interest has been expressed in developing this site and therefore, the site should be allocated in the Proposed Local Development Plan (PLDP). The site presents no impact on the Local Nature Conservation Site (LNCS) status. Any visual impact can be addressed through planting/bunding and adequate access can be achieved. A question has been raised as to why the land has been identified within the Boddam Power Station consultation zone, and if consultation has taken place in this respect (PP0754).

Non-Allocated Site – Bid Site BU031 – Land off A90

This site should be allocated to enhance opportunities for Boddam and help sustain services, particularly since the allocation for site OP1 has been reduced to 9 units. Boddam provides developers with an alternative to Peterhead and the site location is the only direction the settlement can expand in future. Whilst the site is separated by the main road, this can be overcome through new infrastructure, including a pedestrian crossing. Also, the site will not have any impact on the LNCS status, and the creation of safer walking routes linking to wider networks would limit/eliminate the impact on the Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC) and Special Protected Area (SPA) to the east (PP0756).

Hatton

Site BUS – Safeguarded for business uses

SEPA has stated that there is a potential surface water flooding issue at site BUS and suggest the Council's Flood Prevention Unit should comment on whether any further requirements need to be highlighted and added (RD0214.B) (PP1219).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

A representee has requested amending the statement on health and care facilities to state that contributions should go towards the creation of additional capacity at existing medical facilities or a new health centre in Cruden Bay, and towards pharmacy facilities (PP1223).

Site OP1 – Land of Northfield

A representee has objected to the allocation of the site in the Local Development Plan (LDP) on the basis that the settlement does not have adequate facilities to support further development, the road capacity is insufficient, there are protected species on the allocated site and this development would obstruct the view of local residents (PP0296).

Another representee has objected to the allocation of this site. They stated that the site is constrained due to marketability and ownership since 2014, identified in the Housing Land Audit and no planning applications have been submitted in the past 7 years, therefore, this site is unlikely to be delivered. The site has a narrow access on to the Main Street and there is no frontage on to the track due to separation by a field. The site is unlikely to be economically serviced by the existing WWTW because it is on the opposite side of the settlement. A competent assessment of the deliverability of homes in this location would conclude not to retain the site. There is no basis for confidence that the site will deliver housing, therefore, this allocation is contrary to Scottish Planning Policy (SPP) (PP1105).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation for site OP1 (RD0214.B). No modification sought (PP1219).

Site OP2 – Off Station Road

Cruden Community Council and another representee have raised concerns regarding flood risk due to existing flood risk in the area and drains set above the road level. The development has been ongoing for the last 3 years and only 3 homes have been built, causing disruptions to those residing surrounding the site (PP0163 and PP0198). Site conditions could persist until development is finished with no requirement for landscaping the site (PP0163).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation for site OP2 (RD0214.B). No modification sought (PP1219).

NatureScot has suggested amending or removing wording in the allocation summary for site OP2 in Hatton to avoid suggesting that connection to a public sewer is necessary to mitigate effects on the Buchan Ness to Collieston Coast Special Protection Area. NatureScot advise that while connection to the public sewer may be required by the Council, given the qualifying interests of the site (seabirds) and the nature of the proposed development, this mitigation is not necessary to avoid an adverse effect on integrity of the Buchan Ness to Collieston Coast SPA (RD0255.B) (PP1300).

Non-Allocated Site – Site OP5 LDP 2017 – Land at Hatton Vale

A representee has requested the continued allocation of site OP5 from the Aberdeenshire Local Development Plan 2017. They argue the removal of site OP5 from the PLDP appears to be an error. Site OP5 is planned as an extension of area OP3. Site OP5 is the subject of a planning application reference APP/2020/1157 submitted for Planning Permission in Principle (PPP) (PP1182).

Longhaven

Flood Risk

SEPA has requested amending the ‘Flood Risk’ bullet point to accurately state the source of the flood risk and when a FRA may be required for site OP1 (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on ‘Strategic drainage and water supply’ (RD0214.B). No modification sought (PP1219).

A representee has requested amending the health and care facilities section to state that contributions should go towards the creation of additional capacity at existing medical facilities or a new health centre in Cruden Bay, and towards pharmacy facilities (PP1223).

Site OP1 – Land Adjacent to Longhaven School

A representee has requested the removal of this site. They state the site is constrained by marketability, no developer has shown interest in this site and no planning application has been submitted in the past decade. There is an issue with access into the site because the access track is not feasible, is constrained by third party ownership and would be unable to satisfy the Roads Authority. The settlement lacks public sewerage and WWTW. It is incapable of delivering 30 homes and there is no basis for confidence in its delivery, therefore, the site is contrary to SPP (PP1057).

SEPA has requested to insert “Flood Risk Assessment” in the second paragraph of the allocation summary (RD0214.B) (PP1219).

Modifications sought by those submitting representations:

Boddam

Flood Risk

Modify the PLDP to amend the 'Flood Risk' bullet point from, "Parts of Boddam lie within an area identified by the Scottish Environment Protection Agency as being potentially vulnerable to coastal flooding, particularly the east of Boddam. There is a high possibility of land drainage flooding occurring on site OP1. Flood Risk Assessments may be required." to read:

- "Parts of Boddam are in an area potentially vulnerable to flooding as identified by the National Flood Risk Assessment."
- "Parts of the settlement may be at risk from coastal flooding. Flood Risk Assessments may be required."
- "There is a high possibility of land drainage flooding occurring on site OP1. A Flood Risk Assessment may be required." (PP1219).

Site OP1 – East of Inchmore Gardens

Modify the PLDP to remove site OP1 from Boddam Settlement Statement (PP1036).

Non-Allocated Site – Bid Site BU030 – Land off A90

Modify the PLDP to allocate bid site BU030 as an opportunity site for business use in the Boddam Settlement Statement (PP0754).

Non-allocated Sites – Bid Site BU031 – Land off A90

Modify the PLDP to allocate bid site BU031 as an opportunity site for residential development in the Boddam Settlement Statement (PP0756).

Hatton

Site BUS – Safeguarded for business uses

The representee advises consultation with the Council's Flood Prevention Unit to clarify whether any further requirements need to be highlighted in the allocation text or in a flood risk bullet point (PP1219).

Services and Infrastructure

Modify the PLDP to amend the statement on "Health and Care Facilities" from, "All development will be required to contribute towards the creation of additional capacity or extension at the Cruden Medical Group facilities (Hatton Surgery and Cruden Bay Surgery)." to "All residential development must contribute towards the creation of additional capacity at existing medical facilities or a new health centre in Cruden Bay. Contributions towards expansion of existing pharmacy facilities or within a new facility may be required." (PP1223).

Site OP1 – Land of Northfield

Modify the PLDP to remove OP1 from the Hatton Settlement Statement (PP0296, PP1105).

Site OP2 – Off Station Road

Modify the PLDP to include mitigation measure that address the flooding resulting from the drainage in the area (PP0163). Provide clarity regarding the delivery of site OP2, particularly in relation to roads development, site management and landscaping conditions (PP0198).

Modify the PLDP to amend or remove the following wording in the allocation summary for site OP2 in Hatton to avoid suggesting that connection to a public sewer is necessary to mitigate effects on the Buchan Ness to Collieston Coast SPA, "The site is set directly adjacent to a burn that flows towards Buchan Ness to Collieston SPA and is likely to have an impact through drainage. The proposal would need to connect to a public sewer to mitigate effects on the Special Protection Areas." (PP1300).

Non-Allocated Site – Site OP5 LDP 2017 – Land at Hatton Vale

Modify the PLDP to reinstate the existing allocation site OP5 in the Hatton Settlement Statement.

Longhaven

Flood Risk

Modify the PLDP to amend the 'Flood Risk' bullet point from, "Parts of sites OP1 and P1 are in an area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment. A Flood Risk Assessment may be required." to "Due to the presence of small watercourses running adjacent to the site, Flood Risk Assessments may be required for site OP1." (PP1219).

Services and Infrastructure

Modify the PLDP to amend the statement on "Health and Care Facilities" from, "All development will be required to contribute towards the creation of additional capacity or extension at the Cruden Medical Group facilities (Hatton Surgery and Cruden Bay Surgery)." to "All residential development must contribute towards the creation of additional capacity at existing medical facilities or a new health centre in Cruden Bay. Contributions towards expansion of existing pharmacy facilities or within a new facility may be required" (PP1223).

Site OP1 – Land Adjacent to Longhaven School

Modify the PLDP to remove site OP1 from the Longhaven Settlement Statement (PP1057).

Modify the PLDP to amend the allocation summary of site OP1 by adding a new sentence after the second sentence in the second paragraph, "A buffer strip ... development. A Flood Risk Assessment maybe required. Enhancement of ..." (PP1219).

Summary of responses (including reasons) by planning authority:

Boddam

General

The site is located to the west of Boddam and south of Peterhead. The site is not encroaching site R2 (Peterhead). The planning application APP/2020/0758 has been granted. The site is set within a rural setting therefore, the site is not encroaching any settlement boundary. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – East of Inchmore Gardens

A planning application was granted in May 2020 for 3 homes and the site was removed from the HLA 2019 (AD0022, pages 13-14). This would have made it a site of less than 5 homes meaning it did not meet the criteria for inclusion in the audit. However, this site shall be reinstated in the future HLAs. No change is required.

Comments from HES are noted. This site is close to Boddam Castle scheduled monument. The setting of the scheduled monument should be considered at the planning application stage. No change is required.

Comments from SEPA are noted. No change is required.

Non-Allocated Site – Bid Site BU030 – Land off A90

The Council does not support the allocation of bid site BU030 for business use. This bid site for business uses was not identified as a preferred site in the Main Issues Report 2019 (MIR) (AD0038.C page 11). The site is designated as a Local Nature Conservation Site and an important geological site therefore any development may have a considerable impact on the landscape. The site is set adjacent to the A90(T), and there are concerns relating to access to the site. The development would be visually prominent from the A90(T) and it would not be possible to mitigate visual impact by adding plant/landscape buffers along the A90 due to the topography of the site and proximity to the road. The site is also considered to be poorly situated as it is segregated from the settlement and its scale and location would have a negative impact on Stirling Village. No change is required.

The site is within the consultation zone for Peterhead Power Station and is designated as site R2 which is within the Peterhead Settlement Statement. Site R2 is designated for "development related to Peterhead Power Station, Carbon Capture and Storage, a possible landfall for a potential international North Sea interconnector, onshore connections to support offshore renewable energy, and major energy developments". This development is identified in the National Planning Framework 3 (AD0004) and any land adjacent to Peterhead Power Station is subject to consultation due to the potential impact of future expansion of the power station and also due to other technical matters.

Any consultation with Peterhead Power Station would be held at the planning application stage. This proposal was “Not Preferred” at the Main Issues Report stage therefore, no formal consultation was held with Peterhead Power Station. No change is required.

Non-Allocated Site – Bid Site BU031 – Land off A90

The Council does not support the allocation of bid site BU031 for a residential development. This bid site for 50 homes was not identified as a preferred site in the MIR (AD0038.C, page 11). This site is situated within one mile of the Bullers of Buchan Coast SSSI, Buchan Ness to Collieston SAC and Buchan Ness to Collieston Coast SPA, therefore, this development would result in a negative visual impact on the landscape setting. In the MIR, it has been noted that there are surface water flooding issues on the A90, and minor watercourses run through the site; no mitigation measure has been submitted to ensure that flooding would not increase as a result of this development. The development is likely to create additional pressure on the existing infrastructure and traffic congestion due to the proximity to the A90(T). It can be argued that access would be taken from the north, however, all the traffic is likely to exit on to the A90(T), which shall create additional pressure. It is unclear how a pedestrian crossing can be achieved across the A90(T) and the view of Transport Scotland is unknown in this respect. This development would result in urban sprawl on the west of the A90 and the constraints are unlikely to be resolved. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

Hatton

Site BUS – Safeguarded for business uses

The Flood Prevention Team have been consulted (AD0125) and they are satisfied with being consulted at the planning application stage and requested to highlight that “A Flood Risk Assessment may be required. Further information on ground levels and surface water drainage would be required” in the ‘Flood Risk’ bullet point. The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NHS Grampian’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land of Northfield

The Council does not agree to removing this site. It is noted that the site has been constrained due to ownership and marketability and this is backed by (AD0022, page 17).

However, the site is recognised to be a logical extension of the settlement, therefore, the site is retained in the PLDP for this Plan period.

The settlement of Hatton has a public hall, school and a range of services, therefore, there are adequate facilities to support further development in the settlement. During consultations, Roads Development did not raise any issue (AD0133) regarding the road capacity being insufficient for accommodating the additional traffic, therefore, it can be argued that the existing roads in Hatton have the capacity to accommodate additional cars. The PLDP states that “New vehicle access is to be taken from Main Street with new footways on Main Street to connect to the existing network” (AD0041.E, page 309). Therefore, the existing narrow access on to the Main Street is not a matter of consideration. Pedestrian access will be provided on the east side connecting to Main Street/Northfield Gardens (AD0041.E, page 309), therefore, any safety concern regarding suitable walking path can be mitigated.

Policy P1 Siting, Layout and Design ensures that any development would not overlook, overbear and overshadow any existing properties. The detailed layout will be assessed at the planning application stage which will ensure that the layout blends in with the surrounding area and that it follows Policy P1.

Currently, there is concern regarding the existing WWTW, therefore, in the Services and Infrastructure section of the PLDP, it is stated that Scottish Water must be consulted during the early stage of the planning process for all development (AD0041.E, page 308). This would be addressed at the planning application stage. This means that the development may be delayed but this does not justify the removal of this site from the PLDP.

Comments from SEPA are noted.

In conclusion, no change is required.

Site OP2 – Off Station Road

The concerns raised by the representees are noted. SEPA’s flood map (AD0168) show that parts of site OP2 fall within a flood risk area. Therefore, in the allocation text of site OP2, it is stated that a Flood Risk Assessment is mandatory. No change is required.

The site is recognised to be a logical expansion to Hatton and development has already commenced. The development is on-going and expected to be completed during this Plan period, therefore, no change is required. Landscaping and strategic screening were agreed at the planning application stage and this is a requirement to ensure that any developments are screened and would enhance the landscape character. No change is required.

Comments from SEPA are noted. No change is required.

The wordings in the allocation summary is the same as the proposed text given by NatureScot, therefore, no change is required.

Non-Allocated Site – Site OP5 LDP 2017 – Land at Hatton Vale

The Council does not support the continued allocation of site OP5. In the MIR, it is noted that site OP5 has been proposed to be removed from the PLDP by the Cruden Bay Community Council because concerns and issues with access and traffic have been identified (AD0038.C, page 23). A planning application (application reference APP/2020/1157) has been submitted for Planning Permission in Principle (PPP) which is currently pending. However, as the decision is yet to be reached, the Planning and Environment Service do not alter their position. No change is required.

Longhaven

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NHS Grampian's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land Adjacent to Longhaven School

The Council does not support the removal of site OP1. In the HLA 2019 (AD0022, page 17), It is noted that this site is constrained by marketability and there has been no interest shown by developers in the past decade. However, this site remains as the only logical location for the provision of additional housing within the settlement, hence it is allocated for this Plan period. A suitable access point has been identified, which is the existing access track that links Longhaven with the farms to the north. It is recognised that this access track requires to be upgraded to an adoptable standard which is achievable. Issues of private ownership is a civil matter over which the Council has no control. One of the conditions set out in the allocation summary of the PLDP is that the waste water treatment must be connected to a single waste water treatment plant of sufficient capacity and that would have to be installed to a standard that can be adopted by Scottish Water (AD0041.E page 312), therefore, no change is required.

The Council confirms that it intends to address NHS Grampian's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Reporter's conclusions:

Preliminary matters

1. My examination of the proposed plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the provisions of the proposed plan, or which simply make comments that do not seek modifications to the proposed plan. Therefore, unless these relate to an issue which is unresolved, they are not addressed in my conclusions.

2. The council has indicated that it intends to make a number of non-notifiable modifications in relation to settlement statements considered under Issue 19. However, I note that the modifications sought are matters raised in representations and therefore require to be considered as part of the examination. I address these matters below.

Boddam

Flood risk

3. The Scottish Environment Protection Agency (SEPA) seeks modifications to the settlement statement in respect of flood risk. The changes sought would provide clarity on the source of the flooding advice (National Flood Risk Assessment) and consistency with similar advice expressed elsewhere in the proposed plan. Other than a small change to make the first bullet point easier to read, I recommend that the proposed plan is modified as sought by SEPA.

Site OP1: East of Inchmore Gardens

4. The housing land audit 2020 identifies the site as being constrained for ownership reasons; its absence from the previous (2019) audit being due to a grant of planning permission for three houses, taking the site below the threshold for inclusion. The planning permission has since lapsed.

5. The site immediately adjoins a modern housing development through which provision for vehicular access exists. Historic Environment Scotland has not objected in principle to the prospect of development on the site despite its proximity to a Scheduled Ancient Monument. Based on the evidence before me, I conclude that housing development on the site would be appropriate.

6. In response to a further information request (FIR008) seeking clarification on the ownership constraint, the council has indicated that the owner does not intend to allow any more homes to be built on the site. The council has therefore suggested that the allocation should be deleted. However, as I have not been able to confirm the owner's views on this matter, I do not consider it would be appropriate to remove the allocation from the plan.

7. Site OP1 has been identified as contributing nine homes towards the strategic development plan allowance for the Rural Housing Market Area. However, the information provided by the council suggests that these homes are not deliverable in the period up to 2032. A modification is therefore required to remove the allocation from the list of sites which contribute towards meeting the strategic housing land requirement. The implications of this change for the overall housing land provision are addressed in Issue 5 (shaping homes and housing). No modification is required to the Boddam settlement statement.

Non-allocated Bid Site BU030 (land adjacent to the A90(T))

8. I agree with the council's assessment of the site; it is prominent and forms part of a designated Local Nature Conservation Site (proposed plan, appendix 12, Map 39D). Importantly, the site also forms part of a 'reserved land' designation (Peterhead settlement statement Map 8, site reference R2) for development related to Peterhead Power Station. In addition, it would be necessary to secure vehicular access from the A90(T), for which no transport appraisal appears to have been undertaken. No

modification to the proposed plan is required in response to the representation.

Non-allocated Bid Site BU031 (land adjacent to the A90(T))

9. I also agree with the council's assessment of site BU031 which, although not identified as reserved land (R2), shares many of the considerations pertinent to site BU030; it too is prominent and forms part of a designated Local Nature Conservation Site (proposed plan, appendix 12, Map 39D). The development of the site for housing would also require the formation of safe and convenient crossing points over the A90(T), for which no appraisal appears to have been undertaken. In addition, the council alludes to the risk of flooding on the site associated with a watercourse/ drain that runs through the site.

10. Furthermore, as we conclude under Issue 5 in this report, sufficient land has been identified in the Rural Housing Market Area to meet identified needs. No modification to the proposed plan is required in response to the representation.

Hatton

Site BUS – Safeguarded for business uses

11. SEPA has indicated that there is potential for surface water flooding at the site and that this should be highlighted in the plan. In addition, due to the contouring of surrounding land, the council's Flood Risk and Coast Protection service notes a flood risk assessment may be required to support development proposals. To this end, it suggests that prospective developers should seek its advice. To address this matter, the council has suggested wording to be added to the settlement statement. I consider that the flood risk potential of the BUS designation should be highlighted in the plan and, in the interests of consistency with the approach taken in other settlement statements, the text under the heading 'Flood Risk' should be modified. I recommend below a modification based on the wording provided by the council, but with minor amendments to ensure consistency with similar statements made elsewhere in the proposed plan.

Services and infrastructure: health care facilities

12. NHS Grampian has indicated how financial contributions secured from new residential development should be deployed to best meet the needs of Hatton and other settlements. I agree that the health and care facilities bullet point should be amended to more accurately reflect the improvements required to support new development in Hatton. A modification is recommended based on the wording provided by NHS Grampian.

Site OP1: land off Northfield

13. As I observed, Hatton has a range of public facilities and local services. As such, I do not agree with the suggestion that the settlement has inadequate facilities to support new residential development. With regard to the site itself, the proposed plan makes clear that vehicular access would be taken directly from Main Street and not the unmade path/farm track to the east. I recommend that the settlement map is modified to make this clear to the reader by including the access within the site boundary. More broadly, I agree that development of the site would be a logical extension of the settlement.

14. I note that the site is constrained for marketability and ownership reasons in the housing land audit and is not identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032. However,

should these constraints be overcome, there does not appear to be any reason to prevent the site being developed during the plan period. With access taken from Main Street, I consider that the site is capable of being developed in accord with the requirements of Policy P1 (layout, siting and design) and supporting text of the settlement statement. In conclusion, I conclude that the allocation should remain in the plan. No modification is required.

Site OP2: land off Station Road

15. The issues raised by the community council and other representations in respect of the ongoing development of the site are not matters for the local development plan or this examination; they are matters for the development management and building standards functions of the council.

16. With regard to the representation lodged by NatureScot, the council appears to have misunderstood the change being sought; it seeks the removal of text from the proposed plan not its inclusion. As NatureScot makes clear in its representation, while a connection to a public sewer may be required, it is not needed to mitigate the effects of proposed development on the Buchan Ness to Collieston Coast Special Protection Area (seabirds), as presently suggested. General advice on drainage and water supply matters pertinent to Hatton is set out on page 308 of the proposed plan. I agree that the proposed plan should be modified to address NatureScot's concerns, which I discuss further in my consideration of non-allocated site OP5 below.

Non-allocated site OP5: land at Hatton Vale

17. The site lies immediately adjacent to site OP2 (land off Station Road) and is promoted for 15 houses in the existing plan. The housing land audit 2019 identified the land as forming part of an effective site. Owing to access and traffic constraints, and a delay in development proposals coming forward, the council resolved through its consideration of the Main Issues Report (2019) not to promote the site for housing in the proposed plan. However, the council has confirmed that planning permission was granted in February 2022 for a development of 13 houses on completion of a legal agreement (FIR020). The parties agree that the granting of planning permission confirms that all outstanding access and traffic concerns have been resolved and that the site is no longer constrained. As such, the council assumes that the site will deliver homes at a modest rate until 2028.

18. The landowner states that the site should be included in the proposed plan, adding that the development of the site was always intended as a second phase of development once planning permission was secured and development on the adjoining site was complete (site OP2 in the proposed plan); on which progress has stalled due to challenging economic circumstances. If included in the proposed plan, the landowner seeks a further modification to remove the requirement for a pedestrian/ cycle path to be created linking the site with the recreation field/ play area immediately beyond the burn (site ref: P2), which it states is easily accessible from Main Street (Station Road).

19. Given the foregoing, the omission of the site from the proposed plan appears to be a matter of unfortunate timing. Since the publication of the proposed plan, outstanding matters have been resolved and planning permission granted for the development of 13 houses. Also, the landowner has indicated its intent to progress development of the site. If the proposed plan is modified to include the site, the council suggests that it is shown as

an extension to housing allocation OP2 (as shown on the proposed settlement map). It also suggests wording to accompany the allocation in the settlement statement, including reference to the requirement for a link to be created between the site and the play area (P2) over the Water of Cruden.

20. On the basis of the information presented in FIR020, I consider that the proposed plan should be modified to include land at Hatton Vale as a housing allocation. I agree with the council that this is best achieved by extending allocation OP2; given that vehicular access to the allocated land is to be secured via that site and would share infrastructure and amenities. I also agree that a safe and accessible pedestrian/ cycle link should be created from the site over the Water of Cruden to the play park and areas beyond and that this should be reflected in the allocation summary. I do not accept that a route from the site via Rowan Terrace and Main Street/ Station Road to the play park would be more pedestrian friendly, as suggested. I recommend a modification below based largely on that provided by the council. I have, however, removed text to address the concerns of NatureScot relating to the Buchan Ness to Collieston Coast Special Protection Area (see paragraph 16 above), added a title and indicated that the site is allocated for 34 homes; which is the existing OP2 allocation plus the number of houses recently granted planning permission.

21. As the extended site already forms part of the 2019 base supply, the recommended modification has no implications for the strategic development plan allowance for the Rural Housing Market Area. However, a minor change to the relevant table in Appendix 6 (housing land allocations) is required in the interests of clarity and consistency.

Longhaven

Flood risk

22. The amendments sought by SEPA would correct an inaccuracy in the text and provide clarification on the source of flood risk in Longhaven and site OP1 (land adjacent to Longhaven School). SEPA also seeks a modification to the allocation summary of site OP1 to ensure that it aligns with the modified statement under the heading 'Flood Risk'. I agree that the proposed plan should be modified to ensure that it provides accurate information and advice. I recommend below the required modifications.

Services and infrastructure: health care facilities

23. NHS Grampian has indicated how financial contributions secured from new residential development should be deployed to best meet the needs of Longhaven and other settlements. I agree that the health and care facilities bullet point should be amended to more accurately reflect the improvements required to support new development in Longhaven. A modification is recommended below based on the wording provided by NHS Grampian.

Site OP1: Land adjacent to Longhaven School

24. Site OP1 is identified as constrained for marketability reasons in the 2019 housing land audit and is not identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032. However, this is the only housing allocation in the settlement and, should this constraint be overcome, there does not appear to be any reason to prevent the site being developed during the

plan period.

25. I do not agree that the site should be removed from the proposed plan, as suggested by a representee. Whilst access to the A90(T) would need to be carefully considered, the access track from which the site would be served joins a side road running parallel with the trunk road and not the trunk road itself; the side road in effect operates as a lay-by allowing vehicles to leave and re-join the A90(T) safely. Transport Scotland has not objected to the proposed allocation. No modification to the proposed plan is required in response to the representation.

Reporter’s recommendations:

Modify the local development plan by:

Boddam

1. Replacing the bullet point in the flood risk section of the Boddam settlement statement on page 289 with the following two bullet points:

“• Parts of Boddam lie in an area that is vulnerable to flooding, as identified by the National Flood Risk Assessment. As such, parts of the settlement may be at risk from coastal flooding. Development proposals may therefore be required to be supported by Flood Risk Assessments;

• There is a high possibility of land drainage flooding occurring on site OP1. A Flood Risk Assessment may be required.”

2. Amending the entry for Boddam OP1 in the relevant table in Appendix 6 to show that the site is not identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

Hatton

3. Replacing the description of BUS in the ‘settlement features’ table in the Hatton settlement statement on page 307 with:

“Safeguarded for business uses. Further information on ground levels and surface water drainage will be required. Prospective developers are advised to consult the council’s Flood Prevention Unit.”

4. Replacing the bullet point under the heading ‘Flood Risk’ in the Hatton settlement statement on page 308 with:

“• Parts of Hatton lie in an area that is vulnerable to flooding, as identified by the National Flood Risk Assessment. Development proposals on site BUS may therefore be required to be supported by Flood Risk Assessments. Prospective developers are advised to consult the council’s Flood Risk and Coast Protection service.

5. Adding the following second bullet point to the flood risk section of the Hatton settlement statement on page 308:

“• There is potential for surface water flooding at site BUS. A Flood Risk Assessment may be required.”

6. Replacing the health and care facilities bullet point in the services and infrastructure section of the Hatton settlement statement on page 308 with:

“• All residential development will be required to contribute towards the creation of additional capacity at existing medical facilities or a new health centre at Cruden Bay. Contributions towards the expansion of existing pharmacy facilities or within a new facility may also be required.”

7. Amending the boundary of allocated site OP1 on the Hatton settlement plan on page 310; extending the pink wash of the allocation to include the field access immediately to the east of existing farm buildings southwards to Main Street.

8. Replacing the allocation summary for site OP2 (off Station Road) in the Hatton settlement statement on page 309 with:

“OP2: Off Station Road - Allocation 34 houses

This site was previously allocated as OP3 and OP5 in the LDP 2017. Planning Permission in Principle for residential development on the site has been granted (planning application references APP/2004/2977, APP/2011/2388 and APP2020/1157) and the site is currently under construction and expected to continue into this Plan period. For any future phases, design of the development should take into consideration the rural character of the site and existing trees and woodland should be retained where possible.

A pedestrian and cycle link is to be provided across the burn which forms the site’s northern boundary to link the site with the neighbouring recreational area, core path network and wider settlement to the north and east. There is a sewer mains located within the ground and running through this site. Scottish Water should be consulted to ascertain whether a sewer relocation is required.

A Flood Risk Assessment may be required. A buffer strip will be required along the Water of Cruden on the north eastern boundary of the site to enhance wildlife corridor. Enhancement of the straightened watercourse through re-naturalisation and removal of any redundant features will need to be investigated.

It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and should be integrated into the design of the development to provide a mix of house types and sizes to meet the local need.”

9. Amending the boundaries of allocated site OP2 (off Station Road) on the Hatton settlement map on page 310 as per the FIR020 Hatton Settlement Statement Extended OP2 Map. (The whole of site OP2 should be included within the settlement boundary).

10. Amending the entry for Hatton OP2 in the relevant table in Appendix 6 for sites in the Rural Housing Market Area to replace the figure ‘21’ with ‘34’ in the final column. (Note - A revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

Longhaven

11. Replacing the bullet point in the flood risk section of the Longhaven settlement statement on page 311 with:

“• Due to the presence of a small watercourse adjacent to the site, a Flood Risk Assessment may be required.”

12. Adding the following new sentence after the second sentence of the allocation summary for OP1 (land adjacent to Longhaven School) in the Longhaven settlement statement on page 312:

“A Flood Risk Assessment may also be required.”

13. Replacing the health and care facilities bullet point in the services and infrastructure section of the Longhaven settlement statement on page 312 with:

“• All residential development will be required to contribute towards the creation of additional capacity at existing medical facilities or a new health centre at Cruden Bay. Contributions towards the expansion of existing pharmacy facilities or within a new facility may also be required.”

Issue 20	Other Settlements RHMA (Buchan) North – Crimond, New Leeds, New Pitsligo, St Combs, St Fergus, St Fergus Gas Terminal and Strichen	
Development plan reference:	Proposed LDP, Appendix 7B, Page 292-295 Proposed LDP, Appendix 7B, Page 338-339 Proposed LDP, Appendix 7B, Page 340-343 Proposed LDP, Appendix 7B, Page 368-371 Proposed LDP, Appendix 7B, Page 372-374 Proposed LDP, Appendix 7B, Page 375-376 Proposed LDP, Appendix 7B, Page 377-381	Reporter: Andrew Sikes
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Crimond PP0028 Thomas Kirkpatrick PP0085 Julie Pickering PP0117 Timothy Barker PP0140 Peter Chapman PP0155 Robert Murray PP0216 Rita Cartney PP1107 c a s e CONSULTING Limited PP1187 Ms G Mittchell PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage)</p> <p>New Leeds PP1039 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>New Pitsligo PP0122 Angela Grant PP0175 Valery Barnett PP0217 James and Gladys Taylor PP0221 Vince Campbell PP0245 Colin Campbell PP0300 Valery Barnett PP0314 Martin and Nicole Cheyne PP0315 Nicole Cumming PP0316 Martin Cheyne PP0808 Mr G Watson PP1037 c a s e CONSULTING Limited PP1077 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian PP1300 NatureScot (Scottish Natural Heritage)</p> <p>St Combs PP0380 Claymore Homes PP0381 Claymore Homes PP1219 Scottish Environment Protection Agency</p>		

St Fergus

PP0397 ARD Properties
 PP1090 c a s e CONSULTING Limited
 PP1219 Scottish Environment Protection Agency
 PP1323 The Church of Scotland General Trustees

St Fergus Gas Terminal

PP0431 Pale Blue Dot Energy Ltd
 PP0503 Scottish Enterprise
 PP0573 Chrysaor
 PP0598 National Grid Gas plc
 PP0762 Total E&P UK Ltd
 PP0893 National Grid
 PP1145 Shell UK Ltd
 PP1174 National Grid
 PP1219 Scottish Environment Protection Agency

Strichen

PP0176 Patrick Nesbitt
 PP0327 Herbert Fowlie
 PP0401 Mr E Watt
 PP1085 c a s e CONSULTING Limited
 PP1219 Scottish Environment Protection Agency
 PP1223 NHS Grampian
 PP1300 NatureScot (Scottish Natural Heritage)

Provision of the development plan to which the issue relates:

Crimond Settlement Statement
 New Leeds Settlement Statement
 New Pitsligo Settlement Statement
 St Combs Settlement Statement
 St Fergus Settlement Statement
 St Fergus Gas Terminal Settlement Statement
 Strichen Settlement Statement

Planning authority's summary of the representation(s):

Crimond

Flood Risk

Scottish Environment Protection Agency (SEPA) has recommended adding a bullet point under the heading 'Flood Risk' to state that a Flood Risk Assessment is required for site OP2 and possibly for site OP1 (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – South of the Corse

A representee has requested the removal of site OP1 from the Proposed Local Development Plan 2020 (PLDP). They argue that this site is constrained due to marketability and ownership issues as mentioned in the Housing Land Audit (HLA) 2019, and no timescale has been set to remove these constraints. The site has been allocated in the last four local plans, but no planning application has been lodged. It is an arbitrary allocation that has no regard to drawing suitable boundaries and/or considering the adjacent built environment. Therefore, allocating this site would disregard the policies laid out in Scottish Planning Policy (SPP) because there is no guarantee that this site shall be delivered in the near future (PP1107).

SEPA has requested amending the allocation summary to clarify that a Flood Risk Assessment may be required due to the presence of small watercourses along the boundaries of the site and past records of flooding (RD0214.B) (PP1219).

Site OP2 – Land West of Crimond Medical Centre

Support has been expressed for including site OP2 for 30 homes as it would sustain the economy of the village and enhance the community (PP0028, PP0085, PP0117, PP0140, PP0155 and PP0216).

SEPA has requested amending the allocation summary to clarify that a Flood Risk Assessment and buffer strips will be required to minimise flood risk (RD0214.B) (PP1219).

NatureScot has requested additional text is added to the allocation summary on the siting and design of any development, which should contribute to the gateway to Crimond from the busy A90 trunk road when approaching from the west. NatureScot noted that the site is set on a relatively flat landscape towards the northwest edge of the existing settlement and are concerned because this means that the site is highly likely to erode. This would be on the basis of the compact nature of the existing settlement and its contribution to the merging of the settlement with surrounding small farm clusters in the wider countryside. NatureScot also advised that there is some limited scope to develop a small part of the south eastern part of the site where it abuts the existing settlement edge (RD0255.B) (PP1300).

Non-Allocated Site – Bid Site BU058 – Moss Side Camp

A representee has requested the allocation of bid site BU058 for 50 to 80 homes. They state there is an existing development on the brownfield site, which is part of the larger site, therefore, the principle of development has been established. There are a number of derelict buildings within the site and development of this site would improve the aesthetic view of the area and achieve the vision of development outlined in the vision section. The site is connected to Crimond and provides a logical extension to the south and the A90 in line with the settlement strategy. The proposal would support the services in the village. It would not alter the 'Crimond Belt' ancient woodland, but rather contribute to its conservation, and enhance access to the woodland through core paths (PP1187).

New Leeds

Services and Infrastructure

SEPA has no comment on the 'Strategic drainage and water supply' bullet point. No

modification sought (RD0214.B) (PP1219).

It is requested that references to Secondary Education, Community Facilities, Sports and Recreational facilities, and Recycling and Waste Facilities are removed as no residential allocations are identified, which would generate a need for developer obligations in respect of these facilities (PP1039).

New Pitsligo

General

The representee has suggested reducing the need for affordable housing in New Pitsligo because comments from the Community Council state that there are sufficient social homes in the settlement, hence, there is little support for more affordable housing (PP0808).

Flood Risk

SEPA has recommended adding a new 'Flood Risk' bullet point for site OP2 due to surface water flood risk and that a Flood Risk Assessment may be required (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

A representee has requested amending the health and care facilities section to state that contributions should go towards medical facilities in Maud or New Pitsligo (PP1223).

Site OP1 – Land at Alexander Bell Place

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation/designation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Objection has been raised to the allocation of site OP1 for 12 homes. They argue there is no demand for development, and it has remained undelivered over the last 20 years. It is identified as a constrained site in the HLA, and there is no basis or justification that it might satisfy SPP (PP1077).

Site OP2 – Land at Denedoch

Several representees have objected to the allocation of site OP2 for 90 homes (PP0122, PP0217, PP0221, PP0245, PP0300, PP0314, PP0315, PP0316 and PP1037). A representee has included a letter and photos (RD0014.A and RD0014.B) in their representation which provides further detail to support their position (PP0122). A range of reasons were cited including that:

- There is no demand for development on this site (PP0217, PP0221, PP0300, PP0315, PP0316 and PP1037).

- There are many empty Council properties adjacent to Church Street (PP0217, PP0221, PP0300, PP0315 and PP0316).
- The site has remained undelivered over the last 25-30 years, it is identified as a constrained site in the HLA, and there is no basis or justification that it might satisfy SPP (PP1037).
- The proposal would constitute an increase in the carbon footprint/air pollution as there are very limited public transport available, which means the majority of residents shall be travelling for services and employment (PP0122, PP0245, PP0300, PP0314, PP0315 and PP0316).
- The development would create pressure on the primary school and GP surgery. Also create additional pressure on local amenities (PP0314, PP0315 and PP0316).
- The development would result in an impact on wildlife in the surrounding areas including Den Wood and a negative impact on the natural environment (PP0221, PP0300, PP0314 and PP0315)
- The development would result in additional traffic, in particular at School Street (PP0314, PP0315 and PP0316).
- The site will not be able to cope with the additional traffic as vehicles will pass through private lanes that are adjacent to the site and result in further upkeep and repair costs to the owners (PP0315 and PP0316).
- Concern for the safety of the children who play on these lanes (PP0315 and PP0316).
- The development would have a negative impact on the surface sewage system at School Street (PP0217).
- There are inadequate services available for the current residents (PP0221 and PP0300).
- The development would introduce overlooking into existing properties (PP0300 and PP0314).
- Flooding from surface and sewage water is a particular concern as this has been an issue in the past causing considerable damage and impact on residents (PP0217 and PP0245). The development site is known to cause flooding issues to adjacent properties (PP0300).
- The development would result in noise pollution (PP0314 and PP0316).
- Concern has been raised regarding retaining the current standard of living that it is at present because the size of the site is too small for the proposed number of homes (PP0314, PP0315 and PP0316).

SEPA has recommended that the allocation summary for site OP2 states the reason why a Flood Risk Assessment may be required, which is to assess surface runoff from adjacent land (RD0214.B) (PP1219).

NatureScot has requested that the allocation summary states that the siting and design of development reflects the existing strong geometric grid development pattern of New Pitsligo, as the site is located on sloping ground, which raises the site's landscape and visual sensitivity (RD0255.B) (PP1300).

NatureScot has also requested that the allocation summary considers active travel and links to the core path network as this is a large development. They note the inclusion of this wording would help promote safe and convenient active travel opportunities (in keeping with the Proposed Plan's aims). They also report that a core path lies nearby, across the road to the north of the site (RD0255.B) (PP1300).

Non-Allocated Site – Bid Site BU034 – Part of P1, East of Low Street

A representee has requested the allocation of bid site BU034 for 30 homes. The representee argues that this site is more desirable due to its proximity to the local services and demand for self-build housing plots. The representee has included two proposed plans (RD0147.A) in their representation which provides further detail to support their position (PP0808).

Settlement Map

A representee has requested amending the settlement plan to show a large double garage in the rear garden. The representee has included a plan (RD0018.A) in their representation which provides further detail to support their position (PP0175).

St Combs

Flood Risk

SEPA has requested amending the 'Flood Risk' bullet point to state that there is a small watercourse alongside site OP1 (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Site to North of High Street

SEPA has no issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Site OP2 – Site to North of High Street

Support has been expressed for the inclusion of site OP2 for 45 homes (PP0380 and PP0381).

A representee has objected to the requirement for a masterplan showing access arrangements for sites OP1 and OP2 and that the need for a second access is removed from the allocation summary. They argue producing a masterplan will add delay to the delivery of the site. Access arrangements to site OP1 can be addressed through planning applications. No emergency access is required for site OP2 as less than 50 homes are proposed. If site OP1 is included as part of the access arrangement, the total number of units would be less than 100, which is still below the threshold for a second access. The representee has included three Appendices (RD0050.A, RD0050.B and RD0050.C) in their representation which provides further detail to support their position (PP0381).

Non-Allocated Site – Bid Site BU035 – Land to West of St Combs

A representee has requested increasing the size of site OP2 to include Bid Site BU035 and allocate it for a total of 119 homes. They argue it would be seen in the context of existing development in the area, it would have no detrimental impact on the amenity of

the area, and a larger site would support the primary school, which is currently significantly under capacity. A second point of access is stated as a requirement for site OP2, but this would require a larger allocation as it cannot be delivered without it. The representee has included two Appendices (RD0049.A and RD0049.B) in their representation which provides further detail to support their position (PP0380).

St Fergus

Flood Risk

SEPA has requested amending the 'Flood Risk' bullet point to remove reference to SEPA's indicative Flood Map as site OP1 is not within it (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – South of Newton Road

A representee requests to delete the contribution towards meeting the strategic allowances in respect of the site OP1 from table 3, Appendix 6 Housing Land Allocations. It has been argued that in the HLA 2019, it is stated that this site was added in 2012 into the audit. However, this is incorrect because part of the site fronting the road was released into the audit in 2006 under reference U/SF/R/011 for 10 homes. Two planning applications were withdrawn, the last being in May 2019, possibly due to issue with access into the site. In 2014 the size of the site was doubled and allocated for 55 homes to meet the strategic housing requirement without considering that the existing site has been sitting idle for many years. In 2017, the site became constrained due to ownership as more than one owner owns the site. Given these impediments to development, there is no logical or component basis to assert the 13 units can contribute to the strategic allowance (PP1090).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has requested increasing the number of homes on this site from 38 to 55 homes, which was supported in the Main Issues Report (MIR) as bid site BU022. They claim that there is a demand for housing in St Fergus. The location of the site represents a natural and logical extension to the settlement, and it will support local services and facilities (PP1323).

Non-Allocated Site – Bid Site BU015 – Land at Kinloch Road

A representee has requested the allocation of bid site BU015 for 25 homes. They note that part of site OP1 has planning permission for 20 homes, the school roll is falling, it forms a logical extension, access has been identified in the approved planning application for site OP1, and there are no constraints preventing its deliverability (PP0397).

St Fergus Gas Terminal

Vision

A representee has requested amending the Vision to provide support for low carbon technologies, which would assist in reducing emissions and thus contribute to the net zero objective (PP0598).

Flood Risk

SEPA has requested amending the 'Flood Risk' bullet point to refer to SEPA's Indicative Flood Map and restoring watercourses (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site R1 – For major oil and gas related development within St Fergus Gas Terminal

It has been suggested that the designation summary should include reference to carbon capture and storage and low carbon/renewable energy generation (PP0598) as well as hydrogen production in order to provide clarity on the nature of Oil and Gas related developments that could come forward (PP0431, PP0503, PP573, PP0762 and PP1145).

Representees have highlighted that several of their assets are within site R1 and that they request to be involved in the preparation, alterations and review of plans that affect their assets or site-specific proposals. The representees have included Appendices (RD0163.A, RD0203.A and RD0203.B) in their submission which provides further detail to support their position (PP0893 and PP1174).

Strichen

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

A representee has requested amending the health and care facilities section to state that contributions should go towards medical facilities in Maud or New Pitsligo (PP1223).

Site OP1 – West of Burnshangie House

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has objected to the allocation of site OP1 as the proposed road layout is unsuitable and would result in additional traffic. There are a number of mature trees and the plan for these trees is unclear. There are bats in the area and this development would result in the loss of their natural habitat (PP0176).

Site OP2 – Hospital Brae

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has objected to the allocation of site OP2 for 22 homes as the proposed road layout is unsuitable and would result in additional traffic. The site is located at a steep road with a blind corner. It is estimated that an additional 80 cars would travel to and from the development of OP2 daily. The site is used for community purposes by the residents of Strichen for walking, playing, etc. There are paths within the site used by the residents. There are several mature trees and the plan for these trees is unclear. There are bats in the area and this development would result in the loss of their natural habitat (PP0176).

Site OP3 – Land at Brewery Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

Two representees have objected to the allocation of site OP3 for 49 homes (PP0327 and PP1085). One has noted that their property is not shown on the settlement plan and are concerned about the loss of privacy (PP0327), and access into the site is inadequate (too narrow) (PP0327 and PP1085). There is a sufficient number of housing sites allocated in Strichen (OP1 and OP2) (PP0327). It is noted that the proposal has been changed from 60 to 49 homes to avoid the need for two access points. (PP0327). The proposed access would not meet the Road Standards guideline and be unable to achieve visibility splays and radii at the junction, and the applicant does not have control over the grounds of neighbouring properties, which may result in the site becoming constrained (PP1085).

NatureScot has requested that the allocation summary for site OP3 strongly advocates a development pattern that reflects the geometric grid layout that is distinctive to Strichen. This area contributes to the immediate landscape setting of Strichen and is highly visible in views from the High Street. Development of this site is likely to incur significant landscape and visual impacts (RD0255.B) (PP1300).

Non-Allocated Site – Bid Site BU009 – Land at Norwood Field, North of Brewery Road

A representee has requested the allocation of bid site BU009 for 100 homes, which includes site OP3 for 49 homes. They state that a new main access road can be provided via a junction onto Brewery Road to the east and that the proposed access route for site OP3 is too narrow to be adopted. Instead, this narrow road can be used as a private road for a foot/cycle path and emergency access, which increases the capacity of developing in this area to 100 homes. Therefore, site OP3 could be extended to accommodate a further 60 homes. The representee has included an Appendix (RD0058.A) with their submission which provides further detail to support their position (PP0401).

NatureScot notes that in the 'Issues and Actions' Report their comments relevant to BU009 and BU057 (Strichen) have been swapped (RD0255.B) (PP1300).

Modifications sought by those submitting representations:

Crimond

Flood Risk

Modify the PLDP to include a new 'Flood Risk' bullet point that states, "Due to the presence of small watercourses running through or adjacent to the site a Flood Risk Assessment will be required for OP2 and may be required for OP1." (PP1219).

Site OP1 – South of The Corse

Modify the PLDP to remove site OP1 (PP1107).

Modify the PLDP to amend the allocation summary of site OP1 to change the first sentence in paragraph four from, "A Flood Risk Assessment may be required because part of the area is potentially vulnerable to flood risk as identified by the National Flood Risk Assessment." to "A Flood Risk Assessment may be required because part of the area is potentially vulnerable to flood risk as identified by the National Flood Risk Assessment due to the presence of small watercourses along the boundaries of the site and past records of flooding." (PP1219).

Site OP2 – Land West of Crimond Medical Centre

Modify the PLDP to amend the allocation summary of site OP2 to change the second to fourth sentences in paragraph one from, "There are watercourses flowing on the east, north and west, therefore a Flood Risk Assessment may be required. Buffer strips may be required along the watercourses and should be positively integrated into the open space. The buffer strips should enhance the landscape and wildlife corridor." to "Due to watercourses flowing on the east, north and west, a Flood Risk Assessment will be required. Buffer strips will be required along the watercourses and should be positively integrated into the open space to minimise flood risk and enhance the landscape and wildlife corridor." (PP1219).

Non-allocated Site – Bid Site BU058 – Moss Side Camp

Modify the PLDP to allocate site BU058 for 50 to 80 homes (PP1187).

New Leeds

Services and Infrastructure

Modify the PLDP to remove references to Secondary Education, Community Facilities, Sports and Recreational facilities, and Recycling and Waste Facilities from New Leeds Settlement Statement (PP1039).

New Pitsligo

General

Modify the PLDP to reduce affordable housing need (PP0808).

Flood Risk

Modify the PLDP to add a new 'Flood Risk' bullet point that states, "Due to surface water flood risk a Flood Risk Assessment may be required for site OP2." (PP1219).

Services and Infrastructure

Modify the PLDP to amend the "Health and care facilities" section from, "All development will be required to contribute towards the creation of additional capacity at the Central Buchan Practice in New Pitsligo." to "All residential development must contribute towards the creation of additional capacity at existing medical facilities in Maud or New Pitsligo." (PP1223).

Site OP1 – Land at Alexander Bell Place

Modify the PLDP to remove site OP1 (PP1077).

Site OP2 – Land at Denedoch

Modify the PLDP to remove site OP2 (PP0122, PP0217, PP0221, PP0245, PP0300, PP0314, PP0315, PP0316 and PP1037).

Modify the PLDP to amend the Plan to reflect all buildings in the area correctly (PP0175).

Modify the PLDP to amend the allocation summary of site OP2 to change the last sentence of paragraph two from, "A Flood Risk Assessment may be required." to "A Flood Risk Assessment may be required to assess surface runoff from adjacent land." (PP1219).

Modify the PLDP to amend the allocation summary of site OP2 to include the following text after the second sentence, "Care should be taken to ensure the siting and design of development reflects the existing strong geometric grid development pattern of New Pitsligo." (PP1300).

Modify the PLDP to amend the allocation summary of site OP2 to include the following text at the end to read, "Provision for active travel is required. Efforts should be made through the site layout to link into the core path network." (PP1300).

Non-allocated Site – Bid Site BU034 - Part of P1, East of Low Street

Modify the PLDP to allocate bid site BU034 for 30 homes (PP0808).

Settlement Map

Modify the PLDP to show the large double garage at the rear garden within the New Pitsligo settlement plan (PP0175).

St Combs

Flood Risk

Modify the PLDP to amend the 'Flood Risk' bullet point from, "There is a risk of surface water flooding within the OP1 and OP2 sites. A Flood Risk Assessment may be

required.” to “There is a small watercourse alongside site OP1 and some risk of surface water flooding to both the OP1 and OP2 sites. A Flood Risk Assessment may be required.” (PP1219).

Site OP2 – Site to North of High Street

Modify the PLDP to amend the allocation summary for site OP2 to remove the requirement to prepare a masterplan and remove the requirement for a second point of access and emergency access (PP0381).

Non-Allocated Site – Bid Site BU035 – Land to West of St Combs

Modify the PLDP to extend site OP2 to include bid site BU035 and allocate the whole site for 119 homes (PP0380).

St Fergus

Flood Risk

Modify the PLDP to replace the ‘Flood Risk’ bullet point from, “Part of site OP1 is within the Scottish Environment Protection Agency’s (SEPA) indicative 1 in 200-year flood risk area, or has a small watercourse running through or adjacent to the site or is at risk from surface water flooding. A Flood Risk Assessment may be required.” to “Due to the presence of surface water flooding a Flood Risk Assessment may be required for site OP1.” (PP1219).

Site OP1 - South of Newton Road

Modify the PLDP to remove site OP1 from the St Fergus Settlement Statement (PP1090).

Modify the PLDP to extend the boundary of site OP1 and increase the capacity to 55 units (PP0380).

Non-Allocated Site – Bid Site BU015 – Land at Kinloch Road

Modify the PLDP to allocate site BU015 for 20 homes (PP0397).

St Fergus Gas Terminal

Vision

Modify the PLDP to amend the last sentence in the Vision from, “Any future development should be oil and gas, or carbon capture storage related and contribute towards employment within the area.” to “Any future development should be oil, gas, carbon capture or low carbon related and, where possible, contribute towards employment within the area.” (PP0598).

Flood Risk

Modify the PLDP to change the ‘Flood Risk’ bullet point with the following text from, “Part of site R1 lies within the area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment. A detailed Flood Risk Assessment will be required to

accompany any future development proposals for this site and adequate buffer strips will be required adjacent to existing watercourses.” to “Parts of the site are shown to be at risk of flooding on the SEPA Indicative Flood Map. Flood Risk Assessments may be required. Buffer strips will be required alongside watercourses and opportunities to restore and enhance them should be investigated.” (PP1219).

Site R1 – For major oil and gas related development within St Fergus Gas Terminal

Modify the PLDP to add a sentence in the allocation text to state: “early engagement with National Grid on proposals is welcomed.” (PP0893).

Modify the PLDP to amend text for site R1 from, “For major oil and gas related development within St Fergus Gas Terminal.” to “For major oil and gas related development within St Fergus Gas Terminal, including Carbon Capture and Storage (CCS) and hydrogen production.” (PP0431 and PP0503).

Modify the PLDP to amend text for site R1 from, “For major oil and gas related development within St Fergus Gas Terminal.” to “For major oil and gas related development within St Fergus Gas Terminal, including Carbon Capture and Storage (CCS) and hydrogen production from natural gas related developments.” (PP0573, PP0762 and PP1145).

Strichen

Services and Infrastructure

Modify the PLDP to amend the text in the ‘Health and Care Facilities’ bullet point from, “All development will be required to contribute towards the creation of additional capacity at the Central Buchan Practice in New Pitsligo.” to “All residential development must contribute towards the creation of additional capacity at existing medical facilities in Maud or New Pitsligo.” (PP1223).

Site OP1 – West of Burnshangie House

Modify the PLDP to remove site OP1 (PP0176).

Site OP2 – Hospital Brae

Modify the PLDP to remove site OP2 (PP0176).

Site OP3 – Land at Brewery Road

Modify the PLDP to remove site OP3 (PP0327 and PP1085) and identify an alternative effective allocation in the Local Growth Area of the Rural Housing Market Area (RHMA), or if marketability constrained, in the Local Growth Area of the Aberdeen Housing Market Area (AHMA) (PP1085).

Modify the PLDP to amend the allocation summary of site OP3 to add at the end of the penultimate paragraph, “Proposals should encourage a development pattern that reflects the geometric grid layout, which is distinctive to Strichen.” (PP1300).

Non-Allocated Site – Bid Site BU009 - Land at Norwood Field, North of Brewery Road

Modify the PLDP to extend site OP2 and include site BU009 for 100 homes (PP0401).

Modify the PLDP to address the information swap relevant to bid sites BU009 and BU057 in Strichen, as identified by NatureScot, as required (PP1300).

Summary of responses (including reasons) by planning authority:

Crimond

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – South of the Corse

The Council does not agree with removing site OP1. While the HLA 2019 (AD0022 page 15) states it is constrained for marketability and ownership, it is not possible for the Planning Authority to set a timescale to remove the constraint. It is also noted that the site has been allocated in previous LDPs, but the site is a logical expansion of Crimond. It is adjacent to The Corse Road and the allocation summary requires the design of the new homes and materials to take into account neighbouring housing in Leys Drive and The Corse. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Land West of Crimond Medical Centre

The support expressed for site OP2 is noted.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Site – Bid Site BU058 – Moss Side Camp

The Council does not support allocating bid site BU058 for between 50 and 80 homes. Bid site BU058 for 100 homes was not identified as a preferred option in the MIR 2019 (AD0038.C, page 14). The Crimond Belt (woodland) splits this site from Crimond and would elongate the settlement. Almost half the site includes a locally important archaeological site, which includes the remains of a World War II camp site that was associated with the nearby airfield at Rattray. The proposal would also result in overdevelopment and there are access concerns as the road to the southeast is a single-

track road. Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

New Leeds

Comments from SEPA are noted. No change is required.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement, which will require to be appropriately assessed by the Council in accordance with the relevant policies of the PLDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

New Pitsligo

General

The Council does not support reducing the number of affordable homes in New Pitsligo. New developments are expected to include a mix of house types to deliver sustainable mixed communities. For consistency, Policy H2 Affordable Housing in the PLDP 2020 (AD0041.A, page 42) includes a standard 25% requirement for affordable homes where four or more homes are proposed. Any deviation from the policy can be considered at the planning application stage. No change is required.

The reference to “shops” should be removed from the Vision as it is no longer in operation. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Flood Risk

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land at Alexander Bell Place

The Council does not agree with removing site OP1 for 12 homes. It is acknowledged that this site been allocated in previous Plans. However, this site is a logical extension to the village and a planning application is pending on part of this site for 5 homes (APP/2019/2823). No change is required.

Comment from SEPA is noted. No change is required.

Site OP2 – Land at Denedoch

The Council does not agree with removing site OP2 for 90 homes. The site is only ownership constrained and could come forward at any time (AD0022, page 22). It would likely be developed in phases, which would allow the education system to cope with additional pupils. Developer Obligations would be sought for health and care facilities, education, and infrastructure. Pedestrian safety and environmental factors, including the

protection of habitats and drainage concerns would be addressed at the masterplanning or planning application stage. The site itself is not at risk from flooding, but from surface water runoff from the adjacent field, which can be assessed in a Flood Risk Assessment. The main access would be taken via School Brae and a secondary access point to be taken from School Street. New Pitligo is served by local services and amenities and therefore considered an appropriate location for new development. This accords with SPP (AD0012, paragraph 40), which outlines that new development should be within or adjacent to settlements. The number of empty homes has not been quantified by the representee and this is not a material consideration for the LDP. With regards to concerns about overlooking, New Pitligo is built on a hill, so there will be some elements of overlooking, but Policy P1 Layout, siting and design considers issues of overlooking, overshadowing, and overbearing developments which will be applied to the assessment of any development proposals (AD0041.A, pages 47-49). No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Settlement Map

The Council has no control over the OS Vector Local Map that is supplied to us by Ordnance Survey to use as the base map for the LDP. The Council understand that that the OS Vector Local Map is updated on a quarterly basis. Unfortunately, the Council is unable to accommodate the representees request to have the garage shown on the PLDP map. This is a matter for Ordnance Survey to resolve. No change is required.

Non-Allocated Site – Bid Site BU034 – Part of P1, East of Low Street

The Council does not support allocating bid site BU034 for 30 homes. Bid site BU034 for 30 homes was not identified as a preferred option in the MIR (AD0038.C page 45). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. While the site would form a logical extension due to its proximity to local services, the southern part of the site includes ancient woodland, part of which is covered by a Tree Protection Order (TPO). Therefore, it is important to prioritise these trees over housing development, especially where other opportunity sites exist elsewhere. This development could have a significantly negative impact on these trees and cause disturbance to wildlife. Furthermore, no justification has been provided on how these trees would be protected. No change is required.

St Combs

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comment from SEPA is noted. No change is required.

Site OP1 – Site to North of High Street

Comment from SEPA is noted. No change is required.

The name of site OP1 is incorrectly titled the same as site OP2. Therefore, site OP1 should be called “Site to West of Millburn Avenue”. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Site to North of High Street

Support expressed for site OP2 is noted.

The Council does not support removing the need for a masterplan for sites OP1 and OP2. A masterplan can be requested by the Council if it deems there is a need for one to ensure good layout and design and not solely due to the number of homes being less than 50, i.e., not a major development. In this case, a masterplan is required for both sites to ensure that the access arrangements are in place, as these sites are adjacent to each other and share a common boundary. It is noted that site OP1 measures approximately 2 hectares and site OP2 measures approximately 3.4 hectares, which would make both sites a major development. Under Policy P1 Layout, Siting and Design, these sites would meet the threshold for requiring a masterplan (AD0041.A, pages 47-49). No change is required.

The Council does not support removing the access arrangements between sites OP1 and OP2. These sites are located next to each other and share a common boundary. There is concern as to the access arrangements, and in particular a second access point from the High Street or Millburn Avenue, or otherwise, the suitability of the access track set to the northwest. It is noted that an approved planning application shows access leading to site OP1. No change is required.

It is noted that the fourth sentence in paragraph one refers to site OP2 when it should be site OP1. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Site – Bid Site BU035 – Land to West of St Combs

The Council does not support increasing the size of OP2 by allocating bid site BU035 for a total of 119 homes. Bid site BU035 for 100 homes was not identified as a preferred option in the MIR (AD0038.C, page 60). Bid site BU036, which overlaps this bid, was however allocated as site OP2. Nonetheless, bid site BU035 would significantly extend the settlement. Measuring 9ha, it would almost double the size of St Combs. The scale of the bid site would also cause the primary school to be at overcapacity and alter the character, shape and sense of place of St Combs. There is concern as to the access arrangements, and in particular a second access point from the High Street or Millburn Avenue, or otherwise, the suitability of the access track set to the northwest. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and

sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

St Fergus

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – South of Newton Road

The Council does not agree with increasing the number of homes on site OP1 from 38 to 55 homes. A planning application (reference APP/2019/1606 (AD0060)) was submitted in July 2019 for 20 homes. The Council's Infrastructure Services (Flood Risk and Coastal Prevention) amended their initial response on 18 October 2019 due to the localised flooding events in September 2019 and they objected to the proposal on these grounds. They noted that the SuDS basins, which discharge to a minor watercourse, have insufficient capacity and this is unacceptable because it will exacerbate flooding. A subsequent response in November 2019 to the updated plans revealed that the SuDS basin will now tie in with an existing drainage pipe which discharges to a watercourse 170 metres further south. However, cross-sections of the receiving watercourse are required and until this has been proven to be satisfactory, the consultee has upheld their objection on this proposal. A drainage impact assessment was submitted in January 2020 which reflected the changes sought and the objection was removed for those 20 homes only, however, this planning application was refused due to not meeting other relevant policies.

It also came to the light that additional grounds would be required to allow adequate SuDs provision and land for flooding needs to be identified for the remaining homes that are yet to undergo the planning application process. Therefore, consultation was held with the Development Management Team and it was agreed that a lower number of homes can be approved on this site, and 38 homes were considered appropriate. A further planning application was submitted on the same site for 20 homes (reference APP/2020/0227 (AD0061)) whereby the Infrastructure Services (Flood Risk and Coastal Prevention) objected to the application notwithstanding further information being submitted by the applicant for post-development surface water run-off. It was highlighted that no assessment has been made on any of the drainage proposals outwith the application site boundary. Although the measures are indicative only this would be required to be assessed as part of any subsequent application involving the adjacent site. As a result, the proposed 38 homes should be retained in the Plan.

In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area.

In conclusion, no change is required.

Non-Allocated Site – Bid Site BU015 – Land at Kinloch Road

The Council does not support allocating bid site BU015 for 25 homes. Bid site BU015 for 25 homes was not identified as a preferred option in the MIR (AD0038.C, page 63). The site is constrained by road access as the existing road needs to be upgraded to create a better linkage with St Fergus/Kirkton, and its prominent location would also affect the setting of the settlement and the listed St Fergus Parish Church. It is noted that a planning application for three homes on the edge of the settlement was refused due to the SuDs requirement not being met and not being able to demonstrate safe access and egress from the site (APP/2020/0645 (AD0063)). A new planning application on the same site for three homes is pending but concerns on road safety was highlighted (APP/2020/2336 (AD0065)). This roads issue demonstrates that to accommodate any further development, the existing road needs to be widened. Nonetheless, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area.

With regards to the development at site OP1, the approved planning application for 20 homes to the east of the site includes access off Newton Road in the settlement and access off the corner of Kinloch Road. It proposes no road widening of Kinloch Road.

In conclusion, no change is required.

St Fergus Gas Terminal

Vision

The Council agrees that the Vision could be modified to allow further types of energy generating uses at St Fergus Gas Terminal, as requested by the National Grid. If the Reporter is minded, to make an amendment, then the Council recommend that the last sentence in the vision could be modified to “Any future development should be oil, gas, carbon capture or low carbon related and, where possible, contribute towards employment within the area.”

Flood Risk

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site R1 – For major oil and gas related development

The Council agrees that the uses supported on site R1 could be expanded. If the Reporter is minded, to make an amendment, then the Council recommend that site R1 could be reserved for the following, “For major oil and gas related development within St Fergus Gas Terminal, including Carbon Capture and Storage (CCS) and hydrogen production”.

The site R1 is allocated for major gas and oil related developments. Carbon Capture and Storage (CCS) and hydrogen production falls within this remit and it is believed that it is

not necessary to add additional wordings to the proposal. Any additional wordings may narrow the development scheme, and this may prevent further or additional projects on oil and gas or oil and gas related activities to come forward. It is not necessary to alter the allocation in order to be in line with Acorn's project because further opportunities may arise during this Plan period. No change is required.

Comments from the National Grid on being consulted on the preparation or amendments of future plans and specific proposals are noted. No change is required.

Strichen

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NHS Grampian's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – West of Burnshangie Road

The Council does not agree with removing site OP1. The current access road leading into the development site is unsuitable, hence, Burnshangie Road is required to be upgraded to meet the Roads Standard; this has been identified within the allocation summary. In addition, an additional access from Hospital Brae may also be suitable as an emergency access or a second access. It has been highlighted in the allocation text that a loop should be provided between Hospital Brae and Burnshangie Road to meet the requirements. The concern regarding tree loss is considered in the allocation summary, which states that the woodland along the boundary should be retained where possible. Bats would be more appropriately considered at the planning application stage. No change is required.

Comment from SEPA is noted. No change is required.

Site OP2 – Hospital Brae

The Council does not agree with removing site OP2. The allocation summary states that the access into this site can be taken from Hospital Brae which forms the southern site boundary. Therefore, it is not anticipated to foresee any constraints for access. The paths, trees and any community facility and wildlife within and surrounding the site would be taken into consideration at the planning application stage. No change is required.

Comment from SEPA is noted. No change is required.

Site OP3 – Land at Brewery Road

The Council does not agree with removing site OP3. The site is well connected in relation to the settlement and a new junction, including footway provision, is required onto Brewery Road from the site to comply with Aberdeenshire Standards for Road Adoption, which is highlighted in the allocation summary. The Council's Roads Development Team did not object to the visibility splay and radii at the junction after an amended plan was submitted during the MIR consultation stage. The three opportunity sites in Strichen provide choices

for development during the Plan period and this site is not considered to result in overdevelopment. The control and ownership of ground is a civil matter, and no comments can be made. Any concerns regarding overshadowing and overlooking shall be assessed at the planning application stage under Policy P1 Layout, Siting and Design (AD0041.A, pages 47-49). No change is required.

Comment from SEPA is noted. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Site – Bid Site BU009 - Land at Norwood Field, North of Brewery Road

The Council does not support extending site OP3 and allocating bid site BU009 for 100 homes. Bid site BU009 for 60 homes was not identified as a preferred option in the MIR due to limited road access points (AD0038.C, page 68). The proposed alternative access could, however, be used for site OP3, and extending this site westwards could be considered at the next LDP Review. However, the Council is concerned that the scale of the proposal could result in overdevelopment and put pressure on existing services. According to the School Roll Forecast, by 2024, Mintlaw Academy is forecast to be at 94% capacity and Strichen Primary School at 87% capacity (AD0095). Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

The Council notes the error reported by NatureScot that their comments relevant to bid sites BU009 and BU057 had been swapped in the Issues and Actions paper for Buchan (AD0040.C, pages 55-56). These comments were translated directly from SNH's MIR response where the swap originated. Whilst the Council acknowledge this 'swap' in information was not identified in the Issues and Actions paper, site BU057 was not in fact included in the PLDP. With regard to bid site BU009, if the Reporter is minded, to make an amendment, then the Council recommend that the allocation summary for site OP3 could be modified to include text to state that the site should only be developed on the lower slopes of the site.

Reporter's conclusions:

Preliminary matters

1. My examination of the proposed plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the provisions of the proposed plan, or which simply make comments that do not seek modifications to the proposed plan. Therefore, unless these relate to an issue which is unresolved, they are not addressed in my conclusions.

2. The council has indicated that it intends to make a number of 'non-notifiable modifications' to the settlement statements in Issue 20. However, where matters arise from representations made to the proposed plan they require to be considered as part of the examination. I address such matters as appropriate below.

Crimond

Flood Risk

3. The Scottish Environment Protection Agency (SEPA) suggests that a bullet point is added under the heading 'Flood Risk' to acknowledge the presence of small watercourses running through the settlement and that development proposals will be required to be supported by a flood risk assessment. I agree that this would be appropriate and consistent with the approach taken in other settlement statements. A modification is recommended below which also takes account of my recommendation in relation to allocation OP2 below.

Site OP1: south of The Corse

4. The site has been a feature of successive development plans without attracting any development interest. As such, it is suggested that there is no basis to support the view that the site will deliver the housing necessary to meet the housing land requirement. It is also suggested that the site is an arbitrary allocation which pays no regard to field boundaries or the adjacent dwellings.

5. The council, through the Main Issues Report, acknowledges that the site is constrained and that there appears to be no likelihood of the site coming forward for development in the near future. It adds, however, that the site should be promoted in the plan as it represents a logical expansion of the settlement.

6. In the absence of developer interest since the mid-1990s and with no imminent prospect of the issues that constrain the site being resolved, I agree that it is reasonable to conclude that the site is unlikely to become effective in the proposed plan period; as required in Scottish Planning Policy, paragraph 120. Furthermore, I do not consider that the site represents a logical expansion of Crimond; it does not follow established field boundaries and has a limited street frontage. I also note that the council raises the prospect of a second vehicular access being required to serve new development, potentially via Church Avenue, which would necessitate a road being taken through a mature tree belt identified as 'protected land' (P1) on the settlement map. Furthermore local housing needs can be met through new allocation OP2 to the west of Crimond Medical Centre. For these reasons, I conclude that the site should be removed from the proposed plan and recommend a modification to this effect below.

7. The 25 homes at site OP1 at Crimond do not form part of the 2019 effective land supply and are not identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area. The removal of the site therefore does not have any implications for the ability of the plan to meet the strategic housing land requirement in the period up to 2032. However, an amendment is required to remove allocation Crimond OP1 from the relevant table in Appendix 6.

8. In light of my recommendation to remove site OP1 (south of the Corse) from the proposed plan, there is no need for me to address SEPA's representation in respect of the site.

OP2: land west of the Crimond Medical Centre

9. SEPA seeks changes to the allocation summary to state that prospective developers will be required to support proposals with a flood risk assessment and incorporate

features that would minimise flood risk and enhance the natural environment. As a new site, I agree that the suggested changes would provide clarity and certainty to prospective developers in the preparation of proposals for the site. I recommend that the proposed plan is modified accordingly.

10. NatureScot also seeks changes to the allocation summary. While the council states that the modification it intends to make to address NatureScot's comments is set out in its list of non-notifiable modifications, this is not the case. I have considered the comments of NatureScot, with which I concur for the most part. I do not agree, however, that development of the site has the potential to erode the compactness of the settlement; development presently extends along the A90(T) to the north, including the recently built medical centre and community hub. Furthermore, the buffer strips sought by SEPA along watercourses to the north and west of the site, with appropriate landscaping, would provide containment and ensure that development does not merge with the small farm clusters that lie beyond the site. Nonetheless, as a prominent site seen on the approach to the settlement, I agree that it is important to stress the importance of good development design. I recommend a modification below based on that suggested in NatureScot's representation.

Non-allocated Bid Site BU058: Moss Side Camp

11. I agree with the council's assessment of the site; it lies beyond the Crimond Belt (mature woodland), a significant feature in the landscape which in effect separates the site from the settlement; it is a locally important archaeological site; and, is presently served only by a single track road off the A90(T). Furthermore, as we conclude in issue 5 of this report, sufficient land has been identified in the Rural Housing Market Area to meet the strategic development plan allowance for the period to 2032. No modification to the proposed plan is required in response to the representation.

New Leeds

12. As the proposed plan does not allocate sites for new development in the village, it is suggested that the settlement statement is modified to remove references to developer contributions. As the council notes, however, new development proposals may still come forward within the settlement which could have an impact on service provision and existing infrastructure. For this reason, I agree that it is appropriate for the settlement statement to refer to the developer contributions that may be sought should there be deficiencies in service provision and/ or infrastructure to meet the needs of a site. No modification to the proposed plan is required in response to the representation.

New Pitsligo

Flood Risk

13. The New Pitsligo settlement statement does not include a flood risk section. The wording suggested by SEPA would address this omission. I agree that a modification is required in the interests of consistency with other parts of the proposed plan. I recommend a modification below.

Affordable housing

14. It is suggested that there is sufficient affordable housing in New Pitsligo and that the

council's policy on the topic should be set aside or the requirement reduced. The council explains that its affordable housing policy is applied consistently throughout Aberdeenshire where four or more houses are proposed. Should a reduction in the number of affordable houses be justified, the council adds that this can be discussed with a developer when making a planning application. I agree with the council on this matter. No modification to the proposed plan is required in response to the representation.

Health and care facilities

15. NHS Grampian seeks a modification to the settlement statement in respect of medical facilities to serve the residents of Maud and New Pitsligo. I agree that the health and care facilities bullet point should be amended to more accurately reflect the improvements required to support new development in New Pitsligo. A modification is recommended based on the wording provided by NHS Grampian.

Site OP1: land at Alexander Bell Place

16. A representation seeks the removal of the site from the proposed plan; arguing that the site entered the housing land audit in the early 1990s and is constrained by ownership issues. The representation adds that while outline planning permission was granted for 12 houses on the site in 2000, there has been no interest in developing the site since that time. The Main Issues Report acknowledges that the site is constrained. It adds, however, that the landowner has confirmed that the site will be made available for development in the next plan period. In this regard, I note that a planning application was lodged for the development of 5 houses in 2019. Although, the application was subsequently withdrawn, it does indicate that there is developer interest in the site. Furthermore, the site is not identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area for the period up to 2032, which provides more flexibility in terms of delivery timescales. On this basis, I agree with the council that the site should remain part of the plan.

Site OP2: land at Denedoch

17. The removal of allocated site OP2 from the proposed plan is sought by a number of representees; mostly local residents whose properties back directly onto the site and cite the adverse impacts that development would have on their amenity and the village. Part of the site is allocated for residential development in the existing plan (site OP2, 10 houses); which, it is claimed, has not attracted any developer interest since it entered the housing land audit in the mid-1990s. It is also noted that the site is constrained by ownership issues.

18. The Main Issues Report acknowledges that the site is constrained. It notes, however, that the landowner has confirmed that the site will be made available for development in the next plan period. Since the publication of the Main Issues Report (2019) and the Housing Land Audit (2019), the council, through the proposed plan, proposes to increase the size of the site and its capacity (90 houses), to make it a more attractive proposition to developers. The site is not relied upon to meet the strategic housing land requirement in the period up to 2032 (see Appendix 6, Table 3 (housing allocations in the rural housing market area)).

19. The strategic environmental assessment indicates that the allocation is likely to have mixed effects, with negative impacts on air quality and climate but positive impacts on

material assets and population. From my observations of the site and surroundings, I consider that the site should remain a feature of the plan. While development design requires to be carefully considered, as the site lies on sloping ground, there appears to be no impediment to its development other than the resolution of the ownership constraint; it is sufficiently large to ensure that a satisfactory layout, siting and design of development can be achieved whilst safeguarding the amenity of existing residents; there is scope to enhance the existing landscape and provide boundary planting; vehicular access is readily achievable from School Brae and School Street; and, measures exist to secure financial contributions towards the provision of essential infrastructure. Furthermore, as the council notes, New Pitsligo is served by a range of local services and facilities and is an appropriate location for new development.

20. I note the concerns in representations regarding the number of houses that could be built on the site. However, I also note, as set out in Policy H1, paragraph H1.3, the site capacities expressed in the proposed plan are indicative. The paragraph also states that higher densities of development need to be justified, which may be through an approved masterplan which has been subject to appropriate public consultation. I consider that the detailed concerns of local residents are best addressed in this context and/or at the subsequent planning application stage.

21. With regard to flood risk, I note that SEPA does not object in principle to the allocation. The amendments sought to the proposed plan would highlight the potential flood risk associated with surface runoff from the adjacent sloping land to the west. A modification is recommended. I consider that the amendments requested by NatureScot would be consistent with the aim of the plan to promote walking and cycling and policies P1 (Layout, Siting and Design) and P2 (Open Space and Access in New Developments). They would also help address some of the concerns raised in other representations regarding impacts on transport and amenity. I agree that the allocation summary should be modified along the lines suggested in NatureScot's representation.

22. While noting the concerns of local residents, for the reasons set out above, I conclude that the site should remain a feature of the plan. I recommend modifications below to address the concerns of the statutory consultees.

Non-allocated Bid Site BU034: part of P1 east of Low Street

23. I agree with the council's assessment of the site and that it should not be included in the plan; it lies beyond the settlement boundary and is bound on two sides by mature woodland, which the council states includes ancient woodland, part of which is subject to a Tree Protection Order. Whilst the representation is supported by a drawing indicating the extent of tree canopies, it is not supported by a tree survey or measures to protect the trees from development. Furthermore, as we conclude in Issue 5, sufficient land has been identified in the Rural Housing Market Area to meet identified needs. No modification to the proposed plan is required in response to the representation.

St Combs

Flood Risk

24. The amendment sought by SEPA draws attention to the presence of a small watercourse alongside site OP1. I consider the addition of the suggested text necessary to provide clarification on matters relating to the potential risk of flooding. A modification

is recommended.

Site OP2: land north of High Street (to be renamed site west of Milburn Avenue)

25. Part of the site benefits from planning permission for 19 dwellings with vehicular access taken directly from High Street. The approved site layout also includes provision for vehicular access through the site to serve land directly to the north (allocated site OP1) and west (land forming part of allocated site OP2). At my site inspection, I noted that site investigation works have commenced.

26. I agree with the council that the need for a masterplan is not determined solely by the size of a site or the number of dwellings being proposed; a masterplan is required where the development of a site or sites require co-ordination to ensure that they are successfully developed. In this instance, one site is reliant on the other for vehicular access and footpath/cycle paths are required to create connections and integrate the sites with the village. I also agree with the council that reference to the requirement for a second access should not be removed; again, the requirement for such is not determined solely by the number of dwellings proposed, rather it is to ensure good connectivity with the surrounding area. On this basis, I do not agree with the representee that the supporting text to the proposal should be modified.

Non-allocated Bid Site BU035 – land to west of St Combs

27. I broadly agree with the council's assessment of the site. The promoted site is large, particularly so in comparison with the existing settlement. The representee suggests that the site is capable of accommodating over 100 houses which, as the council notes, would place significant pressure on existing services, including school facilities. Furthermore, as we conclude in Issue 5 in this report, sufficient land has been identified in the Rural Housing Market Area to meet identified needs. No modification to the proposed plan is required in response to the representation.

St Fergus

Flood Risk

28. SEPA has advised the council that site OP1 does not lie within a flood risk area and that the bullet point under the heading 'Flood Risk' should be modified. I agree that the plan should be modified to reflect the nature of the flood risk in St Fergus. I recommend a modification below.

Site OP1: land south of Newton Road

29. The site is the subject of two representations; one seeking its removal from the proposed plan, the other an increase in the site's estimated capacity from 38 to 55 houses. The first representation argues that the site is constrained and is unlikely to make a contribution to meeting the strategic housing land requirement. However, I note that planning permission was granted for 20 houses on the eastern half of the site in June 2020 and, as I observed at my site inspection, development has commenced. Table 3 in appendix 6 of the proposed plan indicates that 25 homes on the site are included in the 2019 effective housing land supply and the remaining 13 have been identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area. Given that the site is under construction, I consider it reasonable to

conclude that the remaining capacity of the site can be delivered by 2032. No modification is required.

30. The second representation seeks to restore the site capacity to that expressed in the existing plan, that is, 55 houses. The council explains that the reduced site capacity is due to land drainage constraints. I have not been presented with any evidence that challenges the council's position on this matter. No modification to the proposed plan is required in response to the representations.

Non-allocated Bid Site BU015: land at Kinloch Road

31. The landowner seeks the inclusion of the site in the proposed plan for residential development (the Main Issues Report refers to a proposal of 25 houses). At my site inspection, I noted that Kinloch Road is a narrow road that falls considerably once beyond properties at Orchard Bank before turning sharply at the recreational field; at which point a new access is being constructed to serve development on site OP1. I agree with the council that without significant improvement, Kinloch Road would be unable to safely serve a development of the scale envisaged.

32. In June 2021, I note that the council granted planning permission to the landowner to erect three dwellings on that part of the site which fronts Kinloch Road. The scale of the development is such that, other than for the creation of a lit footpath from the proposed housing to the new access serving site OP1, no alterations to Kinloch Road were required. No modification to the proposed plan is required in response to the representation.

St Fergus Gas Terminal

Vision

33. I agree that the settlement statement vision should be modified to include reference to low carbon related development and recognise that not all development would necessarily contribute towards local employment. I recommend below a modification as sought by National Grid.

Site R1

34. With regard to the settlement features table, whilst National Grid has provided a form of words that it wishes to see incorporated into the proposed plan, I agree with the council that the purposes for which the land has been reserved should be written as broad as possible, so as not to preclude other suitable uses that may come forward during the plan period. I recommend below a modification as suggested by the council.

Flood Risk

35. SEPA has requested amendments to the flood risk bullet points which would more accurately reflect the extent of the flood risk and explain the purpose of the required buffer strips. I agree that the plan should be modified accordingly.

Strichen

Health and care facilities

36. NHS Grampian seeks a modification to the settlement statement in respect of medical facilities to serve the residents Strichen, which are located in Maud and New Pitsligo. I agree that the health and care facilities bullet point should be amended to more accurately reflect the improvements required to support new development in Strichen. A modification is recommended based on the wording provided by NHS Grampian.

Site OP1: west of Burnshangie House

37. A representation seeks the removal of the site from the proposed plan; citing concerns about accessibility, effects on trees and loss of habitat. I have inspected the site and surroundings and agree with the council that the issues raised are capable of being resolved; access to the site can be achieved from Burnshangie Road and Hospital Brae; the site is sufficiently large to incorporate a buffer strip to protect the trees that bound the site to the west; and, provisions exist within the proposed plan to ensure that planning applications are supported by the necessary assessments, including bat and habitat appraisals. I consider that the site should remain a feature of the plan. No modification to is required in response to the representation.

Site OP2: Hospital Brae

38. A representation seeks the removal of the site from the proposed plan, which is located close to proposed site OP1; arguing that it is located at the top of a steep road with a blind corner, which would be unable to accommodate the traffic generated by its development and that on the nearby proposed site OP1. The representation also cites concerns regarding tree and habitat loss.

39. I consider it reasonable to assume that the majority of traffic generated by development on allocation OP1 would choose to access the site via Burnshangie Road. Also, the supporting text to allocation OP1 refers to the need to create a 'loop' between Burnshangie Road and Hospital Brae, which would provide an alternative route to Hospital Brae. As such, the level of traffic using Hospital Brae would most likely be less than that cited in the representation. With regard to other matters raised, as I note above, provisions exist within the proposed plan to ensure that future planning applications are supported by necessary assessments, including bat and habitat appraisals. I consider that the site should remain a feature of the plan. No modification to is required in response to the representation.

Site OP3: land at Brewery Road

40. Representations seek the removal of the allocated site from the proposed plan; citing inadequate access arrangements and adverse effects on residential amenity. In addition, NatureScot has concerns regarding the development of the site, noting that the area contributes to the landscape setting of the village, is highly visible from High Street and that development would give rise to significant landscape and visual impacts.

41. At my site inspection, it was apparent that the point of access shown on the Strichen settlement statement map would be inadequate to serve housing development on the site. In response to matters raised in representations, the council refers to the acceptability of alternative access arrangements. However, I was not directed to those arrangements nor, would it appear, were they made available for public comment whilst the proposed plan was on deposit. To clarify matters, I sought further information from the council, site

promotor and representees on the issue of vehicular access to the site (FIR005).

42. As noted by NatureScot, the site is clearly visible from within the village, most of which is a designated conservation area. From Water Street, in particular, the site appears as part of the open countryside framed by trees and mature woodland.

43. In response to my further information request, the council has confirmed that the intended point of access to the site is through the curtilage of Milmont, a residential property in the ownership of the site promotor, located further to east on Brewery Road. The existing informal field entrance, shown as the point of access on the settlement statement map, would be used for emergency access and as a cycle/footpath. The council acknowledges that it should have amended the site allocation boundaries in light of the revised access proposals lodged by the site promotor. The council adds, its road development team has considered the alternative access arrangements and that the requirement for a new junction, including footway provision, to an adoptable standard, is highlighted in the allocation summary; however, the detailed response of the road development team has not been made available for my consideration.

44. The council explains that site capacity has been established through an assessment of the proposals against the requirements of its Standards for Road Construction and Adoption (2015). Based on the information provided, and in the absence of confirmation that a fire tender could access the site via the emergency access from Brewery Road, development on the site would be restricted to 49 houses.

45. Although unaware of the location of the alternative access point at the time of my site inspection, I did walk the length of Brewery Road from Bridge Street as part of my consideration of this matter and bid site BU009 (see below). In doing so, I noted that Milmont and The Coach House sit below the level of Brewery Road as it rises to the west. As to whether this is an impediment to a vehicular access being created or would affect Milmont to the extent that it would necessitate its demolition is unclear from the material presented to me. It is also unclear, based on the drawing reproduced by the council (FIR005, figure 1), the effect a new road in this location would have on the protected woodland, which lies immediately beyond the boundaries of Milmont. Finally, and importantly, it is unclear whether the owner/occupier of The Coach House is aware of the revised access proposals or has had an opportunity to engage in this exercise; there is no indication in the council's response, or that from the site promotor, to suggest that this is the case. If the proposed plan allocation summary and settlement statement map is taken at face value, it would not be apparent to the reader that an access road intended to serve a development of 49 houses would be located between Milmont and the Coach House to serve housing beyond.

46. I agree with NatureScot that the site is highly visible and makes a valuable contribution to the landscape setting of the village. Despite reference to the requirement for strategic landscaping to minimise the visual effects of new development, the rising landform of the site is such that it would nevertheless remain visible and prominent as it rises up the hillside when seen from the village, particularly Water Street. I consider that such an effect would be significant and erode the landscape setting of the village.

47. Given the uncertainty of achieving an acceptable vehicular access, I am not satisfied that the site can be regarded as effective. The council has confirmed that failure to deliver the development on the site would not compromise the proposed plan meeting the

housing land requirement in the plan period, which it considers to be in surplus.

48. In conclusion, taking account of the all matters discussed above, I consider that the allocated site should be removed from the proposed plan. As noted by a representee, in allocating sites, planning authorities should be confident that land can be brought forward for development within the plan period (Scottish Planning Policy 2014, paragraph 119). However, the responses to FIR005 suggests that there is uncertainty that an acceptable access can be achieved without adverse impacts on amenity, including the protected woodland. Also, I am uncertain that the owners/occupiers of The Coach House have had an opportunity to engage in this matter; it is entirely possible that they haven't given that the property does not directly bound the allocated site and the error of showing the access on the settlement statement map as being located elsewhere. I also conclude that development of the site would have a significant effect on the landscape setting of the village.

49. For these reasons, I recommend a modification below that removes the site from the proposed plan. An amendment is also required to remove allocation Strichen OP3 from the relevant table in Appendix 6. Our conclusions on the implications of this change for the overall housing land provision are addressed in Issue 5 (shaping homes and housing).

Non-allocated site: BU009: land at Norwood Field, north of Brewery Road

50. The site incorporates and extends beyond allocated site OP3 to align with field boundaries to the north and west. The bid sought an allocation for 100 houses. The council's response, as set out in the Main Issues Report, notes that the site is inaccessible and consequently considered the site undeliverable. On this basis, the council resolved not to promote the site in the proposed plan. The alternative access proposals to serve allocated site OP3, which I discuss above, emerged after the preparation of the Main Issues Report.

51. In its response to FIR005, the council notes that the Standards for Road Construction and Adoption (2015) require the provision of two access points to serve a development of 100 houses. As I note above in my assessment of allocated site OP3, it is unclear whether a vehicular access to serve half this number of houses is achievable without adverse impacts on amenity. In addition, my conclusions above that the site is prominent and its development would have a significant effect on the landscape setting of the village are equally pertinent to this site. For these reasons, I conclude that the proposed plan should not be modified in response to the representation.

Reporter's recommendations:

Modify the local development plan by:

Crimond

1. Adding the following second bullet point in the flood risk section of the Crimond settlement statement in page 292:

“• Due to the presence of small watercourses running through or adjacent to the site a Flood Risk Assessment will be required to support proposals for site OP2”

2. Removing site OP1 (south of the Corse) from the Crimond settlement statement by deleting the site from the table of allocations and from the settlement statement map on

pages 294 and 295 of the proposed plan, respectively. (The settlement boundary should also be amended accordingly.)

3. Deleting the entry for Crimond OP1 from the relevant table in Appendix 6 for sites in the Rural Housing Market Area. (Note: a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report).

4. Replacing the second, third and fourth sentences of the first paragraph of the allocation summary for OP2 (Land west of Crimond Medical Centre) in the Crimond settlement statement on page 294 with:

“Due to watercourses flowing to the east, north and west of the site, a Flood Risk Assessment will be required. Buffer strips will be required along the watercourses and should be positively integrated into the open space to minimise flood risk and enhance the landscape and wildlife corridor.”

5. Delete the first sentence of the second paragraph of the allocation summary of site OP2 (land west of Crimond Medical Centre) in the Crimond settlement statement on page 294 of the proposed plan and replace with five new sentences. Also, delete the existing fourth sentence, which reads, ‘Appropriate screening is required to the north and south of the site’. The beginning of the paragraph should then read:

“The site lies in a prominent ‘gateway’ location. Housing design should be of a high standard and sympathetic to its surroundings. New development should be concentrated towards the south-east part of the site to ensure that it integrates well with the settlement. Appropriate landscape screening and buffer strips must be provided along the site’s northern and western boundaries where watercourses flow. Appropriate landscaping is also required along the site’s A90(T) frontage. The layout plan must...”

New Pitsligo

6. Adding the following new heading and bullet point to the New Pitsligo settlement statement after the table of settlement features on page 340:

“Flood Risk

- Due to surface water flood risk, a flood risk assessment may be required to support development proposals on site OP2.”

7. Replacing the health and care facilities bullet point in the New Pitsligo settlement statement on page 341 with:

“• Health and care facilities: All residential development must contribute towards the creation of additional capacity at existing medical facilities in Maud or New Pitsligo.”

8. Adding the following sentence after the second sentence of the second paragraph of the allocation summary for OP2 (land at Denedoch) in the New Pitsligo settlement statement on page 342:

“Care should be taken to ensure that the siting and design of new development reflects the strong geometrical grid pattern of existing development in New Pitsligo. It is expected...”

9. Replacing the last sentence of the second paragraph in the allocation summary for OP2 (land at Denedoch) in the New Pitsligo settlement statement on page 342 with:

“A Flood Risk Assessment may be required to assess surface water runoff from adjacent land.”

10. Adding the following two new sentences at the end of the second paragraph in the allocation summary for OP2 (land at Denedoch) in the New Pitsligo settlement statement on page 342:

“Provision for active travel is required. In this regard, the site layout should incorporate links to the core path network.”

St Combs

11. Replacing the flood risk bullet point in the St Combs settlement statement on page 368 with the following:

“• A small watercourse runs to the north of site OP1, as such, there is some risk of surface water flooding on sites OP1 and OP2. Flood Risk Assessment may be required.”

St Fergus

12. Replacing the flood risk bullet point in the St Fergus settlement statement on page 372 with the following:

“• A Flood Risk Assessment may be required to support development proposals for site OP1 due to surface water flooding.”

St Fergus Gas Terminal

13. Replacing the final sentence of the ‘Vision’ in the St Fergus Gas Terminal settlement statement on page 375 with:

“Any future development should be oil, gas, carbon capture or low carbon related and, where possible, contribute towards employment within the area.”

14. Replacing the text relating to ‘Reserve Land: R1’ in the St Fergus Gas Terminal settlement statement on page 375 with:

“For major oil and gas related development at St Fergus gas Terminal, including carbon capture and storage, and hydrogen production.”

15. Replacing the flood risk bullet point in the St Fergus Gas Terminal settlement statement on page 375 with the following:

“• Parts of the site are shown to be at risk of flooding on the SEPA Indicative Flood Map. Accordingly, Flood Risk Assessments may be required to support development proposals. Buffer strips may also be required alongside watercourses. Opportunities to restore and enhance watercourses should be investigated.”

Strichen

16. Replacing the health and care facilities bullet point in the Strichen settlement statement on page 378 with:

“• Health and care facilities: All residential development must contribute towards the creation of additional capacity at existing medical facilities in Maud or New Pitsligo.”

17. Deleting allocated site OP3: Land at Brewery Road from the Strichen settlement statement and map on pages 380 and 381 and amending the settlement boundary to that shown in the existing local development plan at this location.

18. Deleting the entry for Strichen OP3 from the relevant table in appendix 6 for sites in the Rural Housing Market Area. (Note – a revised version of appendix 6, incorporating all

the recommended modifications, is provided at the end of this report.)

Issue 21	Other Settlements RHMA (Buchan) South – Ardallie, Auchnagatt, Cruden Bay, Fetterangus, Longside, Longside Airfield, Maud, Mintlaw, New Deer, Old Deer, Rora and Stuartfield	
Development plan reference:	Proposed LDP, Appendix 7B, Page 282-283 Proposed LDP, Appendix 7B, Page 284-287 Proposed LDP, Appendix 7B, Page 296-300 Proposed LDP, Appendix 7B, Page 301-306 Proposed LDP, Appendix 7B, Page 314-317 Proposed LDP, Appendix 7B, Page 318-319 Proposed LDP, Appendix 7B, Page 320-323 Proposed LDP, Appendix 7B, Page 324-333 Proposed LDP, Appendix 7B, Page 334-337 Proposed LDP, Appendix 7B, Page 344-347 Proposed LDP, Appendix 7B, Page 365-367 Proposed LDP, Appendix 7B, Page 382-385	Reporter: Andrew Sikes
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Ardallie PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian PP1301 Khalid Ahmed</p> <p>Auchnagatt PP0840 Arcus Design Ltd PP1099 c a s e CONSULTING Limited PP1031 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian PP1392 Jennifer Taylor</p> <p>Cruden Bay PP0073 David and Joyce Findlater PP0146 Mr A Smith PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian</p> <p>Fetterangus PP1111 c a s e CONSULTING Limited PP1112 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1343 Historic Environment Scotland</p> <p>Longside PP0330 William Buchan PP0333 Charles and Jane Leslie PP0394 Mr N Godsmann PP1219 Scottish Environment Protection Agency</p>		

Longside Airfield

PP0145 North East Aviators and Buchan Aero Club
PP0714 Shell UK Limited
PP0981 INEOS FPS
PP1219 Scottish Environment Protection Agency

Maud

PP0241 Margaret Simpson
PP1219 Scottish Environment Protection Agency
PP1223 NHS Grampian

Mintlaw

PP0072 Jane Chalmers
PP0537 S, A and I Davidson
PP0558 Asda Stores Limited
PP0578 Scottish Government Planning and Architecture Division
PP0734 Colaren Homes Ltd
PP0738 Colaren Homes Ltd
PP1054 c a s e CONSULTING Limited
PP1219 Scottish Environment Protection Agency
PP1223 NHS Grampian
PP1241 Nestrans
PP1412 c a s e CONSULTING Limited

New Deer

PP0001 Sarah Ward
PP0395 New Deer Community Association
PP0400 Mr W Brown
PP1040 c a s e CONSULTING Limited
PP1219 Scottish Environment Protection Agency
PP1223 NHS Grampian
PP1319 The Church of Scotland General Trustees

Old Deer

PP1219 Scottish Environment Protection Agency
PP1320 The Church of Scotland General Trustees

Rora

PP1087 c a s e CONSULTING Limited
PP1219 Scottish Environment Protection Agency

Stuartfield

PP0119 Mr G Burnett-Stuart
PP0385 Claymore Homes
PP0386 Claymore Homes
PP0398 Mr G Burnett-Stuart
PP0717 Charles Philip
PP0718 Charles Philip
PP0719 Charles Philip
PP0739 Colaren Homes Ltd
PP1068 c a s e CONSULTING Limited

PP1219 Scottish Environment Protection Agency	
Provision of the development plan to which the issue relates:	<p>Ardallie Settlement Statement Auchnagatt Settlement Statement Cruden Bay Settlement Statement Fetterangus Settlement Statement Longside Settlement Statement Longside Airfield Settlement Statement Maud Settlement Statement Mintlaw Settlement Statement New Deer Settlement Statement Old Deer Settlement Statement Rora Settlement Statement Stuartfield Settlement Statement</p>
Planning authority's summary of the representation(s):	
<p>Ardallie</p> <p><u>Site R1 – For a sustainable drainage system (SUDS) for site OP1</u></p> <p>Scottish Environment Protection Agency (SEPA) has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).</p> <p><u>Flood Risk</u></p> <p>SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).</p> <p><u>Services and Infrastructure</u></p> <p>SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).</p> <p>A representee has requested amending the health and care facilities section to state that contributions should go towards the creation of additional capacity at existing medical facilities or a new health centre in Cruden Bay, and towards pharmacy facilities (PP1223).</p> <p><u>Site OP1 – Land at Nether Backhill</u></p> <p>SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site OP1 (RD0214.B). No modification sought (PP1219).</p> <p><u>Non-Allocated Site – Bid Site BU001 – Nether, Backhill</u></p> <p>A representee has requested allocating land that was identified in the Main Issues Report 2019 (MIR) for bid site BU001 for development. They state it could be an extension of site OP1 or a separate opportunity site (PP1301). The representee has included a plan in their submission (RD0256.A) which provides further detail to support their position</p>	

(PP1301).

Auchnagatt

Flood Risk

SEPA has recommended adding a second 'Flood Risk' bullet point relating to sites OP1 and R1 as they lie within SEPA's Indicative 1:200 flood risk area and have a small watercourse adjacent to them (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has recommended amending the 'Strategic drainage and water supply' bullet point to state that the existing waste water treatment plant is at capacity (RD0214.B) (PP1219).

NHS Grampian has requested inclusion of a statement on health care facilities be added to the Services and Infrastructure section (PP1223).

Site OP1 – Land at North of Braemo

The representee has expressed their support for site OP1 and commented on the need for a Flood Risk Assessment and potential flood issues affecting the site. They note the issues relating to a blocked culvert can be addressed by maintenance or diverting the culvert over neighbouring land, any flooding issues associated with Ebrie Burn can be investigated and mitigated. No modification sought (PP0840).

A representee requested the removal of site OP1 from the Auchnagatt Settlement Statement and from table 3, Appendix 6 Housing Land Allocations. It is argued that the site has been recorded in the Housing Land Audit (HLA) as constrained due to infrastructure and marketability during the interim period from the granting of planning permission in January 2016 and the publication of HLA 2019. The constraint on infrastructure is not noted in the HLA 2019. The last planning permission has now lapsed (PP1031).

It is argued that the site has been recorded in the Housing Land Audit since 1995 and the site has been remaining as a constrained site for a long period of time. The last planning permission expired and there is questionable demand to justify an allocation of this scale. It is constrained due to infrastructure and ownership.

SEPA has stated that they will object to site OP1 if the allocation summary does not convey the scale of flood risk at the site, which will be a major constraint in proportion to the size of the site. They also noted that while the Strategic Flood Risk Assessment (SFRA) identifies flooding for this site, the allocation summary implies that SuDS and a buffer will mitigate this flood risk. However, this site is at significant fluvial flood risk and a Flood Risk Assessment is required to assess the fluvial flooding that is likely to affect the site (RD0214.B) (PP1219).

Site OP2 – Land at Annochie Place

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

Two representees have objected to the inclusion of site OP2 (PP1099 and PP1392).

It is argued that the site has been recorded in the Housing Land Audit since 1995 and the site has been remaining as a constrained site for a long period of time. The last planning permission expired and there is questionable demand to justify an allocation of this scale. It is constrained due to infrastructure and ownership. There is no waste water treatment works available and the timescale to resolve these constraints is unknown (PP1031 and PP1099).

The development of site OP2 would double the size of Auchnagatt. There are few services and limited public transport available. The school is at near capacity. The existing septic tank is not large enough. Concerned about house type and tenure (mostly small households of three or less in Auchnagatt), road access, and increase in traffic and air pollution given Auchnagatt's rural location and most occupants will require a vehicle to commute (PP1392).

Cruden Bay

Site R1 – Marks the proposed strategic landscaping required for site OP1 and OP2

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Site R2 – Safeguarded for a pedestrian path/cycleway/railway line

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R2 (RD0214.B). No modification sought (PP1219).

A representee has objected to the allocation of site R2 because this is a protected area for wildlife. This allocation will affect the privacy of the representee's home, compromise the security to the rear of their property and the path is too close to the rear side of the properties on Braehead Drive. It is suggested that an alternative route should be found (PP0073).

Site R3 – For potential expansion of the school

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R3 (RD0214.B). No modification sought (PP1219).

Site R4 – For a medical facility

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the designation summary for site R4 providing the amendment to the 'Flood Risk' section is made. Otherwise, they request amending the designation summary to state why a Flood Risk Assessment is required (RD0214.B) (PP1219).

NHS Grampian has welcomed the inclusion of site R4 for a medical facility. No modification sought (PP1223).

Flood Risk

SEPA has recommended amending the 'Flood Risk' bullet point to include an additional sentence highlighting that parts of the settlement may be at risk from coastal flooding (RD0214.B) (PP1219).

SEPA has recommended adding a new 'Flood Risk' bullet point to highlight the need for a Flood Risk Assessment for sites OP2 and R4 due to the presence of a watercourse (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

NHS Grampian has requested amending the health and care facilities section to state that contributions should go towards the creation of additional capacity at existing medical facilities or a new health centre in Cruden Bay, and towards pharmacy facilities (PP1223).

Site OP1 – Land at Aulton Road

SEPA has requested that for site OP1 the last three sentences in the third paragraph are replaced to accurately state the source of the flood risk and when a Flood Risk Assessment may be required (RD0214.B) (PP1219).

Site OP2 – South of Aulton Road

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP2 providing the amendment to the Flood Risk section is made. Otherwise, they request amending the allocation summary to state why a Flood Risk Assessment is required (RD0214.B) (PP1219).

Non-Allocated Site – Bid Site BU066 – Captain's Cabin, Aulton Road

The representee has expressed their support for the amendment of the Cruden Bay map that includes a site at the southern edge of a settlement, which recently acquired planning permission (APP/2019/0798). No modification required (PP0146).

Fetterangus

Flood Risk

SEPA has recommended amending the 'Flood Risk' bullet point to replace the existing text to accurately state the source of the flood risk and when a Flood Risk Assessment may be required for sites OP2, OP3 and R1. They also recommended highlighting that a buffer strip is required for site R1 (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply'. No modification sought (RD0214.B) (PP1219).

Site OP1 – Land North of Ferguson Street

A representee has requested reducing the allocation of site OP1 from 26 to 6 homes to reflect the Aberdeenshire Housing Land Audit 2019 (HLA). The Aberdeenshire Housing Land Audit 2019 (HLA) indicates that the residual effective capacity of this allocation is just 6 houses, with the remaining 20 houses constrained due to lack of access (PP1111). SEPA has advised amending the text on the third paragraph to remove references to buffer strips because SEPA is not aware of any watercourses at or around the site boundaries and the SFRA did not identify any either (RD0214.B) (PP1219).

Site OP2 – Land Adjacent to Playing Fields

A representee has requested removing site OP2. They state that the HLA 2014 and HLA 2019 show that this site was constrained on the grounds of ownership, it is not an attractive site or viable for developers and no planning application has been submitted since it was allocated. Therefore, it is unlikely to be delivered in this Proposed Plan period. They suggested an alternative and effective allocation should be made in the Local Growth Area of the Rural or Aberdeen Housing Market Areas (PP1112).

SEPA has requested amending the third and fourth paragraphs in relation to buffer strips and Flood Risk Assessments (RD0214.B) (PP1219).

Historic Environment Scotland (HES) is concerned that site OP2 could affect the setting of two scheduled monuments, Fetterangus Church and Fetterangus Church symbol stone, as the allocation would bring housing closer to the monuments (around 215 metres east of site OP2). They have requested that consideration is given to mitigating the impact through sensitive housing design and using landscaping, such as using trees in the western section of the allocation to screen the development from view, in line with HES Setting guidance (PP1343).

Site OP3 – Land East of Gaval Street

A representee has supported this allocation, which is sufficient in scale and capacity to meet the demand of this small rural settlement. No modification required (PP1112).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

Longside

Flood Risk

SEPA has recommended amending the 'Flood Risk' bullet point to state the sources of flood risk and that a Flood Risk Assessment may be required for sites OP1 and OP2 (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land off Station Terrace

Objections to site OP1 have been raised on the grounds of road safety issues, lack of access to public transport, detrimental impact on amenity for local residents, lack of demand, increased traffic and that there are lanes with limited/no pavements (PP0330 and PP0333). Concern has also been raised at the proposed new junction on Station Road due to lack of visibility and road safety (PP0330). Another representee is concerned with the new junction at Auchlee Farm Road as the existing road has a blind bend, and with the limited pavements would have a detrimental impact on road safety (PP0333). The site will result in car dependency as the distance to the nearest bus stop is almost one mile (PP0333).

It is also reported that the PLDP states that site OP1 is an allocation for 30 homes, but the Strategic Environment Assessment states 50 homes, so clarity is required. Station Road should be changed to Station Terrace in paragraph two (PP0333).

One representee has argued that site OP1 is unlikely to accommodate 30 homes, as the site context and location demand, lower-rise development, and that the eastern boundary of the site should be as was shown in the original bid site (BU029). They add, a lower-density development would still allow for affordable housing but also for more open space and biodiversity enhancement areas, particularly adjoining the Formartine & Buchan Way. This would provide the opportunity to exceed LDP open-space requirements and create a highly desirable area in which to live (PP0394).

SEPA has requested amending the allocation summary on buffer strips (RD0214.B) (PP1219).

Site OP2 – Land off Inverquhomery Road

SEPA has noted that the SEPA Indicative Maps show surface water flooding affecting site OP2 and have requested that the last two sentences in the allocation summary are replaced to state that “a Flood Risk Assessment may be required due to the presence of surface water flooding.” (RD0214.B) (PP1219).

Longside Airfield

General

A representee has expressed their support that the allocation has been restricted to Class 6 (storage and distribution) uses but has requested a section on oil and gas pipelines is added to the Settlement Summary. They note that the Main Issues Report 2019 (MIR) Issues and Actions Paper recommended the inclusion of text referring to the pipeline consultation zones, but this was not included in the PLDP. As such, the Settlement Statement conflicts with the approach adopted in all other settlements (PP0714).

Flood Risk

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation text in the Flood Risk section (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Longside Airfield

A representee has objected to the extent of the site because it includes the active 28/10 runway currently used by North East Aviators/Buchan Aero Club (NEA/BAC). The site plan includes the active runway and a significant area to the south of this boundary, which forms part of the active airfield and the area operated by NEA/BAC. This conflicts with the Longside Airfield statement. The allocation summary states that the site is located south of the operation airfield, but the Longside Airfield settlement map does not present the same. The operational part of the airfield is owned by Aberdeenshire Council and is subject to a long lease with CHC Scotia Ltd. NEA/BAC have a lease with CHC Scotia to act as Airfield Operators. NEA/BAC use part of the original 28/10 runway with an agreed overrun area to the west. An emergency corridor is provided for aircraft within the adjacent pipe yard. They also use a north/south facing grass runway (PP0145). The representee has included a historical plan and plan submitted by the applicant (for bid) in their submission which provides further detail to support their position (PP0386).

A representee has requested the allocation summary references Policy P4 and the Health and Safety Executive's (HSE) specific advice due to the presence of the Forties Pipeline that passes through the eastern portion of the site (PP0981).

SEPA has requested adding a statement in the allocation summary that seeks the requirement to assess the site for potential radioactive substances and a groundwater drainage assessment as the site is a former military airfield and radium 226 may be present due to its use in aircraft dials during World War Two (RD0214.B) (PP1219).

Maud

Flood Risk

SEPA has requested amending the 'Flood Risk' bullet point to accurately state the source of the flood risk and when a Flood Risk Assessment may be required for sites OP1 and OP2 (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

A representee has requested amending the health and care facilities section to state that contributions should go towards the creation of additional capacity at existing medical facilities in Maud or New Pitsligo (PP1223).

Site OP1 – Land at Castle Road

A representee has requested the removal of site OP1 unless it can be demonstrated that the required supporting infrastructure and services (e.g., water, education, road network,

and health care) can be delivered. They are concerned over the impact on already pressured services, and road and pedestrian safety from increased traffic on Castle Road. (PP0241).

SEPA has requested adding a new sentence on the need for buffer strips in site OP1, as this was identified in the Strategic Flood Risk Assessment (RD0214.B) (PP1219).

SEPA has recommended that the last two sentences on affordable housing in the last paragraph are moved to a separate paragraph (RD0214.B) (PP1219).

Site OP2 – Land West of Castle Terrace

A representee has requested the removal of site OP2 unless it can be demonstrated that the required supporting infrastructure and services (e.g., water, education, road network, and health care) can be delivered. They are concerned over the impact on already pressured services, and road and pedestrian safety from increased traffic on Castle Road. (PP0241).

SEPA has requested amending the allocation summary for site OP2 in Maud to clarify that a Flood Risk Assessment and buffer strips will and not may be required, as this is a requirement in the SFRA and restoration measures including riparian tree planting cannot mitigate the flood risk (RD0214.B) (PP1219).

Site OP3 – Land at Bank Road East

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

Mintlaw

Vision

The Scottish Government has requested that the PLDP indicates that development within Mintlaw will be constrained to agreed limits until such time as the necessary upgrades to Toll of Birness Junction, which links the A90(T) Aberdeen to Peterhead road with the A952 to Fraserburgh, have been identified and implemented (PP0578).

Flood Risk

SEPA has requested amending the 'Flood Risk' bullet point to accurately state the source of the flood risk. They also stated that a Flood Risk Assessment may be required for sites OP1, OP2, OP3 and OP5 (RD0214.B) (PP1219).

SEPA has also requested a separate bullet point for site BUS2 to state that a buffer strip will be required, as well as the possibility of a Flood Risk Assessment (RD0214.B) (PP1219).

In addition, SEPA recommended that site R1 is removed from the 'Flood Risk' bullet point as there is no watercourse on/adjacent to the site (RD0214.B) (PP1219).

Site BUS1

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS1 (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Nestrans has highlighted the importance of linking future developments in Mintlaw to improve the A90(T)/A952 Toll of Birness junction. No modification sought (PP1241).

The Scottish Government has requested that the PLDP and Delivery Programme clearly detail the required scheme to upgrade the Toll of Birness Junction, its cost, how it will be delivered, and if this will include developer contributions to ensure delivery within the appropriate timescale in accordance with Scottish Planning Policy (SPP) and Circular 3/2012 Planning obligations and good neighbour agreements. The Scottish Government is concerned that the information within the PLDP and Delivery Programme provides a contradictory message on delivery and funding and does not provide the clarity with regard to the requirement for improvements to deliver development within the settlement of Mintlaw. They also note that while the PLDP does state the requirement for all new development to contribute towards an upgrade of the A952/A90, Toll of Birness junction, no detail is provided on the nature and scale of upgrade, its associated costs, how contributions would be gathered and how it would be delivered in accordance with SPP and Circular 3/2012 (PP0578).

Site OP1 – Land at Nether Aden

A representee does not object to site OP1 in principle but has requested that the agreed infrastructure for the original development (e.g., play equipment, bus stops, well-lit paths), as required in the agreed planning permission and the 2012 masterplan is installed before any further development is undertaken. Safety concerns have also been raised as there are no pavements along narrow roads and parking is inadequate (PP0072).

A representee has requested the new retail facilities that are to be provided as part of a development are restricted to a maximum floorspace level to prevent ambiguity with the reference to 'neighbourhood' and allow adequate assessment of retail impact on existing centres (PP0558).

SEPA has requested correcting a typo in the second sentence of the fourth paragraph to read "buffer strips" (RD0214.B) (PP1219).

Site OP2 – Land at Northwoods

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

A representee has requested reducing the allocation for site OP2 from 600 to 380 homes to reflect completions provided in the Housing Land Audit (HLA) 2019 and the available contribution to the effective housing land supply to the end of 2032. They note at an

average build rate of 20 houses per annum the site will not be built out until 2044 (PP1054).

Two representees have requested that the allocation summary be amended to that public transport infrastructure should be provided on Blaring Road or the A952 to serve sites OP2 and OP6. They also add it would be detrimental to woodland on the A952 (PP0734 and PP0738).

Site OP3 – Former Artlaw Crescent/Nether Aden Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

Site OP4 – Land South of Sutherland Drive

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP4 (RD0214.B). No modification sought (PP1219).

Site OP5 – South of Nether Aden Road

A representee has requested that site OP5 is removed as it is constrained for marketability, which is evidenced in the HLA 2019, and there is no confidence that this site will be delivered in this Plan period due to other large sites currently being delivered (PP1412).

SEPA has recommended the removal of the last sentence of the third paragraph of site OP5 in relation to retention of trees, as this requirement is repeated in the second the paragraph (RD0214.B) (PP1219).

Site OP6 – Land North of Balring Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP6 (RD0214.B). No modification sought (PP1219).

Two representees have requested that the allocation summary is less restrictive on the retention of trees along Balring Road, as this road needs to be upgraded to an adoptable standard to accommodate this development. They suggest the allocation summary should state that tree loss should be minimised and allow for compensatory planting (PP0734 and PP0738).

Two representees have requested that the allocation summary states that public transport infrastructure should be provided on Blaring Road to serve this site. They also add it would be detrimental to woodland on the A952 (PP0734 and PP0738).

Non-Allocated Site – Bid Site BU033 – Land East of OP3

A representee has requested that site OP3 be extended to include bid site BU033 for an additional 30 homes. It is argued that this extension will make site OP3 more viable to developers, and the bid site is close to a bus route, primary school, and amenities (PP0537).

Non-Allocated Site – Bid Site BU048 – Land at Longside Road, north east of Mintlaw

School

NHS Grampian has requested that bid site BU048 be allocated for healthcare facilities. NHS Grampian has indicated that two sites were proposed at the “call for site” stage and site BU048 was identified as an Officer’s preference in the MIR and was allocated as Future Opportunity Site (FOP 2) in the draft Proposed Local Development Plan. However, this site is not taken forward in the Proposed LDP and therefore, there needs to be a site identified within Mintlaw, which is centrally located and close to public transport routes (PP1223).

New Deer

General

This Settlement Statement contains many ‘in vogue’ words and phrases which are meaningless without explanation, such as “vision” and “aspiration” (PP0001).

Vision

A representee has stated that there is no A991 and seeks clarification on which road is being referred to and more details on where the path network starts and ends. They also have requested a plan of the proposed path (PP0001).

The representee has queried as to why there is an aspiration for a road through protected land, P2 as this would conflict with the purpose of the protective designation (PP0001).

Site R1 – For a 2m wide strip of land to allow for a footway link to the New Deer showground

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on ‘Strategic drainage and water supply’ (RD0214.B). No modification sought (PP1219).

A representee has requested amending the health and care facilities section to state that contributions should go towards the creation of additional capacity at existing medical facilities in Maud or New Pitsligo (PP1223).

Site OP1 – Land at Fordyce Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Site OP2 – Land at Auchreddie Road East

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

Clarity is sought as to how these sites would be sold on a plot-by-plot basis and how this can contribute towards affordable housing. Furthermore, explanation is required as to how affordable housing can be integrated into an early phase of the development (PP0001).

Site OP3 – Land at Auchreddie Croft

A representee has expressed support for site OP3 for 30 homes. They noted that wayleaves have been obtained for access, sewage, and surface run off water. No modification required (PP0395).

A representee has requested removing site OP3. They state that the HLA 2019 show that this site was constrained on the grounds of marketability. There are alternative sites within the settlements that are likely to progress in the Plan period and would meet the demand of homes, hence, it is not an attractive site or viable for developers. Therefore, it is unlikely to be delivered in this Proposed Plan period. They suggested an alternative and effective allocation should be made in the Local Growth Area of the Rural or Aberdeen Housing Market Areas (PP1040).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

A representee has noted that the scale and number of homes on site OP3 has been reduced from 40 to 30 homes but has requested reasons for increasing the density of the site (PP0001). The representee also requested clarity on the meaning of “pedestrian permeability” in the allocation summary and how it is achieved (PP0001). Clarity on the definition of public transport infrastructure, i.e., if it is a bus stop or interchange being sought (PP0001).

Non-Allocated Site – Bid Site BU021 – Land South of Fordyce Terrace

A representee has requested the allocation of bid site BU021 for 40 homes and the removal of site P2 to facilitate this proposal. They argue this bid site should be supported for the following reasons:

- Site P2 is currently agricultural land and not open space or available for public use;
- The site benefits from its location within the settlement boundary and is close to services and facilities;
- It will not affect the setting of the listed church and adjacent buildings, as the site is at a lower level;
- The site is surrounded by existing housing and the site would be readily absorbed into the landscape/townscape;
- The PLDP acknowledges there is scope for further new development in New Deer;
- The PLDP indicated site P2 could be developed as a new link road meaning the Council is supportive of development at this location;
- This site would help facilitate the aspirational road link, which would provide further local community benefits;
- The site is available, viable, deliverable and does not present challenges in terms of topography or gradient; and
- It would be a sustainable and high-quality development that would complement existing housing and meet the objectives of the settlement and local housing needs

(PP1319).

Non-Allocated Site – New Site N018 – Land at Auchreddie Croft

A representee has requested the allocation of a new site N018 for a minimum of 10 homes. They argue that there will be a shortfall of housing in New Deer as existing sites OP1 and OP2 are progressing, and site OP3 has been reduced from 40 to 30 homes. Access to site OP3 is through this site, the 10 homes eliminated from site OP3 could be allocated on this new site. This site is available for development and it will not prejudice the adjoining Community Association land. The representee has included a site layout plan (RD0057.A) in their submission which provides further detail to support their position (PP0400).

Old Deer

Site R1 – For a community purpose (cemetery extension)

SEPA has requested that site R1 requires a detailed groundwater assessment due to the likely hydraulic connectivity of this site to the Cock Burn (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land at Abbey Street

A representee has expressed their support for the housing allocation for site OP1 but have requested that the number of homes is increased from 10 to 15, which was supported in the MIR. They state local residents would benefit from more housing, the site is effective, viable and deliverable for housing with no challenges in terms of topography or gradient and would follow the pattern of development in the surrounding area. It would respect the surrounding environment and the design would reflect scale, form and density of existing residential developments in the surrounding area. It would also create a more sustainable and higher quality development that would meet the objective of the settlement and meet the housing needs (PP1320). The representee has included an extract from the MIR in their submission which provides further detail to support their position (PP1320).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Site OP2 – St Drostan's Eventide Home

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

Rora

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage

and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land at The Park

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Settlement Plan

A representee has requested amending the boundary of site OP1 to reflect the approved planning application (now expired), APP/2015/0056. They argue it provides for the possibility of a village green, integrates better with the existing settlement, and provides for an appropriate gradual development of the settlement (PP1087). According to the HLA 2019, the site is constrained due to marketability.

Stuartfield

Flood Risk

SEPA has recommended removing site P6 from the 'Flood Risk' bullet point (RD0214.B) (PP1219).

Site P2 – To protect the pond and open space as amenities for the settlement and to protect the area as a significant contribution to the character of the place

The allocation text for P2 should be amended to protect the water supply and sluice gate as part of the historic nature of the B listed Quartalehouse Mill (PP0719).

Site R1 – For a sustainable drainage system

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Site R2 – For sports, recreation and community facilities

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R2 (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – North of Knock Street

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has requested that the required link road (or part of) for site OP1 to the B9030 at site P7 should be planned and completed as a matter of urgency. They note that the existing road is narrow and unsuitable for heavy vehicles, which is damaging the

category B-Listed Waulkmill, Quartalehouse Mill and caused the collapse of the riverbank. They also highlight the potential impact on field drains/walls and vibration damage to the sewage pipe and to recreational users (PP0717).

A representee has requested increasing the number of homes allocated on site OP1 from 75 to 100 homes for the following reasons:

- Increasing the site capacity was supported by the Buchan Area Committee on 3 September 2019 before it was reduced to 75 homes at Full Council on 5 March 2020 due to insufficient capacity at Stuartfield Primary School.
- There will be sufficient capacity at Stuartfield Primary School, which the School Roll Forecast 2019 shows is at 82% capacity, as the annual build rate has reduced since the HLA 2019 was published and there are no other allocations in Stuartfield.
- School capacity should not be a reason for capping development as the Local Authority is obliged to resolve these issues and developer obligations from the site has built a recent extension.
- An additional 25 homes are a more efficient use of land, which is more consistent with the density target in the Aberdeen City and Shire Strategic Development Plan.
- It does not represent over-development and the remaining unbuilt area for 33 units is enormous.
- The agreed masterplan notes the site can accommodate more than 75 units and an increase may improve the layout (PP0739). The representee has included a proposed site layout plan in their submission which provides further detail to support their position (PP0739).

Two representees have requested that the number of homes on site OP1 is reduced to 43 homes to reflect the number of homes completed in the HLA 2019 (PP0718 and PP1068) and avoid overstatement of the available land supply (PP1068) or the site is limited to 75 homes (PP0718). A representee reported that the primary school is already constrained by this development despite the school extension and additional housing will strain the limited capacity, and there is insufficient capacity at the waste water treatment works to service additional housing (PP0718).

Non-Allocated Sites – LDP 2017 Site OP2 – North of Windhill Street and Bid Site BU007 – Land to the West of Stuartfield

A representee has requested either the re-allocation of site OP2 from the LDP 2017 and bid site BU007 for 25 homes or the allocation of bid site BU007 for 20 homes and this change should be reflected in Appendix 6: Housing Land Allocations. Bid site BU007 was identified as a preferred site in the MIR 2019, where it stated, the bid site is “well connected and considered to form a logical extension to the settlement. The site can be considered to be an extension of the OP2 allocation”. However, it was only identified as a Future Opportunity (reserved) site in the draft PLDP 2019. They disagree with the HLA 2019, which states site OP2 is constrained due to ownership issues, and that this site has not been developed as it is too small to be commercially viable. They also reported that the site is not at risk from flooding, as stated in the MIR and draft PLDP. Issues on education can be considered at the planning application stage using developer obligations if necessary. The representee has included the completed bid application form, Draft Proposed Local Development Plan and representation submitted for the MIR (RD0055.A, RD0055.B and RD0055.C) in their submission which provides further detail to support their position (PP0386).

Non-Allocated Site – Bid Site BU006 – Land to the West of Stuartfield

Two representees have requested the allocation of bid site BU006 for 60 homes (PP0385 and PP0398).

It is argued that this bid site is a sensible place for development and suggest a lower density development to allow more green space that would link to nearby trees and provide a benefit for the community. The only housing allocation in Stuartfield is almost built out, claiming 68 out of 75 homes are now built, which could have a negative effect on Stuartfield Primary School, as its catchment has been rezoned to resolve education issues. They also state that allocating this site will allow for topping up existing developer obligation contributions and allow the school to be extended, otherwise monies may be claimed back by developers (PP0398).

Another representee has stated that bid site BU006 connects well with Stuartfield and is a logical extension to the settlement. It is contained in the landscape, its lower density is consistent with other housing densities in Stuartfield, the site is not within a flood risk area, the existing woodland would be retained and would also screen the site, and it would provide housing choice. They also disagree with the MIR, which stated that bid site BU006 would not form a logical extension to the settlement, but for bid site BU007, which forms part of bid site BU006, it stated that this site would be well connected and a logical extension to Stuartfield. The representee has included the completed bid application form with supporting maps and representation submitted for MIR (RD0054.A and RD0054.B) in their submission which provides further detail to support their position (PP0385).

Non-Allocated Site – Bid Site BU016 – Land South of Quartale - house Farm

A representee noted that there is a sluice gate at the northeast corner of the pond that provides water exclusively to the historic water wheel at Quartalehouse Mill. Property deeds state that the property retains the right to a supply of water from the pond. No modification sought (PP0719).

A representee has requested the allocation of bid site BU016 for one home and the remainder of the site retained with landscaping and footpaths to create a gateway feature to the settlement. They argue the site is within the settlement boundary, albeit within protected land, site P1) and not countryside, as stated in the MIR. The principle of development on this site has already been accepted through the application for a house APP/2015/1330 which is now built. Site P1 is currently only open fields with no landscaping and it is not used by residents. Another single house would not have a detrimental impact on the protected area, and it would enhance the protected status. They would also accept a smaller area for the house, but this could impact on the delivery of landscaping and paths. The representee has included the completed bid application form with supporting maps and representation submitted for MIR (RD0012.A and RD0012.B) in their submission which provides further detail to support their position (PP0119).

Modifications sought by those submitting representations:

Ardallie

Services and Infrastructure

Modify the PLDP to amend the “Health and care facilities” section to replace, “All development will be required to contribute towards the extension of Cruden Medical Group Facilities (Hatton Surgery and Cruden Bay Surgery).” to “Health and care facilities: All residential development must contribute towards the creation of additional capacity at existing medical facilities or a new health centre in Cruden Bay. Contributions towards expansion of the existing pharmacy facilities or within a new facility may be required.” (PP1223).

Non-Allocated Site – Bid Site BU001 – Nether, Backhill

Modify the PLDP to allocate bid site BU001 for a residential development (PP1301).

Auchnagatt

Flood Risk

Modify the PLDP to add a second ‘Flood Risk’ Bullet point to read, “A significant proportion of site OP1 lies within SEPA’s Indicative 1:200 flood risk area and has a small watercourse adjacent to it. A Flood Risk Assessment will be required for OP1 and its associated SuDS scheme on site R1.” (PP1219).

Services and Infrastructure

Modify the PLDP to replace the first sentence in the ‘Strategic drainage and water supply’ bullet point from, “There is no available waste water treatment works capacity.” to “The existing waste water treatment plant is at capacity.” (PP1219).

Modify the PLDP to include a new statement on Health and care facilities that reads, “Health and care facilities: All residential development must contribute towards the creation of additional capacity at existing medical facilities or a new health centre in Ellon.” (PP1223).

Site OP1 – Land at North of Braemo

Modify the PLDP to remove site OP1 from the Auchnagatt Settlement Statement (PP1031).

Modify the PLDP to amend the allocation summary of site OP1 to change the fourth sentence in paragraph two from, “A Flood Risk Assessment may be required because part of the site lies within an area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment.” to “The SEPA Indicative Flood Maps show 30% of the site is at risk of flooding from the Ebrie Burn. In addition, the small watercourse along the northeast boundary of the site has caused flooding to nearby houses in the past. A Flood Risk Assessment will be required to determine the capacity of this site and the site layout options. Any areas of the site found to be at risk of flooding will not be suitable for any development and will be required to be retained as greenspace which should be integrated within the development as amenity land and a green-blue corridor. SuDS for the site should be provided on reserved land to the southeast (R1).” (PP1219).

Site OP2 – Land at Annochie Place

Modify the PLDP to remove site OP2 (PP1099 and PP1392).

Cruden Bay

Site R2 – Safeguarded for a pedestrian path/cycleway/railway line

Modify the PLDP to remove site R2 (PP0073).

Site R4 – For a medical facility

Modify the PLDP to amend the designation summary for site R4 to state why a Flood Risk Assessment is required (PP1219).

Flood Risk

Modify the PLDP to amend the Flood Risk section to add a second sentence to the 'Flood Risk' bullet point to read, "Parts of the settlement may be at risk from coastal flooding." (PP1219).

Modify the PLDP to add a new 'Flood Risk' bullet point to read, "Due to the presence of small watercourses running through or adjacent to the site a Flood Risk Assessment may be required for OP2 and R4." (PP1219).

Services and Infrastructure

Modify the PLDP to replace the "Health and Care Facilities" section from, "All development will be required to contribute towards the creation of additional capacity or extension at the Cruden Medical Group facilities (Hatton Surgery and Cruden Bay Surgery)." to "All residential development must contribute towards the creation of additional capacity at existing medical facilities or a new health centre in Cruden Bay. Contributions towards expansion of existing pharmacy facilities or within a new facility may be required." (PP1223).

Site OP1 – Land at Aulton Road

Modify the PLDP to amend the allocation summary and replace the last three sentences in paragraph three from, "There is a small watercourse adjacent to the site. Any guidance provided by SEPA to mitigate flood risk must be adhered to. A Flood Risk Assessment may be required for any further development." to "Due to potential flood risk from the Water of Cruden, a Flood Risk Assessment may be required for any further development not covered by the existing masterplan and planning permission." (PP1219).

Site OP2 – South of Aulton Road

Modify the PLDP to amend the allocation summary for site OP2 to state why a Flood Risk Assessment is required, unless the Flood Risk section is amended, as requested above (PP1219).

Fetterangus

Flood Risk

Modify the PLDP to amend the 'Flood Risk' bullet point from, "Parts of sites OP2 and R1 are set adjacent to an area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment. A Flood Risk Assessment may be required." to "Due to the presence of small watercourses running though or adjacent to the sites, Flood Risk Assessments may be required for sites OP2, OP3 and R1. A buffer strip will be required along the minor watercourse on the eastern boundary of site R1." (PP1219).

Site OP1 – Land North of Ferguson Street

Modify the PLDP to amend site OP1 and reduce the allocation from 26 homes to 6 homes (PP1111).

Modify the PLDP to amend the allocation summary of site OP1 to change paragraph three from, "Strategic landscaping will also be required in addition to a buffer strip adjacent to the watercourse on the southern boundary to reduce visual impact. Enhancement of these straightened watercourses through re-naturalisation and removal of any redundant features will require to be investigated. A buffer strip will be required along the northern and southern boundaries of the site to reduce landscape and visual impact." to "Strategic landscaping will be required to reduce landscape and visual impact, particularly along the northern and southern boundaries." (PP1219).

Site OP2 – Land Adjacent to Playing Fields

Modify the PLDP to remove site OP2 and allocate an alternative and effective site in the Local Growth Area of the Rural of Aberdeen Housing Market Area (PP1112).

Modify the PLDP to amend the allocation summary of site OP2 to remove the penultimate sentence in paragraph five "A Flood Risk Assessment may be required." and change paragraph four from, "Strategic landscaping is to be added along the watercourse. A buffer strip will be required adjacent to the watercourses on the northern and southern boundaries of the site to reduce visual impact. Enhancement of these straightened watercourses through re-naturalisation and removal of any redundant features will require to be investigated." to "Strategic landscaping will be required, particularly adjacent to the watercourses on the northern and southern boundaries of the site, to reduce visual and flood risk impact. A Flood Risk Assessment may be required. Enhancement of the straightened watercourse through re-naturalisation and removal of any redundant features will require to be investigated." (PP1219).

Modify the PLDP to amend the allocation summary of site OP2 to include in paragraph three mitigation measures to reduce the impact on the setting of two scheduled monuments through sensitive housing design and landscaping, such as using trees along the western section of the allocation to screen the development from view, in line with HES Setting Guidance (PP1343).

Longside

Flood Risk

Modify the PLDP to amend the Flood Risk section from, "Parts of Longside are located

adjacent to an area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment. A Flood Risk Assessment may be required.” to read:

- “Parts of Longside are shown to be at risk from flooding on the SEPA Indicative Flood Map. Flood Risk Assessments may be required.
- Due to a watercourse near to the OP1 site, a Flood Risk assessment may be required.
- Due to surface water issues on site OP2, a Flood Risk assessment may be required.” (PP1219).

Site OP1 – Land off Station Terrace

Modify the PLDP to remove site OP1 (PP0330 and PP0333).

Modify the PLDP to ensure the number of homes site OP1 is allocated for is consistent between the PLDP and the Strategic Environment Assessment (PP0333).

Modify the PLDP to amend the allocation summary of site OP1 to change Station Road to Station Terrace in paragraph two (PP0333).

Modify the PLDP to amend site OP1 to match the layout proposed in bid site BU029 (PP0394).

Modify the PLDP to amend the allocation summary of site OP1 to change the fourth and fifth sentences in the first paragraph from, “No development should occur below 22.05m AOD and buffer strips will be required to mitigate landscape impact. The buffer strips should be positively integrated into the open space.” to “No development should occur below 22.05 AOD. Buffer strips will be required to mitigate flood risk and landscape impact and should be positively integrated into the open space.” (PP1219).

Site OP2 – Land off Inverquhomery Road

Modify the PLDP to amend the allocation summary of site OP2 to change the last two sentences from, “There is a risk of surface water flooding as identified by the National Flood Risk Assessment. A Flood Risk Assessment may be required.” to “A Flood Risk Assessment may be required due to the presence of surface water flooding.” (PP1219).

Longside Airfield

General

Modify the PLDP to include a new Oil and Gas Pipelines section that reads, “Oil and Gas Pipelines - Part of the settlement is within the Health and Safety Executive (HSE) consultation distance associated with one or more oil and gas pipelines in the vicinity. Developments within this distance must comply with Policy P4: Hazardous and potentially polluting developments and contaminated land, and with the HSE ‘Land Use Planning Methodology.’” (PP0714).

Site OP1 – Longside Airfield

Modify the PLDP to reduce the site boundary to exclude the 28/10 runway, 38/18 grass runway and the land to the south of the runway, which is included in the lease between the

Council and CHC Scotia. The representee also seeks confirmation that if the land to the south were to be developed, a similar agreement to be in place for the west (PP0145).

Modify the PLDP to amend the allocation summary to include, "Development on this site must accord with Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land and the Health and Safety Executive "Land Use Planning Methodology." (PP0981).

Modify the PLDP to amend the allocation summary and add the following text, "An assessment of the site for potential radioactive substances and a groundwater drainage assessment are required to be submitted." (PP1219).

Maud

Flood Risk

Modify the PLDP to amend the statement on Flood Risk from, "Parts of OP1 are located adjacent to an area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment. A Flood Risk Assessment may be required." to "Due to the presence of small watercourses running through or adjacent to the sites, Flood Risk Assessments may be required for sites OP1 and OP2." (PP1219).

Services and Infrastructure

Modify the PLDP to replace the statement on "Health and Care Facilities" from, "All development will be required to contribute towards the creation of additional capacity or extension at the Mintlaw Surgery or the new Health Centre in Mintlaw." to "Health and care facilities: All residential development must contribute towards the creation of additional capacity at existing medical facilities in Maud or New Pitsligo." (PP1223).

Site OP1 – Land at Castle Road

Modify the PLDP to remove site OP1 unless it can be demonstrated that the required supporting infrastructure and services (e.g. water, education, road network, and health care) can be delivered (PP0241).

Modify the PLDP to amend the allocation summary of site OP1 to add after the fourth sentence in paragraph two, "A buffer strip will be required along any watercourse in/around the site, and around the ponds adjacent to the northern boundary. Opportunities to restore and enhance the straightened watercourse should be investigated." (PP1291)

Modify the PLDP to amend the allocation summary of site OP1 to move the last two sentences in the last paragraph to their own separate paragraph (PP1219).

Site OP2 – Land West of Castle Terrace

Modify the PLDP to remove site OP2 unless it can be demonstrated that the required supporting infrastructure and services (e.g. water, education, road network, and health care) can be delivered (PP0241).

Modify the PLDP to amend the allocation summary of site OP2 to change the last three

sentences in paragraph two from, “A Flood Risk Assessment and buffer strip may be required. Any flood risk can be mitigated through planting native trees, wildflower verges and nectar plants and this would also enhance the landscape setting. The enhancement of the straightened watercourse through re-naturalisation and removal of any redundant features will require to be investigated.” to “A Flood Risk Assessment will be required, and any areas of flood risk will be unsuitable for development. A buffer strip will be required along the length of the watercourse adjacent to the site which should be integrated positively into the development. Opportunities to restore and enhance the straightened watercourse should be investigated.” (PP1219).

Mintlaw

Vision

Modify the PLDP to indicate that development within Mintlaw will be constrained to agreed limits until such time as the necessary upgrades to the Toll of Birness junction have been identified and implemented (PP0578).

Flood Risk

Modify the PLDP to amend the ‘Flood Risk’ bullet point from, “Parts of sites OP1, OP2, OP5, R1 and BUS2 are located adjacent to an area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment, or have a small watercourse running through or adjacent to the site. A Flood Risk Assessment may be required.” to “Parts of sites OP1, OP2, OP3 and OP5 may be at risk of flooding as identified on the SEPA Flood Maps or because they have a small watercourse running through or adjacent to the site. Flood Risk Assessments may be required.” (PP1219).

Modify the PLDP to include a new second ‘Flood Risk’ bullet point to read, “Due to the presence of a small watercourse, any further development at site BUS2 may require a Flood Risk Assessment. A buffer strip will be required and opportunities to restore and enhance the straightened watercourse should be investigated.” (PP1219).

Services and Infrastructure

Modify the PLDP to ensure there is consistency between it and the Delivery Programme on the detail required to upgrade the Toll of Birness junction, including its cost, how it will be delivered and if this will include developer contributions to ensure delivery within the appropriate timescale in accordance with SPP and Circular 3/2012 (PP578).

Site OP1 – Land at Nether Aden

Modify the PLDP to amend the allocation summary to ensure the delivery of amenities including play equipment, bus stops, post box, and safe well-lit paths to the village shops and schools are provided as per the approved planning permission and 2012 Masterplan, and that these are delivered before the development continues (PP0072).

Modify the PLDP to amend the reference to ‘neighbourhood’ retail by restricting it to maximum floorspace levels, and subjecting proposals to a Retail Impact Assessment where over 400sqm gross floorspace (PP0558).

Modify the PLDP to correct the typo in the second sentence of the fourth paragraph from “buffer strip” to “buffer strips” (PP1219).

Site OP2 – Land at Northwoods

Modify the PLDP to reduce the allocation from 600 to 380 homes (PP1054).

Site OP5 – South of Nether Aden Road

Modify the PLDP to remove site OP5 for 50 homes and replace it with an alternative site elsewhere in the local growth area of the Rural Housing Market Area (PP1412).

Modify the PLDP to amend the allocation summary to remove the last sentence in paragraph three: “Retention of tree belts/woodland at the boundaries of the site will be required.” (PP1219).

Site OP6 – Land North of Balring Road

Modify the PLDP to amend the allocation summary for site OP6 to change the fifth sentence in paragraph one from, “The row of trees to the north and south should be retained.” to “Any loss of trees should be minimised where possible, and any loss of trees on the Balring Road should consider suitable compensatory planting.” (PP0734 and PP0738).

Modify the PLDP to amend the allocation summary for site OP6 to change the sixth sentence in paragraph one from, “Adequate public transport infrastructure on the A952 must be provided to achieve active travel, including bus stops.” to “Public transport infrastructure should be provided on the Balring Road to serve the OP2 and OP6 developments.” (PP0734 and PP0738).

Non-Allocated – Bid Site BU033 – Land East of OP3

Modify the PLDP to extend site OP3 to include bid site BU033 for 30 homes (PP0537).

Non-Allocated Site – Bid Site BU048 – Land at Longside Road, north east of Mintlaw School

Modify the PLDP to allocate bid site BU048 as a Reserved Site for “a healthcare facility” (PP1223).

New Deer

General

Modify the PLDP to use ‘plain English’ for words such as “vision” and “aspiration” unless they are further defined (PP0001).

Vision

Modify the PLDP to replace “A991” with the correct road name (PP0001).

Modify the PLDP to clarify where the path network starts and finishes and show a detailed route of the path network. Furthermore, further details should be provided regarding the vision of the path network (PP0001).

Modify the PLDP to clarify the need for a link road through site P2 in the Vision (PP0001).

Services and Infrastructure

Modify the PLDP to replace the statement on “Health and Care Facilities” from, “All development will be required to contribute towards the creation of additional capacity of the Central Buchan Practice in New Pitsligo.” to “Health and care facilities: All residential development must contribute towards the creation of additional capacity at existing medical facilities in Maud or New Pitsligo.” (PP1223).

Site OP2 – Land at Auchreddie Road East

Modify the PLDP to clarify how Policy H2 Affordable homes will apply to serviced plots and how this can be integrated into an early phase of development (PP0001).

Site OP3 – Land at Auchreddie Croft

Modify the PLDP to clarify why the site capacity has been reduced from 40 homes to 30 homes (PP0001).

Modify the PLDP to define “pedestrian permeability” and how this be achieved (PP0001).

Modify the PLDP to clarify what “public transport infrastructure” means (PP0001).

Modify the PLDP to remove site OP3 from the New Deer Settlement Statement (PP1040).

Non-Allocated Site – Bide Site BU021 – Land South of Fordyce Terrace

Modify the PLDP to allocate bid site BU021 for 40 homes and remove site P2 from the New Deer Settlement Statement (PP1319).

Non-Allocated Site – New Site N018 - Land at Auchreddie Croft

Modify the PLDP to allocate new site N018 for at least 10 homes in the New Deer Settlement Statement (PP0400).

Old Deer

Site R1 – For a community purpose (cemetery extension)

Modify the PLDP to amend the designation summary to add, “Due to the likely hydraulic connectivity of site R1 to the Cock Burn, a detailed groundwater assessment will be required to fully assess the suitability of this site as a cemetery.” (PP1219).

Site OP1 – Land at Abbey Street

Modify the PLDP to increase the allocation of OP1 from 10 to 15 homes (PP1320).

Rora

Settlement Map

Modify the PLDP to amend the boundary of site OP1 to reflect the planning permission granted under APP/2015/0056 (PP1087).

Stuartfield

Flood Risk

Modify the PLDP to amend the 'Flood Risk' bullet point to remove reference to site P6.

Site P2 – To protect the pond and open space as amenities for the settlement and to protect the area as a significant contribution to the character of the place

Modify the PLDP to amend the text for P2 to note the sluice gate at the northeast corner of the pond provides water exclusively to the historic water wheel at Quartalehouse Mill and it retains the right to a supply of water from the pond as per the property deeds (PP0719).

Site OP1 – North of Knock Street

Modify the PLDP to amend the allocation summary of site OP1 to state that a link road on site P7 from B9030 to site OP1, which passes the sewage works, should be planned and completed prior to continuing development on site OP1 (PP0717).

Modify the PLDP to increase the allocation of site OP1 to 100 homes (PP0739).

Modify the PLDP to reduce the allocation of site OP1 to 43 homes (PP0718 and PP1086)

Modify the PLDP to limit the allocation of site OP1 to 75 homes (PP0718).

Dialogue should be opened with Scottish Water and Ross-shire Engineering to ensure part of the link road is completed before the commencement of work on the WWTW (PP0717).

Non-Allocated Sites – LDP 2017 Site OP2 – North of Windhill Street and Bid Site BU007 – Land to the West of Stuartfield

Modify the PLDP to allocate LDP 2017 site OP2 and BU007 for 25 homes (PP0386).

Modify the PLDP to allocate bid site BU007 for 20 homes (PP0386).

Non-Allocated Site – Bid Site BU006 – Land to the West of Stuartfield

Modify the PLDP to allocate bid site BU006 for 60 homes (PP0385 and PP0398).

Non-Allocated Site – Bid Site BU016 – Land South of Quartale – House Farm

Modify the PLDP to reduce the area of site P1 to allow for a single home and to allow for

landscaping and footpaths on the remainder of site P1 (PP0119).

Summary of responses (including reasons) by planning authority:

Ardallie

Site R1 – For a sustainable drainage system (SUDS) for site OP1

Comments from SEPA are noted. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NHS Grampian's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land at Nether Backhill

Comments from SEPA are noted. No change is required.

Non-Allocated Site – Bid Site BU001 – Nether, Backhill

The Council does not support allocating the representee's site, which is situated on bid site BU001, for a residential development. Bid site BU001 for 25 self-build plots was not identified as a preferred option in the MIR (AD0038.C, page 6). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. There are limited water and waste water capacity, which is the major constraint associated with this site. Other than the primary school, the settlement does not have any other services or facilities. Furthermore, intensification of development in this small settlement risks overdevelopment and suburbanisation of the countryside. No change is required.

Auchnagatt

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NHS Grampian's comment through a non-

notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land at North of Braemo

Comments supporting this site and the proposed flood mitigation measures are noted. The Council's Flood Prevention Team and/or SEPA can be consulted at the planning application stage to review the proposed mitigation measures. No change is required.

The Council does not agree with removing site OP1. According to the HLA 2019 (AD0022), this site is currently constrained due to marketability. Upon observing the HLAs from 2016 to 2018 (AD0019, AD0020, AD0021), the site OP1 was an effective land. Site OP2 was constrained due to ownership and infrastructure and the same remained in HLA 2019 (AD0038.C, page 13). A bid came forward for this site for 35 homes (BU017), however, in the MIR (AD0038.C, page 8), it was concluded that due to flooding issue, the Flood Prevention Team advised to remove the site from the PLDP 2020. However, the Elected Members of the Buchan Area Committee have advised to alter the decision and to keep the allocation as the same as the LDP 2017 and this is reflected in the Issues and Actions Paper (AD0040.C, page 65). No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Land at Annochie Place

Comments from SEPA are noted. No change is required.

The Council disagrees with removing site OP2 for 31 homes. Auchnagatt has several local facilities, including a primary school, shop, village hall and play area, and the number 51 bus service currently operates in the morning and early afternoon. The scale of development is unlikely to reduce air quality and the house type and tenure is not a consideration of the LDP, but its policies require a mix of homes to create a sustainable mixed community. Issues on design and waste water are not a consideration for the LDP at this stage, as these can be considered at the planning application stage. The Council also disagrees there is an access issue, as Annochie Place can be upgraded if necessary.

Only a small part of this site has been in Housing Land Audit since 1995 and the current site was first allocated as site H1 in the LDP 2012 (AD0031.C, page 3). It is partially constrained due to a ransom access strip, which is not a reason to remove this site. The owner is also trying to market the site (Proposed Delivery Programme 2020, page 54 (AD0042), but there have been delays in progressing with the site due to the coronavirus pandemic.

In conclusion, no change is required.

Cruden Bay

Site R1 – Marks the proposed strategic landscaping required for site OP1 and OP2

Comments from SEPA are noted. No change is required.

Site R2 – Safeguarded for a pedestrian path/cycleway/railway line

Comments from SEPA are noted. No change is required.

The Council does not agree with removing site R2. The site is safeguarded for amenity purposes and to protect the unused railway line and aimed to be retained as natural as possible. This site had an active railway line in the past and the aim is to retain these rail lines should they become active in the future. The proposed development is unlikely to have a negative impact on the wildlife and habitat. It is anticipated that the applicant has suitable screening, such as fence at the rear part of the property, to prevent overlooking and if this is not the case, then this can be dealt with at the planning application stage. No change is required.

Site R3 – For potential expansion of the school

Comments from SEPA are noted. No change is required.

Site R4 – For a medical facility

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification in the Flood Risk section, as set out in the List of Non-Notifiable Modifications.

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NHS Grampian's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land at Aulton Road

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – South of Aulton Road

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification in the Flood Risk section, as set out in the List of Non-Notifiable Modifications.

Settlement Map

Comments received on the settlement map are noted. No change is required.

Fetterangus

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land North of Ferguson Street

While the site is both constrained and effective according to the page 106 of the HLA 2019 (AD0022), planning applications for up to 10 homes have been approved on the western portion of the site, which are being developed, and a planning application for 26 homes has been submitted for the eastern portion of the site, which is pending (APP/2020/2360). This would bring the total number of homes to 36, if approved. Access will be taken from the western part of the site that is under construction and from Pitfour Crescent to the east. The allocation boundary has not been amended to reflect the homes built, which is consistent with other sites in the PLDP. No change is required.

The Council does not agree to removing the need for a masterplan for site OP1 and OP2. A masterplan will ensure that good design shall be achieved across both sites and appropriate access arrangements would be in place to serve both sites. Furthermore, having a Masterplan would deliver good neighbourhoods by delivering appropriate community facilities and infrastructure to serve both sites. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Land Adjacent to Playing Fields

The Council does not agree with removing site OP2. This site is well located in relation to the settlement, and the topography of the site is flat and would allow a natural expansion to the west. Site OP2 is recognised to be a continuation of site OP1, as a masterplan is required for sites OP1, OP2 and R1. It is noted that a planning application has been submitted for site OP2 (planning application reference: APP/2020/2360), however, a masterplan would ensure that good design and adequate access arrangement. A bid was also submitted during the call for sites, which demonstrates the landowner's continued interest in developing this site (known as bid site BU025). No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address HES's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Longside

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable

modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land off Station Terrace

The Council does not agree with removing site OP1. Longside is an appropriate location for new homes, as it is located between larger settlements at Peterhead and Mintlaw, is near Longside Airfield, and has a number of local facilities, including a school and shops. A regular bus service currently operates between Peterhead and Stuartfield/Maud (number 66 and 66A). However, it is accepted that there is very limited pavement on the existing road, which is why the allocation summary states, “The existing Auchlee Farm Road needs to be upgraded to an adoptable standard, with full footway provision and a new junction on Station Road which meets an adoptable standard, including visibility requirements. Further formal footway connections to the Formartine and Buchan Way should be agreed”. Furthermore, the Council’s Roads Development will be consulted at the planning application stage and a Transport Statement is required to ensure that detailed information is provided on how the pavements would be delivered within the existing and new development. No change is required.

The Council confirms that it intends to correct the street name reported by a representee through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications. The Strategic Environmental Assessment (AD0045.A, page 25) has correctly stated the number of homes site OP1 is allocated for, which is 30 (see Appendix 8.7, Table 8.7.2: Assessment of Site-specific Allocations, Designations, and Alternative Bids – Buchan, page 390). Site OP1 includes part of bid site BU029, which was proposed for 50 homes, and is considered in a supporting SEA document. No change is required.

The Council agrees with altering the boundary of site OP1, but not to the extent of bid site BU029, as the bid site is considered too large and it would double the settlement north of the South Ugie Water. Enlarging the site would take account of the flood risk to the south of the site, and the site area for neighbouring properties varies between 500sqm to 1300 sqm. Increasing the number of homes is not supported to address concern with access, traffic congestion and education provision. At present, the area of the site is 2ha. If the Reporter is minded, to make an amendment, then the Council recommend that site OP1 could be modified to increase its area to 3ha (this is referred to as new site N015, Revised site OP1, Land off Station Terrace).

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Land off Inverquhomery Road

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Longside Airfield

General

For consistency, as part of the site is within several pipeline consultation zones, the Council agrees that a new section on Oil and Gas Pipelines should be added to the PLDP. The Council confirms that it intends to address the representee's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Longside Airfield

The alteration to the site layout of OP1 is done in an error. The Council agrees that part of site OP1 should be reduced to exclude the northern runway, as proposed in bid site BU041, and the Draft Proposed LDP 2019 (AD0093, page 29) that accompanied the MIR. If the Reporter is minded, to make an amendment, then the Council recommend that site OP1 to be altered and follow the site layout submitted in bid BU041. In addition to this, the boundary of the Longside Airfield Settlement Statement to recommended to be altered accordingly and alter Appendix 1 Employment Land Allocations, Table 2 to Longside Airfield 124.86ha.

The land to the west (within the allocation site) bears the same weight and same conditions as the land allocated for development within the south. The development is not expected to expand to the west of the allocated site. However, in the future, if a planning application is lodged for further development to the west, this shall be processed and determined by the Development Management team. No change is required.

The support regarding restricting allocation to Class 6 (storage and distribution) uses has been noted and the Council agrees to adding text to the allocation summary noting that part of the site is within the Health and Safety Executive (HSE) pipeline consultation zone. The MIR (AD0038.C, page 78-79) and Issues and Actions Paper (AD0040.C, pages 124-125) recommended that the allocation summary referenced the HES's pipeline consultation zone, but this was excluded in error. The Council confirms that it intends to address the representee's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Maud

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NHS Grampian's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land at Castle Road

The Council does not support the removal of site OP1. This site was previously allocated as a much smaller site, OP2 Land at Castle Road East, for 32 homes in the LDP 2017. The relevant statutory bodies such as education, Scottish Water and NHS are fully aware of this allocation and taken this allocation into consideration in their long-term plans. Scottish Water, NHS Grampian and Aberdeenshire Council's Education Department had no objection to the allocation in the PLDP. The Council's Roads Development raised no concern regarding traffic congestion and infrastructure constraints. No change is required.

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Land West of Castle Terrace

The Council does not support the removal of site OP2. This site was previously allocated as a much larger site, OP1 Land at Castle Road, for 75 homes in the LDP 2017. The relevant statutory bodies such as education, Scottish Water and NHS are fully aware of this allocation and taken this allocation into consideration in their long-term plans. Scottish Water, NHS Grampian and Aberdeenshire Council's Education Department had no objection to the allocation in the PLDP. The Council's Roads Development raised no concern regarding traffic congestion and infrastructure constraints. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP3 – Land at Bank Road East

Comments from SEPA are noted. No change is required.

Mintlaw

Vision

The Council confirms that it intends to address Scottish Government Planning and Architecture Division's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site BUS1 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The comment from the representee regarding the importance of the improvement of A90(T)/A952 Toll of Birness junction has been noted. No change is required.

The PLDP outlines the plan to upgrade the Toll of Birness within the Mintlaw Settlement Statement. This detailed plan of this development would be dealt with by the Development Management Team at the planning application stage. The Planning and Environment Service does not get involved with cost, the physical implementation of the site and the funding involved. The SPP (AD0012) and Circular 3/2012 Planning obligations and good neighbour agreements (AD0002) states that the LDP should identify infrastructure requirements and “the potential implications for the use of planning obligations”. Developer obligations aim to ensure that the Planning and Environment Service delivers all information required to the developer for a project and may take responsibility to ensure that it is paid. The Planning and Environment Service has no control of how the money collected via developer obligations are spent. This is dealt with outwith the Planning and Environment Service, which remains independent of the entire Developer Obligations process. The Delivery Programme 2020 (AD0042) would be able to provide a timescale of this development once discussion commences on delivering this development.

The Toll of Birness was raised during the consideration of the PPP (APP/2017/2547) for the Mintlaw OP1 site. Transport Assessments had identified a capacity issue and demonstrated a link between development within Mintlaw and the Toll of Birness junction. It has been identified that the roundabout needs to be delivered after 200 homes are built on site OP1. However, the Delivery Programme or Development Planning and Management Transport Appraisal Guidance (DMTAG) Report mentions that any upgrade of Toll of Birness is not economically viable. The developer is yet to propose to upgrade the junction and therefore, no timescale has been agreed, however, the developer drew up an indicative solution with an estimated cost of around £980,000. The development would be led by a private individual or organisation, therefore, the Planning and Environment Service cannot control the cost of this development (AD0127). The Planning and Environment Service can control the stage it should be delivered. The site is located on the Transport Scotland network therefore, detailed discussions need to be in place with Transport Scotland. The Delivery Team who are part of the Planning Service divided the cost by the remaining allocated houses in Mintlaw, to come up with a per unit cost and this would apply to future development of the allocated sites in Mintlaw. This agreement was put in place by the Planning and Environment Service, Transportation and Developer Obligations. As it stands, the timescale, cost and delivery are yet to be decided. The PLDP highlights when this junction needs to be delivered, i.e., when more than 200 homes are built on site OP1. It is not possible to state the cost of development and timescale of delivery in the PLDP because it is a private led development, and an agreement is not in place with the developer and Transport Scotland.

In conclusion, no change is required.

Site OP1 – Land at Nether Aden

The Council notes the concerns regarding provision of infrastructure on this site. A planning application would ensure that the development proposal adheres to the approved masterplan and is consequently delivered. The Planning and Environment Service ensures that open space is being delivered, however, play equipment is optional and not monitored. The Roads Development Service ensures that safe paths (i.e., well-lit paths) are provided to ensure the safety of users and this is dealt with at the planning application stage. The representee raised concern regarding the safety of pedestrians walking on narrow roads where there is no pavement. These types of development are classed as “urban realm”. No change is required.

The location and size of the retail facilities to be delivered within site OP1 has been agreed. All necessary documents such as a Retail Impact Analysis will be assessed during the determination of relevant planning application(s). The SPP (AD0012, paragraph 71) states that where “a retail and leisure development with a gross floorspace of over 2,500m² is proposed outwith a town centre and contrary to a development plan”, a retail impact analysis (or similar) should be undertaken. Therefore, the Planning and Environment Service does not think that a Retail Impact Assessment is required for an individual retail space that is less than 2,500m². No change is required.

The Council confirms that it intends to address SEPA’s comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Land at Northwoods

Comments from SEPA are noted. No change is required.

The Council does not agree to reducing the allocation from 600 to 380 homes. The allocation total of 600 homes reflects the agreed Development Framework (AD0076) and Masterplan (AD0086). The site boundaries have not been adjusted within the site being carried forward and thereby totals are also representative of completed units within the allocated areas. Housing completions are set out within Appendix 6 Housing Land Allocations. Details on the calculation of the housing land supply and contributions to the allowances is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations. No change is required.

The Planning and Environment Service does not have a say or control over public transport; however, in terms of public transport infrastructure; infrastructure such as bus stops are permitted development (unless the site is within a conservation area) and would not require planning permission. The A952 is deemed to be more suitable to provide public infrastructure due to the design and layout of the road and this is an existing bus route. The Balring Road is narrow and unsuitable for the frequent movement of traffic. Furthermore, it is unlikely to be in the best interest of a public transport organisation to re-route a bus service. The service operating on the A952 is at a close proximity to the site, therefore, adding additional infrastructure is deemed more suitable. No change is required.

There is a line of trees set to the east of the site, forming a small woodland. This area is protected as P7, therefore, any development on site OP2 would not have any detrimental impact on the woodland. No change is required.

Site OP3 – Former Artlaw Crescent/Nether Aden Road

Comments from SEPA are noted. No change is required.

Site OP4 – Land South of Sutherland Drive

Comments from SEPA are noted. No change is required.

Site OP5 – South of Nether Aden Road

Site OP5 is an extension to site OP1 and the masterplan (AD0091) for site OP1 includes this site. Site OP1 is currently under construction. Therefore, it is considered that it would not be a rational decision to remove site OP5 from the Mintlaw Settlement Statement. No change is required.

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP6 – Land North of Balring Road

Comments from SEPA are noted. No change is required. The Council does not agree with relaxing the allocation summary to allow for tree loss along Balring Road to upgrade this road. The rows of trees make a significant contribution to the character of Mintlaw, and lead towards the former Aden House designed landscape. Solutions, such as retaining the trees as part of the central reservation of a new road can be considered. The suggested wording would weaken the Council's preferred position, which is to retain these mature trees. No change is required.

There has been discussion during the planning application stage to provide public transport infrastructure on Balring Road, however, the site was deemed unsuitable because no suitable turning point can be provided at a close proximity. Furthermore, Stagecoach, the only public transport provider around the area is unlikely to provide a service on this route. The A952 is deemed to be more suitable to provide public infrastructure due to the design and layout of the road and this is an existing bus route. The discussion on adding additional bus stop on the A952 and upgrading the road to meet this requirement is ongoing. The A952 is already a bus route, therefore, adding additional infrastructure is deemed more suitable. No change is required.

In the allocation summary for site OP6, wording is in place to ensure that the mature trees along Balring Road and to the north of the site are protected. The site does not share a boundary with the A952; therefore, no woodland would be affected as a result of this development. No change is required.

Non-Allocated Site – Bid Site BU033 – Land East of OP3

The Council does not support allocating bid site BU033 currently. Bid site BU033 is set to the east of OP3 and it is considered to be an extension of site OP3. In the MIR, the site was considered as a Future Opportunity Site (AD0038.C, page 35). It was not allocated in the PLDP as only sites that will be delivered in this new Plan period will be allocated. Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land

Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. The Planning and Environment Service would welcome further consideration of the site in the next Plan period, given that site OP3 will have been built, or under construction, during the preparation of the next Plan. No change is required.

Non-Allocated Site – Bid Site BU048 – Land at Longside Road, north east of Mintlaw School

This site was allocated as a Future Opportunity Site in the Main Issues Report for a medical facility in Mintlaw and in the Issues and Actions Paper (AD0040.C, page 87), NHS Grampian welcomed the inclusion of site BU048 in the Mintlaw Settlement Statement. However, the Council do not believe there is a need for Future Opportunity Sites to be identified in the Plan. Given that paragraph 4.20 of SDP (AD0016) identifies that there is no requirement to include “Strategic Reserve” in the Local Development Plan, Aberdeenshire Council has chosen not to do so, therefore, the site was removed from the PLDP. The Planning and Environment Service has no objection to the proposal and recommends the allocation of the site as a reserved site and to amend the boundary of Mintlaw settlement accordingly. However, neighbour notification was not sent out for this development. Therefore, If the Reporter is minded, to make an amendment, then the Council recommends the following:

- Include the site in the Mintlaw Settlement Statement;
- Alter the boundary of the settlement of Mintlaw by including the site within the settlement boundary;
- Add a row in the “Reserved Land” table; and
- Insert “R2 – For a medical facility”.

New Deer

General

The PLDP and the Settlement Statement is written in a manner for the general public to understand, however, does not include a stamp to that effect because it is a statutory document. There is a glossary available (PDF format) which defines various technical terms. The words “vision” and “aspiration” are general words, and the New Deer Settlement Statement focuses on the vision and aspiration of New Deer for the next 10 years. No change is required.

Vision

The Council confirms that there was an error on a road name. The “A991” should be the “A981”. Therefore, the Council confirms that it intends correct this error through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The core path commences at the junction of Main Street and the road located north of the public hall, afterward the path splits into two, one route finishes at the A948 (east of New Deer) and the latter ends at an unclassified road (opposite Culsh House Care Home). The detailed map of this core path can be viewed in Paths and Outdoor Access, Core Path Plan (AD0161). No change is required.

The purpose of protecting a site is to protect the land from development, but this excludes essential infrastructure such as roads or paths. The Vision not only sets out what is currently in a settlement, but future aspirational projects. In this case, the reason for highlighting a new link road through site P2 is to create a safer route at The Brae. No change is required.

Site R1 – For a 2m wide strip of land to allow for a footway link to the New Deer showground

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NHS's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land at Fordyce Road

Comments from SEPA are noted. No change is required.

Site OP2 – Land at Auchreddie Road East

Comments from SEPA are noted. No change is required.

Policy H2 Affordable Housing ensures that affordable homes are provided. Within the allocation text, it is stated that "The site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and be integrated into the design of the development to provide a mix of house types and sizes to meet local need" (AD0041.A, page 336). Developer Obligations ensures that affordable homes are agreed during the planning application process and this is how affordable homes are integrated into an early phase of development. No change is required.

Site OP3 – Land at Auchreddie Croft

Support for the site OP3 allocation has been noted, as are comments from SEPA. No change is required.

A bid site BU027 was submitted for 30 homes on site OP3 and this proposed reduction has been accepted by the Planning and Environment Service (AD0038.C, page 39). The site area is approximately 1.74ha. The site can accommodate 30 homes without resulting in overdevelopment. Pedestrian permeability ensures that ease of movement is provided within the development and this is achieved via a Planning Permission in Principle or a masterplan. The LDP does not enter into detailed information regarding public transport infrastructure as this is dealt with at the planning application stage, if required. No change is required.

The Council does not agree with removing site OP3. This site is well located in relation to the settlement and would allow a natural expansion to the south. A bid was also

submitted during the call for sites, which demonstrates the landowner's continued interest in developing this site (known as bid site BU027). No change is required.

Non-Allocated Site – Bid Site BU021 – Land South of Fordyce Terrace

The Council does not support allocating bid site BU021 for 40 homes. This bid site was not identified as a preferred site in the MIR (AD0038.C, page 39). Bid site BU021 is set to the south east of the settlement and set on a higher topography. The Officer's recommendation was not favoured for this site because "The protection of the vista towards the church from the A948 remains important for the character of the community and is a protected site designated in the Aberdeenshire Local Development Plan 2017", despite the topography being set at a lower level. The setting of the church and numerous listed buildings surrounding the site would have a detrimental impact from this development. It is acknowledged that the site is currently used for agricultural purposes, however, due to the distance from dense development, the site must be protected from urban sprawl. Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

Non-Allocated Site – New Site N018 – Land at Auchreddie Croft

The Council does not support allocating new site N018 for a residential development. The proposed site is set south of site OP3. The site was not put forward as a development bid so was not considered as such at the MIR stage, nor subject to site assessment and public consultation. The representation does not include any site details, nor supporting information such as an environmental assessment to allow a detailed evaluation of the suitability of the proposal. The site plan alone does not provide enough information to come to a decision. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 - Shaping Homes and Housing – Housing Land Supply, Policy H1 Housing Land and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

Old Deer

Site R1 – For a community purpose (cemetery extension)

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications and add in the Flood Risk section.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land at Abbey Street

Comments from SEPA are noted. No change is required.

The support from the representee has been noted. In the MIR (AD0038.C, page 48), it

can be noted that the site was allocated for 15 homes as the site could accommodate the proposed number of homes. However, this was overturned because more emphasis was given on the setting of the surrounding area and the area falls within “Old Deer Conservation Area”. In the MIR (AD0038.C, page 48), it is stated that “there is a small risk of impact on the setting of listed buildings to the south east”. Priority has been given to protect the listed building and the additional 5 homes is more likely to have a negative impact on both the visual and setting of the listed building. Therefore, the proposed number of homes has been retained as 10 homes as per Aberdeenshire Local Development Plan 2017. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

Site OP2 – St Drostan's Eventide Home

Comments from SEPA are noted. No change is required.

Rora

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land at The Park

Comments from SEPA are noted. No change is required.

Settlement Plan

A planning application was granted in April 2015 and no progress has been made thereafter. The planning permission has lapsed; therefore, it is not necessary to modify the boundary of the settlement. No change is required.

Stuartfield

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site P2 – To protect the pond and open space as amenities for the settlement and to protect the area as a significant contribution to the character of the place

The Council notes the request to protect the water supply and sluice gate of Quartlehouse Mill, but as this is an access and maintenance issue, and not a LDP matter, the Council does not agree to their request. Furthermore, the purpose of site P2 is to protect the pond and area of open space as amenity space, and its sense of place. The water from this pond is channelled under the road to Waulkmill, Quartlehouse and would have no amenity or place value. As such, there is no need to extend site P2. No change is required.

Site R1 – For a sustainable drainage system, Site R2 – For sports, recreation and

community facilities and Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – North of Knock Street

Comments from SEPA are noted. No change is required.

It is noted that the junction to the access road for the sewage works in Stuartfield is unsuitable for heavy vehicles because the access is too narrow, and the site is close to a B listed building. This access road passes very close to the B listed building and continues onto the sewage works to the east. It is also noted that there is support by Scottish Water to alter the access road, but a planning application would need to be submitted. However, the Council has identified an error in the Settlement Plan that shows two site P7's, and the Settlement Features table. The narrow strip referred to as site P7 should be identified as a reserved site R3, and the Settlement Features table amended to include site "R3. For a link road between the B9030 and site OP1." The Council confirms that it intends to address these through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not agree to increasing the number of homes on site OP1 from 75 to 100 homes. The argument has been placed that the current built rate is less than 6 homes and more likely to be 3 homes per annum. However, the HLA 2020 (AD0023, page 29), which provides an accurate picture on what has been built in the previous year and provides a forecast of the number of homes that shall be built in the coming years, shows that the future build rate has only been reduced from 6 to 5 units per annum and is scheduled to be completed in 2027. The information is gathered from the developer/landowner and amended accordingly on a yearly basis.

The increase of 25 homes could also increase pressure on Stuartfield Primary School. The School Roll Forecast 2019 (AD0095) shows the capacity of Stuartfield Primary School rising to 99% capacity by 2024. Officers were advised by the Council's Education Department not to allocate additional homes on this site. The Education Department only provide a forecast for the next 3 years and are unable to provide a response on the capacity beyond 3 years. Therefore, it was agreed by the Planning and Environment Service not to increase the allocation of site OP1 to 100 homes and risk creating additional pressure on the primary school. The Council's Education Department would be consulted at the planning application stage and Policy RD2 Developer Obligations would apply.

In addition to the above, the increase of 25 homes within the same land area may mean the plot sizes would be smaller. The newly built homes blend in with existing housing estates and it would be advantageous to retain similar size homes and layout of the plots. Furthermore, the masterplan for this site has been agreed for 75 homes, and as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area.

In conclusion, no change is required.

The Council does not agree with reducing the allocation of site OP1 from 75 to 43 homes. The allocation total of 75 homes reflects the agreed masterplan, granted in 2013 (AD0080). Several planning applications have come forward on parts of the site since then. The site boundaries have not been adjusted with the site being carried forward and thereby totals are also representative of completed units within the allocated area. Housing completions are set out within Appendix 6 Housing Land Allocations. Details on the calculation of the housing land supply and contributions to the allowances is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations.

The current waste water treatment works has limited capacity, and the Settlement Statement states under 'Strategic drainage and water supply' that a growth project shall be initiated once development meets Scottish Water's five growth criteria (e.g. planning permission has been approved). Therefore, matters regarding the capacity of the waste water treatment works for this site is not an issue for the LDP.

In conclusion, no change is required.

Non-Allocated Sites – LDP 2017 Site OP2 – North of Windhill Street and Bid Site BU007 – Land to the West of Stuartfield

The Council does not support allocating LDP 2017 site OP2 and bid site BU007 for 25 homes or bid site BU007 for 20 homes. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No evidence has been provided by the representee that demonstrates why site OP2 is not commercially viable for development. Site OP2 has been removed from the PLDP, but the area of this site has been retained within the settlement boundary to allow for infill development.

Bid site BU007 was considered suitable as a future opportunity site in the MIR, but this was withdrawn at PLDP stage because in response to the MIR (AD0038.C, page 71), it is noted that the Scottish Government objected to the allocation of "Future Opportunity Sites". Furthermore, due to the capacity issues affecting the primary school in Stuartfield, it is not recommended to allocate the site in the PLDP. Bid site BU007 is 1.45 hectares and is located adjacent to the OP2, sharing its boundary to the west, but allocating both sites is likely to put a major strain on the primary school roll. However, it is noted that the Council's Education Department forecasts the school roll for up to 3 years, so there may be an opportunity to submit a bid during the review of the next LDP. According to the SEPA flood map, the north east part of site BU007 falls within a flood risk zone, but the Council acknowledges that the overall area affected is minimal.

In conclusion, no change is required.

Non-Allocated Site – Bid Site BU006 and BU007 – Land to the West of Stuartfield

The Council does not support allocating bid site BU006 for 60 homes. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area.

Site BU007 was allocated as a Future Opportunity Site in the Main Issues Report for 20 homes as it was considered to be a logical extension given the number of homes proposed and the site area is much smaller than the proposed BU006 (AD0038.C, page 71). However, the Council do not believe there is a need for Future Opportunity Sites to be identified in the Plan. Given that paragraph 4.20 of SDP (AD0016) identifies that there is no requirement to include “Strategic Reserve” in the Local Development Plan, Aberdeenshire Council has chosen not to do so, therefore, the site was removed from the PLDP. Nonetheless, it is claimed that the site area is 4.1 hectares, but when measured by Officers, the site area is 6.2 hectares. Therefore, this site is larger than claimed and development covering this area would not be a logical extension. The density of the site of 25 homes per hectare does not apply to the Rural Housing Market Areas and the reason behind this is explained in the Shaping Homes and Housing policy in the PLDP.

It is noted that parts of bid site BU006 are within SEPA’s flood risk area, as drains run through the site, especially to the north and adjacent to the LDP 2017 OP2 site. Therefore, the overall size of the area that falls within the flood risk zone is large and would require a larger site to deliver the proposed number of homes. Nonetheless, a development of 60 homes would be considered as overdevelopment for the scale of the settlement. Sites at risk from flooding should be avoided, especially when no Flood Risk Assessment has been provided.

This proposal would also put pressure on the capacity of Stuartfield Primary School and there may be limited opportunities to further extend Stuartfield Primary School as it is already on a small site. The results of any school re-zoning will not be known until the next school roll forecasts are published. It could also have a negative impact on the trees and the small pocket of woodland to the west.

In relation to existing sites, for site OP1, the HLA 2019 (AD0022, page 28) states that 43 homes remain to be built, and this is reduced to only 39 homes in the HLA 2020 (AD0023, page 29). The former OP2 site is proposed as infill in the PLDP and can accommodate 5 homes. In addition to this, planning policy P3 Infill Developments within Settlements and Householder Developments (including home and work proposals) allows infill developments within settlement boundaries subject to meeting other relevant policies and appropriate infrastructure. In conclusion, no change is required.

Non-Allocated Site – Bid Site BU016 – Land South of Quartale – House Farm

The Council does not support allocating bid site BU016 for one home and the remainder of the site retained as site P1 with landscaping and footpaths to create a gateway feature to the settlement. Site P1 has been designated to protect the setting of Stuartfield, and control development in the area, regardless of its features and value. It also plays a role in forming the character of the settlement by providing an invisible boundary of the settlement. As such, the site remaining as agricultural land is appropriate.

The representee has not set out in detail how they would enhance the protected status of site P1, which measures 1.2ha (excluding the existing house on the site) or the proposed location of the house. If it assumed to be on the site of the refused planning application, this measures 0.1 hectares, making it a large site compared to adjacent properties. It is also unlikely that an additional house will improve the gateway into Stuartfield, which already has a gateway feature with the pond at site P2.

In conclusion, no change is required.

The representee has however, highlighted that an existing house, which was approved, lies within site P1. This house has been included in error and the Settlement Plan should be amended to exclude this property from site P1. If the Reporter is minded, to make an amendment, then the Council recommend to exclude the house from site P1.

Reporter's conclusions:

Preliminary matters

1. My examination of the proposed plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the provisions of the proposed plan, or which simply make comments that do not seek modifications to the proposed plan. Therefore, unless these relate to an issue which is unresolved, they are not addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as 'non-notifiable modifications' to settlement statement matters covered in issue 21. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Ardallie

Health and care facilities

3. NHS Grampian seeks a modification to the settlement statement in respect of medical facilities to serve the residents of Ardallie. I agree that the health and care facilities bullet point should be amended to more accurately reflect the improvements required to support new development in Ardallie. A modification is recommended based on the wording provided by NHS Grampian.

Non-allocated Bid Site BU001: Nether, Backhill

4. Ardallie is a small settlement. With the recent closure of the primary school, there are no local facilities in the village. The council notes that new development in Ardallie is constrained by limited capacity in water and waste water treatment infrastructure. Allocated site OP1, on which residential development has commenced, promotes the development of 10 self-build houses and six small business units. When complete, the development would more than double the number of houses presently located in the village. The representee seeks a modification to the proposed plan to allocate site BU001 for residential use as an extension to allocated site OP1, through which vehicular access could be taken. Alternatively, it states the site could be developed separately, although it does not suggest how access could be taken. Whilst a number of houses is not specified in the representation, the council refers to 25 self-build houses in the Main Issues Report (2019).

5. In its response to allocated site OP1, I note SEPA requires the provision of a single waste water treatment facility to serve the site as a whole in order for development to proceed. While it is unclear if such a solution would be available to serve the development of site BU001, whether the site can be accessed or indeed accommodate

the number of houses proposed, I agree with the council that further residential development in Ardallie would erode its essential character and lead to the suburbanisation of the countryside. Furthermore, as we conclude elsewhere in this report, sufficient land has been identified in the Rural Housing Market Area to meet identified needs. No modification to the proposed plan is required in response to the representation.

Auchnagatt

Flood risk

6. SEPA has requested an additional bullet point to provide additional information in relation to sites OP1 and R1. I agree that this information would be provide useful guidance to prospective developers. I recommend that the proposed plan is modified, as set out below.

Health and care facilities

7. NHS Grampian seeks a modification to the settlement statement in respect of medical facilities to serve the residents of Auchnagatt. Whilst I note that a health and care facilities bullet point is included in other settlement statements in the proposed plan, none is provided in the Auchnagatt settlement statement. As such, the owners/ developers of sites OP1 and OP2 or other interested parties have not had the opportunity to comment on this requirement.

8. Policy RD2.14 in the proposed plan states that it may be appropriate to seek contributions towards health and care facilities. Whilst NHS Grampian has indicated that that there is a need for additional capacity at existing medical facilities or a new health centre at Ellon, I have no information before me to demonstrate that financial contributions from development at Auchnagatt would meet the tests of Circular 3/2012. I consider that the wording suggested by NHS Grampian should be amended to indicate that there may be a requirement for contributions towards the relevant health and care faculties. A modification to this effect is recommended.

Site OP1: land north of Braemo

9. A representation seeks the removal of the site from the proposed plan; it is considered to be constrained by a lack of market interest and the need for additional infrastructure to support new development. Despite lying within an area of flood risk, the council considers that the site should remain a feature of the plan.

10. I have considered the matters raised in representations and the council's position set out in the Main Issues Report and the Issues and Actions paper. On balance, I consider that the site should remain part of the plan; there appears to be a willingness on the part of the landowner to bring forward the site for development; and, in this regard, discussions have taken place with the council and a prospective developer. Based on the evidence before me, I consider it reasonable to conclude that 16 homes on this site would be deliverable by 2032.

11. The representation from SEPA indicates that the site is at significant fluvial flood risk. However, it does not object to the allocation, provided the allocation summary is amended to convey the extent of the flood risk. It has suggested wording to add to the plan, which I consider sufficient to address the flood risk issue. Subject to the modification suggested

by SEPA, I conclude that the allocation should be retained in the plan.

Site OP2: land at Annochie Place

12. A representation seeks the removal of the site from the proposed plan; as it is constrained by ownership issues and a lack of market interest. Another representation cites the absence of facilities in the village to support a development of the scale envisaged. It is also considered that development would adversely affect amenity.

13. The council explains that the site is partially constrained due to the existence of a ransom strip; it is not clear whether this relates to Annochie Place or the B9030, where a vehicular access to the land presently exists. Reference to this matter is expressed in the singular which implies that the site is accessible from one point or the other. Furthermore, the connection through the site, as sought by the proposed plan, could be achieved by a footpath/cycleway rather than a road. Whichever solution is preferred, I consider the site to be accessible.

14. With regard to other matters, I note that; a growth project would be initiated to create additional capacity at the waste water treatment works once all relevant criteria is met; Auchnagatt primary school is operating below capacity, which is predicted to be the case up to 2025 (the end forecast period); there is a range of amenities in Auchnagatt; and, a local bus service serves the village. Finally, I note that the Delivery Programme (2020) states that the landowner is intent on marketing the site; an exercise delayed by the consequences of the pandemic. The site is not identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032. However, if the identified constraints can be overcome, development could contribute to meeting housing needs. Taking these matters together, I conclude that the site should remain a feature of the plan. No modification is required.

Cruden Bay

Flood risk

15. SEPA has requested additional wording in the flood risk bullet point. I agree that this amendment would be appropriate in the interests of consistency. I recommend that the proposed plan is modified as set out below. This modification also addresses SEPA's comments in relation to sites R4 and OP2.

Health and care facilities

16. NHS Grampian seeks a modification to the settlement statement in respect of medical facilities to serve the residents of Cruden Bay. I agree that the health and care facilities bullet point should be amended to more accurately reflect the improvements required to support new development in Cruden Bay. A modification is recommended based on the wording provided by NHS Grampian.

Site R2: pedestrian path/cycleway/railway line safeguard

17. In the context of a plan that seeks to promote walking, cycling and the creation of safe and convenient active travel opportunities, I agree that site R2 should be retained; the route follows the line of a dismantled railway (which the plan seeks to protect for future transportation projects) and is intended to link to strategic landscape proposals (site R1) required in respect of allocated site OP1 (land at Aulton Road).

18. While I note the concerns expressed in Mr and Mrs Findlater's representation, the proposal is longstanding and a feature of the existing plan. Having walked along other active travel routes in the area, I am confident that a path can be created that safeguards and enhances, where possible, nature conservation interests. I note the council's commitment to engage with those who share a common boundary with the line of the proposed path as and when proposals come forward. No modification to the proposed plan is required in response to the representation.

Site OP1: Land at Aulton Road

19. SEPA has indicated that the last three sentences in the third paragraph of the allocation summary are incorrect. I agree that the text should be amended to more accurately reflect the position regarding flood risk. A modification is recommended below.

Fetterangus

Flood risk

20. The amendment suggested by SEPA would provide useful information in relation to the source of flood risk. It also sets out clearly the requirement for sites OP2, OP3 and R1 to be supported by flood risk assessments and for a buffer strip to be provided on the eastern boundary of R1. I recommend that the proposed plan is modified as set out below.

Site OP1: land north of Ferguson Street

21. I do not agree that the estimated capacity of the site should be reduced as sought by a representee; it is suggested that the site is constrained by ownership and access issues. However, the council explains that the eastern part of the site is currently the subject of a planning application for 26 houses, while the western part benefits from a planning permission for up to 10 houses; some of which are under construction. In light of the extant permission and building work; ongoing consideration of a live planning application; a requirement for vehicular access and pedestrian links to be created between the two parts, there is every likelihood of the site being developed as a whole. Furthermore, the 16 homes on the site identified as constrained in 2019 are not being relied upon to meet the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032. No modification to the proposed plan is required in response to the representation.

22. SEPA has requested that the third paragraph of the allocation summary is reworded as it is not aware of any watercourses at or around the site boundaries. A modification is recommended to remove the inaccurate text.

Site OP2: land adjacent to playing fields

23. Site OP2 is identified as constrained on ownership grounds in the 2019 and 2020 housing land audits. I agree with the council that the site could come forward as an extension to the western part of site OP1, which is under construction. The submission of a bid proposal and a planning application in 2020 suggests that the ownership constraint has been resolved. Whilst there is a need to upgrade drainage infrastructure to serve new development, there is no evidence to suggest that this cannot be achieved. Neither do I consider that the site is unattractive in development terms for the reasons expressed

by the council. Based on the evidence before me, I consider it reasonable to conclude that the site would be deliverable by 2032.

24. I agree that the proposed plan should be modified to address the comments of Historic Environment Scotland with regard to the setting of two schedule monuments located to the west of the site. I have, however, amended the text suggested by the council to more accurately reflect the changes sought in Historic Environment Scotland's representation. I also agree that the amendments suggested by SEPA would provide clarity in relation to flood risk matters. Modifications are recommended below.

Masterplan

25. Finally, I consider it appropriate to guide the development of sites OP1, OP2 and R1 through the preparation of a masterplan; given the need to co-ordinate development, provide strategic landscaping and shared access. No modification is required.

Longside

Flood Risk

26. The amendments sought by SEPA would correct inaccuracies in the flood risk bullet point. I recommend that the proposed plan is modified as set out below.

Site OP1: land at Station Terrace

27. Two representations seek the removal of the site from the proposed plan; while a third seeks an extension to its eastern boundary to allow the site to accommodate the number of houses envisaged. The council argues that the site should remain part of the plan and should be enlarged to take account of flood risk measures along the site's southern boundary, but not to the extent suggested.

28. I have inspected the site and note the concerns of local residents. The council's assessment of the site acknowledges that vehicular access and drainage require to be upgraded to support its development. I also note the comments about biodiversity; while new development could have adverse effects, those effects could be mitigated by the introduction of buffer strips. Also, biodiversity interests could be enhanced by the creation of green networks. The council's assessment also acknowledges the potential of the site to flood. SEPA has not objected to the allocation in principle and seeks modifications that highlight the risk of flooding and need for development proposals to be supported by a risk assessment. On the basis of the council's assessment, SEPA's advice and the guidance to prospective development contained in the proposed plan, I conclude that the site should be retained. A modification based on that suggested by SEPA is recommended below.

29. With regard to the line of the site's eastern boundary, I note that the council is content to extend the boundary to take account of land required to mitigate flood risk, and has invited me to modify the proposed plan accordingly. However, in the absence of detailed assessments, I consider that the boundaries of the site should remain as that shown on the settlement statement map; this was the basis on which the proposed plan was published for consultation and to which people have responded. I also consider that the estimated capacity of the site should remain at 30 houses; in practice, the capacity of the site will be informed by the findings of the required flood risk, landscape and transport assessments. No modification to the proposed plan is required in response to the

representation.

30. Finally, I recommend a modification below to correct the council's error in referring to Station Road instead of Station Terrace in the supporting text on page 316.

Site OP2: Land off Inverquhomery Road

31. SEPA has indicated that the site may be at risk of surface water flooding and has suggested a modification to the allocation summary. I agree that a modification is required in the interests of accuracy and clarity.

Longside Airfield

Oil and gas pipelines

32. Shell UK Limited seeks modifications to the proposed plan to acknowledge that part of the settlement lies within a Health and Safety Executive consultation distance associated with one or more oil and gas pipelines in the vicinity. To address this matter, I agree with the council that a new section on oil and gas pipelines should be added to the settlement statement. For completeness, this matter should also be addressed in the allocation summary for OP1 (Longside Airfield). Modifications to this effect are recommended below.

OP1: Longside Airfield

33. A representee seeks a modification to the settlement statement map to amend the site boundary of proposal OP1 to exclude the airfield's northern runway and land immediately to the south; which is currently used by North East Aviators and Buchan Aero Club. The council acknowledges that it has included the runway and adjoining land within the allocation in error and is content to amend its boundaries to that shown in the Main Issues Report, Map 1, page 77 (site BU041). Given that the runway and adjoining land is in active use, I agree that the proposed plan should be modified. Accordingly, I recommend that the settlement statement map and relevant entry in Appendix 1 (employment land allocations), Table 2, are modified.

34. I also recommend below a modification in respect of SEPA's concern that radioactive material may be present on the site, given its past use as a military airfield, and its requirement for development proposals to be accompanied by a groundwater drainage assessment.

Maud

Flood Risk

35. SEPA has indicated that the information provided in the flood risk bullet point in the proposed plan is incorrect. I agree that a modification is required to more accurately reflect the position in relation to flood risk.

Health and care facilities

36. NHS Grampian seeks a modification to the settlement statement in respect of medical facilities to serve the residents of Maud. I agree that the health and care facilities bullet point should be amended to more accurately reflect the improvements required to

support new development in Maud. A modification is recommended based on the wording provided by NHS Grampian.

Site OP1: land at Castle Road

37. A representation seeks the removal of the site from the proposed plan on the basis that local services in Maud are inadequate to support new development. However, the council states that there are no capacity constraints in the required essential infrastructure to support new development, noting that NHS Grampian, Scottish Water, nor the council's education and roads services, have objected to the inclusion of the site in the proposed plan. Furthermore, the council's Issues and Actions Paper notes that discussions have commenced with a developer to bring forward a major application for the development of the site and that a Proposal of Application Notice has been lodged to this effect. No modification to the proposed plan is required in response to the representation.

38. For the avoidance of doubt, I note that Mrs Simpson refers to sites OP1 and OP2 in her representation, as shown in the existing local development plan; the council has addressed her concerns as though they relate to the sites as shown in the proposed plan, which combines the sites to form one new allocation (OP1). Mrs Simpson's representation makes no reference to site OP2 (land west of Castle Terrace), as shown in the proposed plan.

39. SEPA has requested that additional text is added to the allocation summary in relation to the provision of a buffer strip around the ponds and the opportunity to restore and enhance the straightened watercourse. These are matters which are included in the allocation summaries for other sites, where relevant. I agree that the proposed plan should be modified in this regard.

Site OP2 : Land West of Castle Terrace

40. SEPA is concerned that the allocation summary for this site does not accurately reflect the strategic flood risk assessment. It is wrong to indicate that flood risk can be mitigated solely through tree planting. I agree that the wording of the last three sentences in the allocation summary should be replaced to clarify the position regarding flood risk and measures to mitigate that risk. I recommend a modification below based on the wording provided by SEPA.

Mintlaw

Flood Risk

41. SEPA has indicated that the information provided in the flood risk bullet point on page 326 of the proposed plan is incorrect. I agree that a modification is required to more accurately reflect the position in relation to flood risk on sites OP1, OP2, OP3, OP5 and BUS2. I agree that the reference to site R1 should be deleted, as there is no watercourse on or adjacent to the site. I recommend that the proposed plan be modified as set out below

Services and infrastructure

42. Transport Scotland seeks clarity on the measures to upgrade the A90(T) / A952 Toll of Birness junction, its cost and means of delivery, including whether financial contributions will be sought from prospective developers. The council states that the

proposed plan identifies the need to upgrade the junction and that contributions will be required to ensure its delivery. It adds, the details of the improvements required, the contributions to be sought and the timing of their delivery will be a matter for individual planning applications to address.

43. I agree with Transport Scotland that the proposed plan, as it stands, fails to meet the expectations of Scottish Planning Policy (2014), paragraph 275, insofar as it does not identify essential transport infrastructure required to support new development in Mintlaw. In particular, it fails to provide details of the nature and scale of the improvements required at the Toll of Birness junction, how contributions would be secured and how the improvements would be delivered, in accordance with Scottish Planning Policy 2014 and Circular 3/2012. In order to address these matters, and the wider issues raised by Transport Scotland in respect of the council's overall approach to the provision of infrastructure and developer obligations, a further information request was issued (FIR007). My conclusions below focus on junction improvements at Toll of Birness and their implications for allocated sites in Mintlaw, while wider issues, including the preparation of supplementary guidance on developer obligations and affordable housing, are addressed in Issue 12 (Responsibilities of Developers).

44. To understand the nature and scale of the interventions presently being considered at the Toll of Birness junction, the council has directed me to a draft NESTRANS Regional Transport Strategy 2040 (2020). The strategy describes the actions relating to the Ellon to Peterhead and Fraserburgh route as:

- the dualling of the Ellon bypass to Toll of Birness, including upgrades to roundabouts;
- junction upgrade at Toll of Birness to an at-grade roundabout; and,
- provision of sections of 2+1 lanes on the A90(T) North and A952 between Toll of Birness and Peterhead & Fraserburgh.

45. The council adds, the draft regional transport strategy has been submitted to the Scottish Ministers and is being considered with other projects for inclusion in the second Strategic Transport Projects Review (STPR2). As such, and as a trunk road project, the expectation is that Transport Scotland will lead, programme and deliver the required junction improvements at Toll of Birness. The council would, however, expect to secure financial contributions from development proposals assessed as having an impact on the strategic transport network.

46. On the basis of Transport Scotland's response to our further information request, I find that there is a misunderstanding on the council's part regarding the role of Transport Scotland and its consideration of junction improvements at the Toll of Birness junction within the context of the STPR2. Transport Scotland explains that it does not fund improvements required to the trunk road network to address the impacts of new development; its primary role is to maintain the safe and efficient operation of the trunk road network. As such, it states that the council and/or developer(s) will be required to lead, fund and deliver improvements to the trunk road, should mitigation be required to address the impacts of new development. It adds, local authorities elsewhere in Scotland have mechanisms in place to manage improvements to the trunk road network, which are required to be delivered by developers.

47. With regard to the at-grade improvements at Toll of Birness, Transport Scotland states that the proposal is included in a package of options to improve road safety at the

junction and that it is presently being appraised as part of STPR2. It adds, while the timing and delivery of any recommended interventions is unknown, should interventions be required prior to the identification of funding by Scottish Government, they can be brought forward through other funding initiatives by local authorities, developers or regional transport partnerships. As a matter of fact, I consider that this position should be reflected in the settlement statement.

48. At my request, the council has provided text that could be included in the plan to highlight capacity constraints in the strategic road network and its consequences for new development on allocated sites in Mintlaw. Whilst the suggested text highlights that all sites in Mintlaw could be required to contribute to improvements to the Toll of Birness junction, it fails to mention the currently understood capacity constraint identified in a transport assessment prepared in support of proposals to develop allocated site OP1 (land at Nether Aden). The assessment recommended that an at-grade roundabout should be delivered at the junction, once development on site OP1 has reached 200 houses. A condition attached to the planning permission in principle for site OP1 (APP/2017/2547) effectively caps the amount of residential development to 200 houses, until improvement works are undertaken (unless it can be demonstrated that additional houses would not have an unacceptable impact upon traffic flows).

49. Transport Scotland has indicated that this limit of 200 houses would also have implications for the programming of other sites in Mintlaw, beyond those which have extant planning permissions, are awaiting the conclusion of legal agreements, or can demonstrate to the council's satisfaction would have only a negligible impact on the operation of the junction. I agree with Transport Scotland that the settlement statement should refer to the limitations this transport constraint may have for the programming and delivery of development in Mintlaw.

50. In order to address these matters in as much detail as is possible through this examination, I recommend a modification to insert three additional paragraphs into the vision section of the settlement statement. I also recommend a new strategic transport bullet point based on the council's suggested wording to indicate that all sites would be expected to contribute to improvements to the Toll of Birness junction, if an impact is demonstrated. However, I have not included the suggested reference to 'sites which do not currently have with full planning permission' as I consider this to be ambiguous with regard to the implications for site OP1 which has planning permission in principle and any new applications on sites which currently have permission. I anticipate that further consideration will be given to the nature of the required improvements works and the details of developer contributions through the preparation of Supplementary Guidance on: developer obligations and affordable housing, which is a recommended modification in Issue 12. It is my understanding that information on how, when and by whom these improvements are to be delivered will be provided through the Delivery Programme, which will be the subject of regular updates.

51. As a result of these changes, the wording of the bullet point on local transport infrastructure in the proposed plan requires to be amended. A modification is recommended based on the wording suggested by the council. I have not included the suggested sentence that 'the scale and nature of any contributions will be determined through a Transport Assessment undertaken by the developer' in either of the amended transport infrastructure bullet points, as I consider that these matters should first be addressed in the Supplementary Guidance.

Site OP1: land at Nether Arden

52. The council's suggested additional text to the allocation summary of site OP1 is considered by Transport Scotland to lack the necessary detail regarding the limitations on development in Mintlaw. In order to provide the clarity sought by Transport Scotland, I consider that additional information should be provided in the allocation summary to reflect the planning permission in principle granted in April 2019 (APP/2017/2547). As I have already indicated, there is a limit on the number of houses which can be built in advance of improvements to the Toll of Birness junction. Furthermore, the planning permission is the subject of a legal agreement which secures developer contributions towards addressing the infrastructure capacity constraints at the Toll of Birness junction. I recommend a modification below.

Site OP2: land at North Woods

53. Transport Scotland has specifically indicated that the limit of 200 houses, which has been applied to the planning permission for site OP1, was also intended to apply to the future development of the OP2 allocation. In order to reflect Transport Scotland's position, I recommend a sentence is added to the allocation summary for OP2 to explain that the capacity constraint at the Toll of Birness junction may have implications for development timescales, beyond what already has permission.

54. Despite the frustrations of Ms Chalmers with the slow delivery of infrastructure to support new development at North Woods, I agree with the council that the matters raised lie beyond the scope of the local development plan. Also, it would be inappropriate to delay the forward planning of one part of a site until development in another is complete. I note that the council has responded to this matter under site OP1 (Nether Aden), whilst the representation submitted by Ms Chalmers refers to site OP2 (North Woods). Nonetheless, the response of the council and my conclusions remain as stated above. No modification to the proposed plan is required in response to the representation.

55. A representation seeks the reduction of the site capacity from 600 to 380 houses to reflect the number of completions recorded in the housing land audit (2019). The council has explained that its approach in relation to housing allocations is to refer to the total capacity of the site and not the number of houses to be built from 2019 onwards. Table 3 in Appendix 6 indicates that in 2019, 95 homes were built on allocation OP2 with a remaining capacity of 505. I find these figures to be consistent with the housing land audit 2019.

56. The representee is correct to point out that allocation OP2 is not expected to be completed within the plan period. However, as the site forms part of the 2019 base supply, its expected contribution towards meeting the strategic housing land requirement up to 2032 would have been taken into account in the preparation of the strategic development plan. A modification to Appendix 6 is recommended in Issue 5, which explains that the figures shown in the 'LDP' allocation column of Tables 2 and 3 in the proposed plan may include homes built before 2019 and/or which are not anticipated to be built until after 2032. No specific modification is required to allocation OP2.

57. I note the comments in respect of public transport and active travel to serve sites OP2 and OP6. However, I agree with the council that improved public transport infrastructure is better located on North Street (A952), which I note is an existing bus

route. As I observed at my site inspection, Balring Road is quite narrow and requires vehicles to pass with caution. No modification is required.

Site OP5: land south of Nether Arden Road

58. A representation seeks the removal of the site from the proposed plan; arguing the site is constrained by market conditions and that there is little prospect of it being developed during the plan period. The council states that the site should remain part of the proposed plan, noting it is an extension to site OP1 and that its future development has been addressed through the preparation of a masterplan to ensure its integration with site OP1.

59. The site is one of a number of sites identified as constrained in the 2019 housing land audit, which the council considers can be delivered by 2032. Whilst the site forms an extension to site OP1, the approved development framework suggests that it could be accessed directly from Nether Aden Road to the north. On this basis, development on site OP5 could come forward in advance of the completion of allocation OP1.

60. Given its location immediately adjacent to allocated site OP1, that it forms part of a wider master planned area and is located within the existing built up area, I consider that it is reasonable for the proposed plan to allocate site OP5 for housing. However, as I indicate above, major development (beyond 200 homes) in Mintlaw is likely to be constrained until such time as the A90/ A952 'Toll of Birness' junction is improved. For this reason, I am not certain that housing on the site would be deliverable by 2032. As such, it would be unreasonable to identify it as contributing towards the strategic development plan allowance for the Rural Housing Market Area. A modification is therefore required to remove the allocation from the list of sites that contribute towards meeting the strategic housing land requirement. The implications of this change for the overall housing land provision are addressed in Issue 5 (shaping homes and housing). No modification is required to the Mintlaw settlement statement.

61. As noted by SEPA, the final sentence of the third paragraph of the allocation summary repeats the requirement to retain woodland planting expressed in the second paragraph. I recommend a modification below to delete this sentence.

Site OP6: land north of Balring Road

62. I note that the planning application for the formation of a business park on land adjacent to Balring Cottage, which forms part of site OP6 (APP/2016/2264), was supported by an arboricultural assessment and tree removal and protection plans; the application has subsequently been granted planning permission in principle. I also note that the creation of a site access and the minor re-routing of the Balring Road requires a limited number of trees to be removed. However, the majority of trees, which broadly form a line along the north and south boundaries of the site, are to be retained. This requirement is reflected in the settlement statement text. No modification to the proposed plan is required in response to the representation.

Non-allocated Bid Site BU033 (land east of Site OP3)

63. Whilst the council acknowledges that the site has development potential, as an extension to site OP3, it does not support its allocation in the proposed plan at the present time. I note that the site was promoted as a potential future opportunity site at the Main

Issues Report stage. However, the council has explained that it decided not to identify housing allocations, beyond that required to meet the strategic development plan allowance for the period up to 2032. Non-site specific representations on this matter are addressed in Issue 2. We conclude that the approach taken by the council is consistent with the strategic development plan and there is no basis for a modification requiring the identification of future opportunity sites. Furthermore, it is concluded in Issue 5, that there is no requirement for additional housing land to be allocated to meet the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032.

64. In addition, as noted in the Main Issues Report, the site is prominently located on rising ground at the edge of Mintlaw. I agree with the council that its development would require significant boundary planting to mitigate the visual impact of development. Despite the positive qualities of the site noted in the representation, I do not consider that the proposed plan should be amended to include the site. No modification is required.

Non-allocated Bid Site BU048 (land at Longside Road)

65. NHS Grampian seeks the allocation of land to the east of Mintlaw for a new medical facility. Its representation explains that an early draft of the proposed plan identified site BU048 for this purpose but it was not included in the proposed plan as published. The representation also explains that, due to accommodation pressures at the existing medical facility, a suitable site requires to be identified within the lifetime of the plan. Whilst not centrally located, the council is content for the proposed plan to be modified to reserve site BU048 for a medical facility. It points out that neighbour notification has not been carried out in respect of the proposal.

66. I agree that the proposed plan should be modified to allocate site BU048 for the development of a medical facility, as sought by NHS Grampian. Although a specific neighbour notification exercise has not been undertaken, the site's suitability to accommodate a medical facility has been assessed as part of the strategic environmental assessment of the proposed plan. It concluded that there would be an overall neutral impact on the environment should it be developed. Also, the site is located on a bus route providing good accessibility from within and beyond Mintlaw. The site was also included as an officers' preference in the Main Issues Report, which represents the main consultation stage of the plan. There were no concerns raised in responses to the Main Issues Report and the proposal received the support of the council's elected members, as noted in the Issues and Actions paper.

67. My own observations are that the site is similar in size to that developed for a medical facility in Crimond; which is also located on the edge of the settlement, on a bus route and accessed directly from an 'A' road. The site also appears sufficiently large to provide any boundary treatments necessary to safeguard the amenity of neighbouring residential properties and mitigate the visual impacts of new development. The strategic environmental assessment notes that the site is not located within a flood risk area. It adds that a small burn is located to the north of the site and that mitigation measures, for example, a SuDS scheme and/ or buffer strips may be required to prevent future flooding events. However, this would not prevent the site being reserved for a medical facility. On this basis, I recommend a series of modifications below to the settlement statement namely; alter the boundary of the settlement; amend the table of settlement features by introducing site 'R2'; and, reserve the site for a medical facility.

New Deer

Vision

68. I note the comments regarding the vision statement, including the error in referring to the A981 as the A991. Also, while I broadly agree with the council on the matters raised, I consider that it would be helpful to the reader to clarify that the 'path network' forms part of the council's Core Path Plan. I recommend a modification below. The aspiration to create a link between the A981 and the A948 needs no further explanation.

Health and care facilities

69. NHS Grampian seeks a modification to the settlement statement in respect of medical facilities to serve the residents of New Deer. I agree that the health and care facilities bullet point should be amended to more accurately reflect the improvements required to support new development in New Deer. A modification is recommended based on the wording provided by NHS Grampian.

Site OP2: Land at Auchreddie Road East

70. A representee asks how the provision of affordable housing on a site which is intended to be developed on a plot-by-plot basis can be secured and the means by which it can be delivered in the early phases of development. I have not been presented with any evidence regarding the planning history of the site. However, the council points to the provisions of policy H2 of the proposed plan, which allows for affordable housing contributions to be met by a broad range of housing tenures, including private rented accommodation. It also allows contributions in exceptional circumstances to be met off-site.

71. As such, I accept that the type of affordable housing to be secured on individual sites and the timing of its delivery is a matter for discussion within the context of a planning application. No modification to the proposed plan is required in response to the representation.

Site OP3: Land at Auchreddie Croft

72. A representation seeks the removal of the site from the proposed plan; citing that it is constrained due to poor marketability. However, although wholly contained within the site shown in the existing plan, the proposed plan promotes a smaller site with a reduced capacity (30 houses). Given the characteristics of the site, I agree with the council that its development for 30 houses would not result in its overdevelopment. Those with control over the site state that wayleaves have been secured for access, sewage and surface water run-off. I note that the revised site proposals came forward during the 'call for sites' which, as suggested by the council, indicates continued interest in bringing the site forward for development. Furthermore, in response to a request for further information (FIR008), the council has provided an explanation of a range of measures that it employs to assist the deliverability of sites subject to marketability constraints. On this basis, I consider that the site should remain a feature of the proposed plan. No modification is required.

Non-allocated Bid Site BU021: land south of Fordyce Terrace

73. I agree with the council that the site should not be included in the proposed plan; it is an important feature in the townscape, over which views of the church and other listed

buildings can be enjoyed when seen from the south. As noted at my site inspection, the land rises markedly at its north-west corner, which, if built upon, could obscure views of the terrace. Furthermore, as we conclude elsewhere in this report, sufficient land has been allocated in the Rural Housing Market Area to meet identified needs in the period to 2032. No modification to the proposed plan is required in response to the representation.

Non-allocated New Site N018: land Auchreddie Croft

74. I agree with the council that the site should not be included in the proposed plan. Notwithstanding the comments of the representee; the site was not promoted at the time of the council's 'call for sites'; its possible development has not been considered in the context of the Main Issues Report nor assessed as part of the strategic environmental assessment of the proposed plan; or consulted upon. Neither has the representee provided information necessary to make an informed decision on its suitability for residential development. No modification to the proposed plan is required in response to the representation.

Old Deer

Reserved Land R1 – Cemetery extension

75. SEPA has requested that a sentence be added to the description of site 'R1' to acknowledge the need for a detailed groundwater assessment, given the likely connectivity between the site and the Cock Burn. I agree with the council that this text would be more appropriate as a bullet point in a new flood risk section. I recommend that the proposed plan is modified as set out below.

Site OP1: land at Abbey Street

76. Whilst the site may be sufficiently large to accommodate 15 houses, the council has resolved to maintain the estimated capacity at 10 houses. Given the site's location within the Old Deer Conservation Area, the potential for new development to effect the setting of listed buildings, and in the absence of detailed assessments, I agree with the council's position on this matter. No modification is recommended.

Rora

Site OP1: land at The Park

77. A representation seeks a modification to the boundaries of the site to accord with a planning permission for residential development granted in 2015. The council explains that the planning permission has lapsed. On this basis, I agree with the council that there is no justification to amend the site boundaries as shown on the settlement statement map. No modification is required.

Stuartfield

Flood Risk

78. Site P6 is an area of protected open space and no development is proposed. I agree with SEPA that the site should not be included in the flood risk bullet point. I recommend that the proposed plan is modified as set out below.

Site P2 (pond)

79. I agree with the council that the matters raised in the representation regarding the continuity of water supply to Quartalehouse are not matters for the local development plan. As the council notes, the purpose of the designation is to safeguard the pond and open space as amenities for the settlement. No modification to the proposed plan is required in response to the representation.

Site OP1: land north of Knock Street

80. The representations in respect of the site variously seek modifications to increase and decrease the capacity of the site. The urgent provision of a link road from the B9030 to site P7 is also sought. The council explains that the development of the site is guided by a masterplan, based on the provision of 75 houses, and is the subject of several planning permissions. It adds, the local primary school is nearing capacity and there is limited capacity at the waste water treatment plant to serve new development beyond that programmed.

81. While the masterplan notes that the site could accommodate more than 75 houses, I consider that it would be ill-advised to increase its estimated capacity in the knowledge that further development could place undue pressure on essential infrastructure. I do, however, accept that school roll forecasts can vary year-on-year and that the smaller the school the more significant variations can be. I also accept that capacity constraints at the waste water treatment plant could be addressed through a growth project, should the required criteria be met. In the absence of proposals to address known capacity constraints and detailed assessments to support new development, I agree with the council that the estimated capacity of the site should remain as that shown in the proposed plan.

82. With regard to the link road, the council has indicated that an additional 'reserve land' designation 'R3' has been omitted from the proposed plan in error. The supporting text to proposal OP1 notes the potential to provide a further point of access to the site via a new link road shown as reserved land on the proposals map. Whilst the settlement statement map identifies the land required for the link road, it is incorrectly labelled 'P7' on the map. As there are no representations seeking the correction of this error, it is not a matter for this examination. It would be for the council to consider whether the error can be addressed through a non-notifiable modification.

83. A representee seeks a further modification to state that the link road should be completed 'as a matter of urgency'. While I appreciate the representee's desire to see works completed as soon as possible, this matter is beyond the council's direct control. No modifications to the proposed plan are required in response to representations relating to the site.

Non-Allocated Bid Sites: BU006, BU007, OP2 - located west of Stuartfield

84. A number of representations seek the allocation of land located immediately west of Stuartfield for residential development; site BU006 (60 houses), which incorporates sites OP2 and BU007; site BU007 (25 houses), which incorporates site OP2; and, OP2, which is promoted in the existing plan for the development of 5 houses. The proposed plan does not allocate site OP2 for development as it is considered too small to be commercially viable. However, the proposed plan settlement boundary remains

unchanged from that shown in the existing plan, which would allow for infill development proposals to come forward.

85. I have considered the arguments for and against the allocation of additional land for residential development in Stuartfield. In particular, I note the council officers' support for site BU007 as a future development opportunity. Notwithstanding the merits or otherwise of each site, it would appear that until such time as capacity constraints at the local primary school are resolved, further development beyond that programmed in Stuartfield will be constrained. While the council's response implies that this matter is being addressed through a catchment review, it does not indicate when that exercise will be completed. Furthermore, there appears limited opportunity for the school to expand on its current site. I consider that it would be inappropriate to allocate land for development in the knowledge that it would be constrained and incapable of being made effective in the plan period.

86. While I accept that there may be alternative drainage options available to developers, there is limited capacity at the waste water treatment plant. Also, parts of site BU006 lie within a flood risk area. Finally, as we conclude in Issue 5 of this report, sufficient land has been allocated in the Rural Housing Market Area to meet identified needs in the period up to 2032.

87. Taking all these matters together, I conclude that sites BU006, BU007 and OP2 should not be included in the proposed plan. No modification to the proposed plan is required in response to the representations.

Non-Allocated Site: BU016: land south of Quartalehouse Farm

88. A representation seeks the allocation of land for one house; which extends to 1.2 hectares. The land lies within the settlement boundary. The intention would be to retain land beyond the proposed house for landscaping and footpaths and in so doing create a 'gateway' feature to the village.

89. Although located within the settlement boundary, the land is presently in agricultural use and forms part of 'protected land' site P1; the purpose of which is to "protect the setting of the settlement as a significant contribution to the character of the place." For these reasons, I agree with the council that the site should not be included in the proposed plan. As noted by the council, and as I observed at my site inspection, the pond and floral displays a short distance beyond the site, provide a fitting 'gateway' feature to the village.

90. The representee draws attention to fact that a single house has been built on land within the designated protected land, which the council explains has been included in the P1 designation in error. Whilst the council is content to modify the settlement statement map to exclude the existing housing from the designation, this has not been requested in the representation. It is therefore not a matter for this examination. It would be for the council to consider whether the error can be addressed through a non-notifiable modification.

Reporter's recommendations:

Modify the local development plan by:

Ardallie

1. Replacing the health and care facilities bullet point on page 283 of the Ardallie settlement statement with:

“Health and care facilities: All residential development must contribute towards the creation of additional capacity at existing medical facilities or a new health centre in Cruden Bay. Contributions towards the expansion of existing pharmacy facilities or within a new facility may also be required.”

Auchnagatt

2. Adding the following second bullet point under the heading ‘Flood risk’ of the Auchnagatt settlement statement on page 284:

“• A significant part of site OP1 lies within an indicative 1:200 year flood risk area (SEPA mapping). A small watercourse runs adjacent to the site. A Flood Risk Assessment will be required to support proposals on site OP1 and its associated SUDS scheme on site R1.”

3. Replacing the first sentence of the bullet point under ‘strategic drainage and water supply’ in the Auchnagatt settlement statement on page 284 with:

“The existing waste water treatment plant is at capacity.”

4. Adding the following new bullet point under the heading ‘Services and Infrastructure’ in the Auchnagatt settlement statement on page 285:

“Health and care facilities: Residential development may be required to contribute towards the creation of additional capacity at existing medical facilities or a new health centre in Ellon.”

5. Replacing the fourth sentence of the second paragraph of the allocation summary for OP1 (land at North of Braemo) in the Auchnagatt settlement statement on page 285 with the following four sentences:

“The SEPA Indicative Flood Maps show 30% of the site to be at risk of flooding from the Ebrie Burn. In addition, the small watercourse that flows along the north-east boundary of the site has caused flooding to nearby houses in the past. A Flood Risk Assessment will be required to determine the capacity of the site and inform site layout options. Any areas of the site found to be at risk of flooding will not be suitable for development and will be required to be retained as greenspace, which should be integrated with the development as amenity space and blue/ green corridor. A SUDS scheme for the site should be provided on ‘reserved land’ to the south-east (site R1).”

Cruden Bay

6. Replacing the flood risk bullet point in the Cruden Bay settlement statement on page 297 with the following two bullet points:

“• Parts of Cruden Bay are in an area that is potentially vulnerable to flood risk as identified by the National Flood Risk Assessment. Parts of the settlement may be at risk from coastal flooding. Flood Risk Assessment may be required;

• Due to the presence of a small watercourse running through or adjacent to sites OP2 and R4, a Flood Risk Assessment may be required.”

7. Adding the following new bullet point under the heading ‘Services and Infrastructure’ in

the Cruden Bay settlement statement on page 298:

“• Health and care facilities: All residential development must contribute towards the creation of additional capacity at existing medical facilities or a new health centre in Cruden Bay. Contributions towards expansion of existing pharmacy facilities or within a new facility may be required.”

8. Replacing the last three sentences of the third paragraph in the allocation summary for OP1 (land at Aulton Road) in the Cruden Bay settlement statement on page 298 with:
“Due to potential flood risk from the Water of Cruden, a Flood Risk Assessment may be required to support development proposals that lie beyond the area covered by the existing Masterplan and planning permission.”

Fetterangus

9. Replacing the flood risk bullet point in the Fetterangus settlement statement on page 301 with:

“• Due to the presence of a small watercourse running through or adjacent to sites OP2, OP3 and R1, Flood Risk Assessments may be required to support development proposals. A buffer strip will be required along the minor watercourse on the eastern boundary of site R1”

10. Replacing the third paragraph of the allocation summary for OP1 (land north of Ferguson Street) in the Fetterangus settlement statement on page 303 with:
“Strategic landscaping will be required to reduce the visual impact of development at the northern and southern boundaries of the site.”

11. Replacing the third paragraph of the allocation summary for proposal OP2 (land adjacent to playing fields) in the Fetterangus settlement statement on page 304 with:
“New development should not adversely affect the setting of Fetterangus Church and Symbol Stone; both of which are scheduled ancient monuments located a short distance to the west of the site. New development, through its siting and design, must be sensitive to its surroundings and incorporate landscaping at its western boundary to screen the development from view. Historic Environment Scotland should be consulted at an early stage in the preparation of development proposals for the site.”

12. Replacing the fourth paragraph of the allocation summary for proposal OP2 (land adjacent to playing fields) in the Fetterangus settlement statement on page 304 with:
“Strategic landscaping will be required, particularly adjacent to the watercourses on the northern and southern boundaries of the site, to reduce the visual impact of new development and flood risk. A Flood Risk Assessment may be required. Enhancement of the straightened watercourses through re-naturalisation and removal of any redundant features will require to be investigated.”

13. Deleting the third sentence in the fifth paragraph of the allocation summary for proposal OP2 (land adjacent to playing fields) in the Fetterangus settlement statement on page 304.

Longside

14. Replacing the bullet point under the heading ‘Flood Risk’ of the Longside settlement statement on page 315 with the following three bullet points:

“• Parts of Longside are shown to be at risk from flooding, as shown on SEPA’s Indicative Flood Risk Map. Flood Risk Assessments may be required to support development proposals;

- Due to a watercourse located near to site OP1, a Flood Risk Assessment may be required;

- Due to surface water issues at site OP2, a Flood Risk Assessment may be required.”

15. Replacing the fourth and fifth sentences in the first paragraph of the allocation summary for OP1 (land off Station Terrace) in the Longside settlement statement on page 316 with:

“No development should occur below 22.05 metres AOD. Buffer strips will be required to mitigate flood risk and landscape impact and should be positively integrated into the open space.”

16. Replacing ‘Station Road’ with ‘Station Terrace’ in the first sentence of the second paragraph of the allocation summary for OP1 (land off Station Terrace) in the Longside settlement statement on page 316.

17. Replacing the fourth and fifth sentences of the allocation summary for OP2 (land off Inverquhomery Road) in the Longside settlement statement on page 316 with:

“A Flood Risk Assessment may be required due to surface water flooding events.”

Longside Airfield

18. Adding the following new bullet point under the heading ‘Services and Infrastructure’ to the Longside Airfield settlement statement on page 318:

- Oil and Gas Pipelines: Part of the settlement lies within a Health and Safety Executive (HSE) consultation distance associated with one or more oil and gas pipelines in the vicinity. Proposed development within the consultation distance must comply with the requirements of Policy P4: Hazardous and potentially polluting developments and contaminated land, and with the HSE ‘Land Use Planning Methodology.’”

19. Adding the following new second sentence to the third paragraph of the allocation summary for OP1 (Longside Airfield) in the Longside Airfield settlement statement on page 318:

“Part of the site lies within a Health and Safety Executive pipeline consultation zone. All development proposals must accord with the requirements of Policy P4 (hazardous and potentially polluting developments and contaminated land) and comply with the Health and Safety Executive’s ‘Planning Advice for developments near Hazardous Installations.’”

20. Deleting the words ‘*the development will be required to demonstrate that it will have no adverse effect on ground or surface water.*’ from the second paragraph of the allocation summary for OP1 (Longside Airfield) in the Longside Airfield settlement statement on page 318 and replacing them with:

“it will be necessary for development proposals to be supported by assessments of the potential for radioactive substances being present on the site and groundwater drainage measures.”

21. Amending the Longside Airfield settlement map on page 319 to exclude the northern runway (the site boundary should match that as shown on page 77 of the Main Issues

Report 2019).

22. Amending the title of the allocation summary for OP1 (Longside Airfield) in the Longside Airfield settlement statement on page 318 to show that the site extends to 124.86 hectares.

23. Amending Appendix 1 (employment land allocations), Table 2 on page 98, columns entitled 'Allocation (hectares)' and 'Local Growth Area (RHMA), to record the allocation of land at Longside Airfield as 124.86 hectares.

Maud

24. Replacing the flood risk bullet point in the Maud settlement statement on page 320 with:

“• Due to the presence of small watercourses running through and adjacent to the sites, a Flood Risk Assessment may be required for sites OP1 and OP2.”

25. Replacing the health and care facilities bullet point in the Maud settlement statement on page 321 with:

“• Health and care facilities: All residential development must contribute towards the creation of additional capacity at existing medical facilities in Maud or New Pitsligo.”

26. Adding the following sentence after the fourth sentence in the second paragraph of the allocation summary for OP1 (land at Castle Road) in the Maud settlement statement on page 321:

“A buffer strip will be required along watercourses in or around the site, and around the pond adjacent to the northern boundary.”

27. Amending the second paragraph of the allocation summary for OP1 (land at Castle Road) in the Maud settlement statement on page 321 by moving the last two sentences of the text to form a new third paragraph.

28. Replacing the last three sentences of the second paragraph of the allocation summary for OP2 (land west of Castle Terrace) in the Maud settlement statement on page 322 with:
“A Flood Risk Assessment will be required. Areas shown to be at risk of flooding will be unsuitable for development. A buffer strip will be required along the length of the watercourse adjacent to the site, which should be integrated positively into the site. Opportunities to restore and enhance straightened watercourses should be investigated.”

Mintlaw

29. Amending the vision statement in the Mintlaw settlement statement on page 324 to add the following three paragraphs after the first paragraph:

“The Scottish Government is giving consideration to a package of measures to improve road safety on the A90(T), including improvements at the Toll of Birness junction to an at-grade roundabout. The timing of decisions on which projects will be taken forward and their subsequent delivery is not yet known. Furthermore, these measures are not intended to deliver improvements necessary to mitigate the impact of new development on the operation of the junction.

Until the Toll of Birness junction is upgraded, new development in Mintlaw may be

restricted. There is a limit on the number of houses which can be built and occupied in Mintlaw until such time as the A90(T) / A952 Toll of Birness junction has been improved and its capacity increased. This constraint is addressed in the current planning permission for site OP1, but may also have implications for other allocated sites in Mintlaw.

In the meantime, if improvements to the junction are required to mitigate the effects of new development, other funding initiatives should be explored. This matter is considered further in Supplementary Guidance on Developer Obligations and Affordable Housing.”

30. Amending the table of ‘Settlement Features’ of the Mintlaw settlement statement on page 325 by adding a new entry under ‘Reserved Land’ to read:

“R2 – for a medical facility.”

31. Replacing the flood risk bullet point in the Mintlaw settlement statement on page 326 of the proposed plan with the following two bullet points:

- Parts of sites OP1, OP2, OP3 and OP5 may be at risk of flooding, as identified on the SEPA Flood Maps or because they have a small watercourse running through or adjacent to the site. Flood Risk Assessments may be required.

- Due to the presence of a small watercourse, any further development at site BUS2 may require to be supported by a Flood Risk Assessment. A buffer strip will be required and opportunities to restore and enhance the straightened watercourse should be investigated.”

32. Inserting the following new first bullet point in the services and infrastructure section of the Mintlaw settlement statement on page 326:

- Strategic transport infrastructure: All sites in Mintlaw will be required to make a contribution towards an upgrade of strategic infrastructure at the A90(T) / A952 Toll of Birness junction, if an impact is demonstrated. Further information is provided in Supplementary Guidance on Developer Obligations and Affordable Housing, and in the Delivery Programme.”

33. Replacing the ‘local transport infrastructure’ bullet point in the services and infrastructure section of the Mintlaw settlement statement on page 326 with:

- Local transport infrastructure: All new development may be required to contribute to improvements to the primary road network, including local road widening, footway extensions, upgrades and crossing facilities, cycle infrastructure and public transport provision.”

34. Adding the following new second paragraph to the allocation summary of site OP1 (land at Nether Eden) in the Mintlaw settlement statement on page 327:

“Planning permission in principle (APP/2017/2547) for mixed use development was granted in April 2019. This includes a condition which indicates that only 200 houses can be built until such time as the A90(T) / A952 Toll of Birness junction has been improved and its capacity increased (unless it can be demonstrated that additional houses would not have an unacceptable impact on traffic flows). A legal agreement between the council and the developer requires financial contributions towards the improvement of the junction”.

35. Adding the following sentence to the end of the first paragraph of the allocation summary of site OP2 (land at Northwoods) in the Mintlaw settlement statements on page 328:

“The identified capacity constraint at the A90(T) / A952 Toll of Birness junction may have implications for development timescales, beyond existing permissions.”

36. Deleting the final sentence of the third paragraph of the allocation summary for OP5: South of Nether Aden Road in the Mintlaw settlement statement on page 329.

37. Amending the entry for Mintlaw OP5 in the relevant table in Appendix 6 to show that the site does not contribute towards the strategic development plan allowance for the Rural Housing Market Area. (Note: a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

38. Amending the settlement boundary, as shown on the Mintlaw settlement statement Key Map and Map 2, on pages 331 and 333, respectively, to include bid site BU048 and label as site ‘R2’.

New Deer

39. Deleting the fourth sentence of the vision statement in the New Deer settlement statement on page 334 and replacing with the following text:

“It is proposed to extend the path network in the village and along the A981, as shown in the council’s Core Path Plan.”

40. Replacing the health and care facilities bullet point in the New Deer settlement statement on page 335 with:

“Health and care facilities: All residential development must contribute towards the creation of additional capacity at existing medical facilities in Maud or New Pitsligo.”

Old Deer

41. Adding a new sub-heading and bullet point to the Old Deer settlement statement on page 344 to read:

“Flood Risk

- Due to likely hydraulic connectivity between site R1 and the Cock Burn, a detailed groundwater assessment will be required to assess its suitability as an extension to the cemetery.”

Stuartfield

42. Deleting reference to site P6 from the list of sites noted under the flood risk bullet point on page 383 of the Stuartfield settlement statement. The bullet point should then read:

“Flood Risk

- Parts of sites OP1, R1 and R2 are located adjacent to...”

Issue 22	Ellon	
Development plan reference:	Proposed LDP, Appendix 7C Formartine, Page 419-434	Reporter: Malcolm Mahony
Body or person(s) submitting a representation raising the issue (including reference number):		
PP0006 Sara Reid PP0164 Glenda Simpson PP0201 Alan Healy PP0272 Scottish Water PP0392 Linda Anderson PP0578 Scottish Government Planning and Architecture Division PP0823 Scotia Homes Ltd PP0866 The Gypsy/Traveller Community PP0878 The Woodland Trust Scotland PP0911 Stewart Milne Homes PP1027 Piero Pintus PP1136 Carol Wright PP1219 Scottish Environment Protection Agency PP1241 Nestrans PP1300 NatureScot (Scottish Natural Heritage) PP1338 CHAP Group (Aberdeen) Ltd PP1343 Historic Environment Scotland		
Provision of the development plan to which the issue relates:	Ellon Settlement Statement	
Planning Authority's summary of the representation(s):		
<p><u>Site R1 – Reserved for a new cemetery</u></p> <p>Scottish Environment Protection Agency (SEPA) has commented that they have no further flooding, strategic drainage or water supply issues with the designation summary for site R1 (RD0214.B) (PP1219).</p> <p><u>Site R2 – Reserved for the existing Formartine and Buchan Way route and for a future potential railway route</u></p> <p>SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the designation summary for site R2 (RD0214.B) (PP1219).</p> <p>A representee has objected to the reserved site and stated that this site is in close proximity to the Formartine and Buchan Way which is used extensively and development would go against Aberdeenshire Council's priorities that seek to "encourage active lifestyles and promote well-being with a focus on obesity and mental health" and to "protect our special environment, including tackling climate change by reducing greenhouse gas emissions as this is a well-used resource for local leisure activities". Development of a railway line is non-</p>		

sensible at this time and would cause visual and noise pollution as well as effecting existing access to local amenities (PP0006).

A representee has objected to a future railway owing to the proximity of existing properties to the reserved line causing safety concerns for children, risks associated with chemicals e.g., freight trains from industrial sites, noise and structural damage due to vibrations from heavy trains, and quality of life of nearby residents (PP0201).

A representee has requested that the reserved site be removed. It is in very close proximity to properties and the proposal would generate noise and disturbance with trains passing so close which would be detrimental to their well-being and which would most likely affect property valuations. Since the closing of the line there have been new developments of private residences also in very close proximity and therefore would not be the ideal proposal (PP0392).

Site BUS – Safeguarded for business uses

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the designation summary for site BUS (RD0214.B) (PP1219).

Flood Risk

SEPA has requested that the 'Flood Risk' section is amended to be made more succinct on flood risk assessments and buffer strips as, except for the BUS site, the allocation texts contain further information (RD0214.B) (PP1219).

SEPA has requested adding site CC1 to the second 'Flood Risk' bullet point and removing the fourth bullet point that is dedicated to site CC1 to reduce repetition (RD0214.B) (PP1219).

Services and Infrastructure

Nestrans has expressed their support on the commentary provided in the 'Strategic transportation' and the 'Local transport infrastructure' sections. The Draft Regional Transport Strategy (RTS) 2040 contains actions seeking the dualling of the A90(T) north of Ellon to the Toll of Birness, and improvements to existing roundabout junctions on this route (RD0227.A). No modification sought (PP1241).

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Scottish Water has requested an amendment to the wording in the 'Strategic drainage and water supply' section to reflect that a Drainage Impact Assessment may be requested (PP0272).

The Scottish Government has stated that the text under 'Local transport infrastructure' does not make reference to the A90(T)/B9005 roundabout. Whereas the Development Planning and Management Transport Appraisal Guidance (DPMTAG) concluded that the Ellon southern bypass/distributor road option with deliverable mitigation identified in the Ellon Traffic Modelling Study (ETMS) will mitigate the impact of development and is the preferred option. The ETMS included improvements to the A90(T)/A948 roundabout in the reference

case; and improvements modelled to the A90(T)/B9005. Additionally, Transport Scotland has been involved in discussions with the Council and developer which concluded that OP1 would deliver the A90/A948 improvements in their entirety. If this position has changed and developer contributions from other developments will be required, this should be clearly stated in the PLDP (PP0578).

Site OP1 – Cromleybank

The representee has expressed their support for the continued allocation of site OP1 for mixed-use development. The representee considered that the site is critical to delivering the scale of housing in the Formartine area anticipated by the Strategic Development Plan (SDP) and the delivery of affordable housing targets. The representee is supportive of the provision of the east-west link road, the boundary amendments to the OP1 site and the encouragement of a gateway feature for access from the B9005. No modification sought (PP0823).

Historic Environment Scotland (HES) welcomed the revised boundary for the OP1 site, which now excludes the Category A Listed Old Bridge and its immediate setting. HES support the need for strategic landscaping and associated flood risk management (RD0266.A). No modification sought (PP1343).

SEPA has commented that for site OP1, the allocation text could be made to be more succinct (RD0214.B) (PP1219).

The representee has requested a re-routing of the east-west link road. The requested modification is on the basis that the road will have a detrimental impact on the amenity of nearby residential properties, privacy, visual amenity and result in noise impacts. The road will impact on wildlife in the area. It will take away people coming into Ellon, impacting on the local economy. The western part of the proposed road is unnecessary as access to the new development can be taken from existing roads (Hillhead Road, South Road). If a bypass is needed it should be more meaningful, not have pinch points, and join to the existing roundabout on the A90. The bypass route should start before Wineburn when heading east towards Ellon to avoid the dangerous corner and incline on the A920, avoid the burns and field adjacent to Fortree Farm track. The representee has included an Appendix (RD0017.A) in their submission which provides further detail to support their position (PP0164).

The representee has highlighted the impact Covid-19 has had on the economy and queries what the residual impact will be on the demand for new homes (PP0164).

NatureScot has requested amending or removing wording in the allocation summary for site OP1 in Ellon so as to avoid suggesting that planning controls on construction and operation are necessary to mitigate adverse impacts on the integrity of the Sands of Forvie Special Area of Conservation (SAC). NatureScot advised that while planning controls on construction and operation may be required by the Council, this mitigation is not necessary to avoid an adverse effect on the integrity of this site (RD0255.B) (PP1300).

A representee has requested that the preferred option for the crossing of the River Ythan should be made by a bridge and not the bypass. Kellie Pear should also be connected onto the A90 as it was prior to the construction of Ellon Academy, and it would allow some cars to access to the south which is already congested at peak times. Based on the information

presented, all exits from the proposed development join with South Road which multiplies the problem of congestion. The bypass is only beneficial for a small amount of people and does not improve access to Ellon as a resident or help to travel to Aberdeen or Peterhead. The costs associated with the length of road required need also to be taken into consideration against a 20m bridge. Additionally, the representee states that it is worth noting that as shown on the masterplan, the smaller of the two blocks of housing does not even connect to the bypass (PP1027).

A representee has requested that the scale of residential development proposed for site OP1 (980 homes, a new primary school and associated facilities, and 2ha employment land) is reduced, and 150 units is transferred to CC1 (for 10,000sqm of retail space and leisure uses) to create an opportunity site for mixed use development, or that 150 homes are allocated on site CC1 in addition to site OP1. The representee argues that site OP1 has been zoned since 2012 and has not delivered any housing, the number of homes is considered excessive, and the Housing Land Audit (HLA) 2019 identifies that the majority of the allocation will not be delivered until after 2026, which does not ensure an adequate supply of housing land and therefore conflicts with Scottish Planning Policy (SPP) paragraph 119. Aberdeenshire Council must bring forward additional sites to meet housing need in Ellon. The representee has included a number of Appendices (RD0173.A-RD0173.E) in their submission which provides further detail to support their position (PP0911).

The Scottish Government has stated that the allocation summary text for site OP1 does not take into consideration that an appropriate transport appraisal in the form of the DPMTAG has been undertaken and concluded what mitigation is required to deliver the development. It is also not consistent with the results of this Assessment Report which identified the A90(T)/A948 and A90(T)/B9005 junctions required improvements and an east-west link road between these should be provided; nor with discussions that have already taken place surrounding developer mitigation with the Council and the developer in relation to OP1. As such, the PLDP and Delivery Programme are inconsistent in the requirements for developers and do not contain the specific transport infrastructure required to facilitate and mitigate the impact of development on the safe and efficient operation of the trunk road within Ellon (PP0578).

Objection is made by the Woodland Trust Scotland to the inclusion of OP1 as it is likely to cause damage and/or loss to areas of ancient woodland. Removal of woodland is contrary to SPP paragraphs 216 and 218. It is also contrary to the Control of Woodland Removal Policy (RD0161.A) (PP0878).

Site OP2 – Former Academy and Academy Annex Site

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification required (PP1219).

The woodland area on the Schoolhill Road, side of the site should be retained, which is part of the OP2 Former Academy site in Ellon. This area is used as a pathway to woodland on the northwest side of the sites. It is an integral part of the natural infrastructure of Ellon. Protection would be consistent with treatment of woodland elsewhere such as on OP1 and OP3 (PP1136).

Site OP3 – Hillhead Drive

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification required (PP1219).

Site OP4 – Balmacassie

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP4 (RD0214.B). No modification required (PP1219).

The representee has sought clarification on whether the provision of a Gypsy/Traveller site on site OP4 at Ellon, which is allocated for 29ha employment land, is still included in the Local Development Plan as there is no specific reference made. The representee noted that there are no timescales for the provision of a Gypsy/Traveller site on OP4 and queries if the provision of a Gypsy/Traveller site depends on the development of the area/land (PP0866).

NatureScot has suggested that a masterplan requirement may be appropriate for this large (29ha) employment land allocation (RD0255.B) (PP1300).

Site CC1 – Waterton

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site CC1 (RD0214.B). No modification required (PP1219).

The representee has expressed their support for the continued identification of CC1 in the PLDP for 10,000sqm of retail space and leisure uses at Waterton, but has requested that the site is allocated for an opportunity site for a mixed-use development, comprising 150 homes, retail use and a riverside park. The representee argued that the introduction of housing on this site would create a more logical, appropriate, and sustainable development, rather than purely retail. It reduces the reliance on the private car by providing housing close to other services and employment areas, where there are good connections to public transport, and is next to the Park and Ride. A mixed-used development would also have less of a landscape and visual impact than the proposed sole retail use of the site. The southern and western sections of the site offer an attractive environment for housing, with access to a riverside park, while the eastern side is appropriate for the retail/commercial uses given its proximity and visibility from the A90. It lies within the settlement boundary of Ellon, bound on two sides by development (including residential) and on the third by the A90. It is therefore well contained and relates well to Ellon and would not extend the settlement boundary any further. Surface water flooding can be resolved using SuDS and at 30dph it would not constitute as overdevelopment, which is appropriate in a Strategic Growth Area. The representee has requested that if the Council does not support the modification to site CC1 to a mixed-use site with 150 homes, that the CC1 site remains allocated for retail and leisure uses. The representee has included a number of Appendices (RD0173.A- RD0173.E) in their submission which provides further detail to support their position (PP0911).

A representee has requested that the scale of residential development proposed for site OP1 (980 homes, a new primary school and associated facilities, and 2ha employment land) is reduced, and 150 units is transferred to CC1 (for 10,000 sqm of retail space and leisure uses) to create an opportunity site for mixed use development, or that 150 homes is

allocated on site CC1 in addition to site OP1. Refer to discussion above in section OP1 – Cromleybank for the representee’s justification for the requested modification (PP0911).

Non-Allocated Site – Bid Site FR063 – Site 1 adjacent to Golf View and Bid Site FR064 – Site 2, Adjacent to Golf View

A representee has requested that bid sites FR063 and FR064 be allocated for 51 and 32 homes on the basis that there is local political and community support to bring forward much needed development in Ellon where other sites have not brought forward development. The representee disputes the decision to not include these sites on account of likely impacts on congestion on the A90(T) junctions with the B9005 and A948. Strategic modelling of the road impact on the A90 is not complete and needs to take account of the changes resulting from the AWPR/B-T road infrastructure works. It is 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 representee is concerned that there is insubstantial and misleading information which led to the Infrastructure Services Committee (ISC) decision to not support the sites. There was late disclosure of the Roads and Transportation Services’ concerns and the basis on which they were founded is unacceptable. The Service’s recommendations were premature and unfounded. It is also questioned whether the use of Google Live Traffic flow information is appropriate for determining whether to allocate a development. It is considered that events in the Council’s process prejudiced a fair discussion at ISC, and there was ambiguity and uncertainty leading to the ISC decision which went against the unanimous support of the Area Committee to include the sites for housing. Bid sites FR063 and FR064 should be included on the basis that these are modest, deliverable and sustainable, providing much needed choice, and fit with the overall planning strategy. The strategic location of these site within the Aberdeen to Peterhead Strategic Growth Area (SGA) and Energetic Corridor is a key consideration. The sites’ backdrop of the golf course and mature trees to the south, existing homes to the west, and the approved cemetery development to the north would ensure successful integration into the surrounding area. The sites are not prominent at the edge of the settlement, there is good connectivity and access arrangements have been considered in a masterplan. As a result of the recent pandemic, new development such as FR063 and FR064 will assist in the provision of much needed infrastructure, contribute towards affordable housing and boost the economy. It is considered the DPMTAG Report is not a final Report, and it is therefore not appropriate that decisions should be made based on unknown outcomes. Nevertheless, in respect of both of these sites, if it was deemed necessary for mitigation on the trunk road network, proportionate contributions would be applicable. The representee has argued that bid sites FR063 and FR064 should be allocated on the basis that the PLDP falls short by not allocating sufficient deliverable land which is contrary to both national planning advice and the key aim of delivery in the PLDP. There is an estimated shortfall of 483 units in Aberdeen Housing Market Area (AHMA) and 1261 in Rural Housing Market Area (RHMA). The recommended increase in housing allowances in the Strategic Development Plan (SDP) 2020 provides further justification to allocate these sites, and it is noted that sites were removed at the Main Issues Report (MIR) 2019 stage. It is a misconception there are enough deliverable sites, with larger strategic sites not being brought forward for development such as Cromleybank. The representee has included an Appendix (RD0265.A) in their submission which provides further detail to support their position (PP1338).

Modifications sought by those submitting representations:

Site R2 – Reserved for the existing Formartine and Buchan Way route and for a future potential railway route

Modify the PLDP to remove Site R2 Reserved for the existing Formartine and Buchan Way route and for a future potential railway route (PP0006, PP0201 and PP0392).

Flood Risk

Modify the PLDP to amend the text to replace the second 'Flood Risk' bullet point from, "Parts of sites OP1, OP3 and BUS are located adjacent to the Scottish Environment Protection Agency's (SEPA) indicative 1 in 200 flood risk area or have a small watercourse running through or adjacent to the site. 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 which should be integrated positively into the development." to "Parts of sites OP1, OP3, CC1 and BUS are located adjacent to the SEPA Indicative 1 in 200 flood risk area or have small watercourses running through or adjacent to the site. A Flood Risk Assessment will be required, and buffer strips will be required alongside the watercourse." (PP1219).

Modify the PLDP to amend the text to remove the fourth 'Flood Risk' bullet point which reads, "Site CC1 is located adjacent to the SEPA's indicative 1 in 200 flood risk area and has a large watercourse (River Ythan) adjacent to the site and a small watercourse running through or adjacent to the site (Broomies Burn). 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 watercourses" from the 'Flood Risk' section (PP1219).

Services and Infrastructure

Modify the PLDP to amend text under 'Strategic drainage and water supply' to insert an additional final sentence, "A Drainage Impact Assessment may be required" (PP0272).

Modify the PLDP to clarify the position regarding whether developer contributions from other development will be required in relation to the A90/A948 improvements or whether the OP1 site would deliver these specific improvements in its entirety and clearly state this within the PLDP, under the section 'Local transport infrastructure' (PP0578).

Site OP1 – Cromleybank

Modify the PLDP to amend the allocation summary of site OP1 to be more succinct (PP1219).

Modify the PLDP to re-route the Ellon east-west road link from the B9005 at the junction with the A90 trunk road to the A930 at Wineburn (to start before Wineburn as you drive east towards Ellon) (PP0164).

Modify the PLDP to provide clarification on the need for new housing at OP1 (PP0164).

Modify the PLDP to amend the allocation summary of site OP1 to remove the sixth paragraph that reads, "The Ythan Estuary, Sands of Forvie and Meikle Loch SPA are located to the southeast of the site and the site is likely to have an impact on the qualifying

species indirectly through recreation pressures, land take for development, drainage and impact on geese grazing areas. However, planning controls on construction and operation will work to mitigate these impacts." (PP1300).

Modify the PLDP to amend the allocation summary of site OP1 to state that the crossing of the River Ythan should be made by a bridge (PP1027).

Modify the PLDP to amend site OP1 to an allocation for 830 homes, a new primary school and associated facilities, and 2ha employment land and allocate the residual 150 homes to site CC1 to create an opportunity site for a mixed-use development, or alternatively allocate 150 homes on site CC1 to create a mixed-use development in addition to the 980 homes allocated on site OP1 (PP0911).

Modify the PLDP to amend the Ellon Settlement Statement, the allocation summary for site OP1 and the Delivery Programme to provide consistent information to developers and stakeholders on the specific trunk road mitigation requirements for Ellon. This should include the nature and scale of improvements required and associated cost, the mechanism whereby such contributions will be gathered, and when and by whom improvements will be delivered in accordance with SPP and Circular 2/2013 Planning Obligations and Good Neighbour Agreements (PP0578).

Modify the PLDP to remove site OP1 (PP0878).

Site OP2 – Former Academy and Academy Annex Site

Modify the PLDP to amend the allocation summary of site OP2 to add wording stating that the woodland area on Schoolhill Road, included as part of site OP2, should be retained (PP1136).

Site OP4 – Balmacassie

Modify the PLDP to amend the allocation summary of site OP4 to clarify whether a Gypsy/Traveller site is still included on site OP4 for 29ha of employment land, and if the provision of a Gypsy/Traveller site depends on the development of the area/land (PP0866).

Modify the PLDP to amend the allocation summary for site OP4 to include a requirement for a masterplan (PP1300).

Site CC1 – Waterton

Modify the PLDP to amend site CC1 to an opportunity site for mixed-use development, comprising 150 homes, retail use and a riverside park and extend the boundary to the edge of the River Ythan (PP0911).

Modify the PLDP to amend site OP1 to an allocation for 830 homes, a new primary school and associated facilities, and 2ha employment land and allocate the residual 150 homes to site CC1 to create an opportunity site for a mixed-use development, or alternatively allocate 150 homes on site CC1 to create a mixed-use development in addition to the 980 homes allocated on site OP1 (PP0911).

Non-Allocated Site – Bid Site FR063 – Site 1 adjacent to Golf View and Bid Site FR064 –

Site 2, Adjacent to Golf View

Modify the PLDP to include sites FR063 and FR064 for residential development (PP1338).

Summary of responses (including reasons) by planning authority:

Site R1 – Reserved for a new cemetery

Comments from SEPA are noted. No change is required.

Site R2 – Reserved for the existing Formartine and Buchan Way route and for a future potential railway route

Comments from SEPA are noted. No change is required.

The R2 allocation reserves land for a possible new railway and station, should it be required in the future. The Regional Transport Strategy (RTS) states that a study into the feasibility of reopening the former Formartine and Buchan line to Fraserburgh and Peterhead was undertaken. Although the study concluded that demand was unlikely to be sufficient to justify the significant capital cost and revenue would not be sufficient to cover operational costs, the RTS states that alignments should be protected in case substantial changes happen in the future. As such the reserved status of the site is in line with the requirement as stated in the RTS and provides a clear presumption against development that may compromise the ability to reinstate the railway line (see Draft Regional Transport Strategy 2040, New Lines, AD0024, page 29). Concerns raised regarding the impact a railway line would have on the surrounding amenity would be assessed and taken into account were the project to be progressed. Impact on property values is not a material planning concern. No change is required.

Site BUS – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Flood Risk

Taking into consideration SEPA's comments regarding the 'Flood Risk' section requiring to be more succinct, the Council considers it appropriate to amend the wording accordingly. The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Taking into consideration SEPA's comments regarding adding site CC1 to the second 'Flood Risk' bullet point and removing the fourth bullet point which is dedicated to site CC1, the Council consider it appropriate to amend the wording accordingly to reduce repetition. The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Support expressed for the 'Strategic transportation' and 'Local transport infrastructure' sections is noted. No change is required.

Comments from SEPA are noted. No change is required.

Taking into consideration Scottish Water's comments on the 'Strategic drainage and water supply' section which requests additional wording to state that a Drainage Impact Assessment may be requested, the Council considers it appropriate to amend the wording accordingly. The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council notes the comments raised by the Scottish Government regarding the text under 'Local transport infrastructure' does not make reference to the A90(T)/B9005 roundabout. In consultation with the Council's Transportation Service, the Council have been advised that the requirement to assess and identify the transport mitigations associated with the OP1 site needs to remain suitably flexible so that these can be assessed against the prevailing transport conditions and policies at the time the development site comes forward to planning (AD0134). The DMPTAG analysis has highlighted where traffic pressures are likely to arise and the underlying modelling has provided potential road-based mitigations based on current (pre-Covid) traffic flows and in the absence of any emerging NTS policies taking effect. It has also provided sufficient confidence that the PLDP allocation is deliverable and that measures do exist that can address trunk road impacts as required (AD0043). However, our view remains that fixing specific road-based mitigations at this stage is likely to stifle innovative transport and integrated land use solutions that would better reflect the emerging National Transport Strategy, particularly the Sustainable Travel Hierarchy and the Council would wish for that opportunity to remain open to the developer, rather than it being suppressed from the start. In practical terms, the current policy aims expressed through SPP and the emerging NTS are likely to be better served if the Council allow an opportunity to reallocate the significant costs associated with the mitigations identified through the DPMTAG modelling, which will provide additional road capacity but deliver nothing more than reduced traffic queues for about 40 minutes in a typical weekday, into improved on-site facilities that reduce the need to travel overall – facilities for home/localised working is a good example at the present time. Any such measures would still require to be taken forward through a Transport Assessment or Transport Strategy for the site, and this would still need to address the specific infrastructure capacity issues highlighted in the DPMTAG traffic modelling. No change is required.

Site OP1 – Cromleybank

Support expressed for site OP1 is noted. No change is required.

Support expressed from HES for the revised boundary of OP1 and the stated requirement for strategic landscaping and associated flood risk management is noted. No change is required.

The Council does not consider that amendment to the allocation summary is required in light of SEPA's comments as sufficient text is contained within the allocation summary and further information would be contained at the planning application stage. No change is required.

An east-west link road or vehicular bridge across the River Ythan is required to ensure the local road network provides the necessary capacity to accommodate the traffic generated by the development at OP1. The route for the east-west link road is indicative of the route that the link road may take, however the finalised route would be confirmed through the planning

application process once a Transport Assessment has been undertaken. Potential impact on amenity and wildlife would be considered at the planning application stage and would require to be in line with Policy P1 Layout, Siting and Design and Policy E1 Natural Heritage (AD0041.A). No change is required.

As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

The Council notes the comments from NatureScot. In consultation with the Council's Environment Service, the Council have been advised that the text in relation to the impact on the SPA is appropriate and should remain in the allocation summary (AD0130). The Council acknowledge NatureScot's comments in relation to the removal of reference to the Sands of Forvie SAC, as this is designated for its vegetation of which the OP1 site is not likely to impact upon. However, the allocation summary does not make reference to the protection of the Sands of Forvie SAC and only makes reference to the Ythan Estuary, Sands of Forvie and Meikle Loch SPA. As such, no change is required.

An east-west link road or vehicular bridge across the River Ythan is required to ensure the local road network provides the necessary capacity to accommodate the traffic generated by the development at OP1. The east-west link road is the preferred option, however, one of the options is required to be progressed for delivery of the OP1 site. No change is required.

The allocation of 980 homes on the OP1 site is considered appropriate and the removal of 150 homes from the OP1 site to create a mixed-use development at site CC1 is not supported. Site CC1 was subject to a bid (FR031) received in response to the Council's call for sites in 2018. Bid site FR031, a mixed-use development including 150 homes, retail and a riverside park, was not identified as a preferred option in the MIR 2019. The MIR stated that the site was not considered suitable for residential development due to the business land surrounding the site (see MIR 2019, Appendix Formartine, AD0038.D, page 38). Responses received to the MIR 2019 consultation indicated a preference to see bid site FR032 developed. However, it was considered that development of the CC1 site for residential use may place restrictions on the deliverability and operation of the existing CC1 site, and that as proposed, FR031 was not considered to be an appropriate addition to the settlement at this time and would have negative landscape impacts (see MIR Issues and Actions Papers, AD0040.D, Issue 71 Ellon, pages 38-39). The conclusions regarding the site becoming a mixed-use development are still pertinent and it is not considered that site CC1 should be amended. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

The Council notes the comments raised by the Scottish Government stating that the allocation summary text for site OP1 does not take into consideration that an appropriate transport appraisal in the form of the DPMTAG has been undertaken and concluded what mitigation is required to deliver the development. In consultation with the Council's Transportation Service, the Council have been advised that the requirement to assess and identify the transport mitigations associated with the OP1 site needs to remain suitably flexible so that these can be assessed against the prevailing transport conditions and policies at the time the development site comes forward to planning (AD0134, email from

Transportation). The DMPTAG analysis has highlighted where traffic pressure is likely to arise and the underlying modelling has provided potential road-based mitigations based on current (pre-Covid) traffic flows and in the absence of any emerging NTS policies taking effect (AD0043). It has also provided sufficient confidence that the PLDP allocation is deliverable and that measures do exist that can address trunk road impacts as required. However, our view remains that fixing specific road-based mitigations at this stage is likely to stifle innovative transport and integrated land use solutions that would better reflect the emerging National Transport Strategy, particularly the Sustainable Travel Hierarchy and the Council would wish for that opportunity to remain open to the developer, rather than it being suppressed from the start. In practical terms, the current policy aims expressed through SPP and the emerging NTS are likely to be better served if the Council allow an opportunity to reallocate the significant costs associated with the mitigations identified through the DPMTAG modelling. This will provide additional road capacity but deliver nothing more than reduced traffic queues for about 40 minutes in a typical weekday, into improved on-site facilities that reduce the need to travel overall – facilities for home/localised working is a good example at the present time. Any such measures would still require to be taken forward through a Transport Assessment or Transport Strategy for the site, and this would still need to address the specific infrastructure capacity issues highlighted in the DPMTAG traffic modelling. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph 2 of the allocation summary for site OP1 could be modified to read, “A Development Framework has been agreed for this site. A number of access points to the site will be required from South Road (B9005). Previous traffic modelling has indicated that either a vehicular bridge across the River Ythan and/or an east-west link road from the B9005 at its junction with the A90 trunk road to the A920 at Wineburn will be required to ensure the local road network provides the necessary capacity to accommodate the traffic generated by the development. An updated Transport Assessment will be required to finalise the mitigation requirements alongside potential alternative innovative transport and land use solutions that seek to reduce the need to travel and consequently the overall impact of traffic both within Ellon, particularly on the A920 Riverside Road/B9005 South Road Corridor, and on the A90 trunk road between the A90/B9005 and the A90/A948 junctions. Any such measures will need to be fully assessed and justified in a new Transport Assessment, which should be updated to reflect current traffic conditions on the A90 at Ellon, and within Ellon since the opening of the AWPR and Balmedie – Tipperty dualling schemes. Development phasing also needs to be considered alongside the delivery of any strategic road network proposals for the A90 between Ellon and Peterhead/Fraserburgh. Sustainable communities are to be encouraged, and key to this will be active travel and facilities provided within the site aimed at reducing the overall need to travel. Public transport into the site is expected, particularly to and from the retail centre and Academy. Permeability within the development for active travel is required, and connectivity to the rest of the Ellon green-blue network is expected in this development with opportunities existing to link into the path network along the river”, to better reflect the Council’s position.

No ancient woodland is present on the OP1 site and any proposed removal of woodland will require to be in accordance with Policy PR1 Protecting Important Resources. No change is required.

Site OP2 – Former Academy and Academy Annex Site

Comments from SEPA are noted. No change is required.

The Council notes the representee’s comments regarding the woodland area on part of the

OP2 site. However, part of this site currently has planning permission for 40 homes and the principle of removing these trees was accepted as part of the agreed masterplan for the site (AD0058, Decision Notice). Planting is proposed within the site to replace the trees so there would be no net loss of tree cover and although the trees have general biodiversity value, this is not significant due to being amenity planting rather than woodland. It is considered that this can therefore be compensated through the planting of appropriate native tree and shrub species in the site landscaping. As noted above, this site now has an agreed masterplan and has planning permission for 40 homes and the Council notes the following non-notifiable modification has been made to the PLDP to update factual references since the PLDP was agreed.

Site OP3 – Hillhead Drive

Comments from SEPA are noted. No change is required.

Site OP4 – Balmacassie

Comments from SEPA are noted. No change is required.

With regard to the comments regarding the requirement of a masterplan and provision for a gypsy/traveller transit site on the site, if the Reporter is minded, to make an amendment, then the Council recommend that the allocation summary for site OP4 could be modified to include a requirement for a masterplan with any specific reference made to the provision for a gypsy/traveller transit site.

Site CC1 – Waterton

Comments from SEPA are noted. No change is required.

Support expressed for site CC1 (10,000m² retail and leisure uses) is noted. However, the allocation of 980 homes on the OP1 site is considered appropriate and the removal 150 homes from the OP1 site to create a mixed-use development at site CC1 is not supported. Site CC1 was subject to a bid (FR031) received in response to the Council's call for sites in 2018. Bid site FR031, a mixed-use development including 150 homes, retail and a riverside park, was not identified as a preferred option in the MIR 2019. The MIR stated that the site was not considered suitable for residential development due to the business land surrounding the site (see MIR 2019, AD0038.D, Appendix Formartine, page 38). Responses received to the MIR 2019 consultation indicated a preference to see bid site FR032 developed. However, it was considered that development of the CC1 site for residential use may place restrictions on the deliverability and operation of the existing CC1 site, and that as proposed, FR031 was not considered to be an appropriate addition to the settlement at this time and would have negative landscape impacts (see MIR Issues and Actions Papers, AD0040.D, Issue 71 Ellon, pages 38-39). The conclusions regarding the site becoming a mixed-use development are still pertinent and it is not considered that site CC1 should be amended. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site FR063 – Site 1 adjacent to Golf View and Bid Site FR064 – Site 2, Adjacent to Golf View

The Council does not support allocating bid sites FR063 and FR064 for residential development. The representee's comments are noted. Bid sites FR063 and FR064 were received in response to the Council's call for sites in 2018 and were not identified as preferred options in the MIR 2019 (see MIR 2019, AD0040.D, Appendix Formartine, pages 38-39). However, the Formartine Area Committee (FAC) agreed an additional recommendation at their special meeting on 10 September 2019 to include bid sites FR063 and FR064 in the Settlement Statement for Ellon (see Formartine Area Committee Minute 10/09/2019, AD0141, Issue 71 Ellon, pages 9-10). Following comments provided by the Transportation Service raising concerns regarding the sites likelihood to impact on congestion arising on the A90(T) junctions with the B9005 and the A948, Infrastructure Services Committee (ISC) agreed not to allocate bid sites FR063 and FR063 at their meeting on 3 October 2019 (see Infrastructure Services Committee Minute 03/10/2019, AD0151, Errata – Issue 71 Ellon, page 15). FAC subsequently considered the sites at their Committee meeting on the 29 October 2019 on the basis that 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 ISC on the two sites, on the basis of late information provided by the Transportation Service as part of the DPMTAG. At their meeting, FAC agreed that the Committee maintain support for the inclusion of bid sites FR063 an FR064 and request that the appropriate decision-making body give fresh consideration of the Officer recommendations in relation to the bid sites in light of the comments provided by FAC at their meeting on 29 October 2019 (see Formartine Area Committee Minute 29/10/2019, AD0143, Item 8 Aberdeenshire Proposed Local Development Plan 2021 – Consideration Of Main Issues Report Submission – Bid Sites FR063 and FR064 – Adjacent To Golf View, Ellon, pages 3-5). At their meeting of 28 November 2019, ISC subsequently considered the views of FAC of 20 October 2019 and agreed to uphold the decision of ISC at its meeting on 3 October 2019, not to recommend to Aberdeenshire Council bid site FR063 and FR064 for inclusion in the PLDP (see Infrastructure Services Committee Minute 28/11/2019, AD0152, Item 7 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, pages 7-8). Aberdeenshire Council subsequently agreed not to include bid site FR063 and FR064 in the PLDP (see Aberdeenshire Council Minute 05/03/2020, AD0104, Bid site FR063 and FR064 at Auchterellon Farm, Ellon, pages 11-12).

The allocation of bid sites FR063 and FR064 remains to be considered an inappropriate allocation. The works that would be required to allow the development of the sites would include substantial works to the A90(T) at two locations, including re-modelling of the bridge over the River Ythan. The sites would be undeliverable without increasing congestion at the two A90(T) roundabouts and it is considered that these sites are premature to any solution that may be promoted to resolve congestion on the A90(T). It is acknowledged that the current version of the regional transport model (Aberdeen Sub Area Model 14) is currently being developed to reflect observed travel patterns following the opening of the AWPR, however the conclusions reached in the DPMTAG are based on what was the most up to date information available at the time. This includes the Google Live Traffic flow information which was subsequently validated by Officers on site (see DPMTAG Assessment Report, AD0043, Section 5.5 Ellon, page 44). It is still the opinion of the Council that it would be improper to ask a developer for contributions to aid in resolving an existing congestion problem where no design solution is proposed as this could be construed as 'land banking', a matter not considered acceptable by the Scottish Government.

The DPMTAG Report shows that settlements such as Fraserburgh and Peterhead have a substantially lower percentage of their population commuting south to Aberdeen City than the percentage of the population of Ellon making this journey (see DPMTAG Assessment Report, AD0043, Section 5.2 Identification of Settlements, page 34). As such, it is not considered that bid sites FR063 and FR064 will have less of an impact on the A90 than sites to the north, as the data show that individuals residing in Ellon are more likely to commute to Aberdeen City, hence the sites would put further pressure on the A90.

Although it is stated by the representee that access arrangements have been considered in a masterplan, the risk of development being stalled by third parties still exists. Additionally, it remains the view of the Council that these sites are 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. Housing is not an appropriate neighbour for a cemetery, given the scale of the housing development in comparison to that of the adjacent cemetery. Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to the settlement statement matters covered in Issue 22. However, where such matters arise from representations made to the proposed plan, they require to be considered in the examination. I therefore address these as appropriate below.

Site R2 – reserved for the existing Formartine and Buchan Way route and for a future potential railway route

3. The proposed plan reserves land on the western side of Ellon for a possible new railway line and station. This linear site used to form part of the Formartine and Buchan railway. The draft Regional Transport Strategy refers to a study which found that, at that time, demand was insufficient to justify promoting a scheme to re-open the line through to Fraserburgh and Peterhead. However, the alignment should be protected in case substantial changes occurred in the future. The reserved status would create a presumption against development which would comprise the ability to reinstate the line in the longer term. The current use as a walking route is also protected.

4. A number of residents adjacent to the way have expressed concerns at the potential environmental effects, including on residential amenity, and health and safety matters of a railway route. These would depend on the details of any proposal and would require to be

carefully assessed were the project to be progressed.

5. General support for public transport initiatives is contained in Scottish Planning Policy. I have not been informed of any reasons which would, in principle, rule out reservation of the land for a future potential railway use. No modification is required.

Flood risk

6. The Scottish Environment Protection Agency (SEPA) requests amendments to the text of the second flood risk bullet point (page 420). I agree with SEPA and the council that this would be more succinct. SEPA also requests removal of the fourth flood risk bullet point (page 421), which I consider is justified as it repeats information set out under site CC1. I recommend appropriate modifications.

Services and infrastructure

7. I agree with Scottish Water's request for amended wording in the Strategic Drainage and Water Supply bullet point regarding the possible need for Drainage Impact Assessments, as this would improve clarity. A modification is recommended.

8. It is common ground that transport mitigations would be required for additional traffic movements arising from the allocation of sites in Ellon for over 1,000 new homes, 31 hectares of employment land, 10,000 square metres of retail and leisure, and some mixed use development. This would include impacts on the A90 trunk road at its junctions with the A948 and the B9005 and on the town centre. Transport Scotland is not satisfied that the proposed plan meets the requirements of Scottish Planning Policy in clearly setting out what transport mitigations would be required in relation to the sites allocated in Ellon, as well as how they would be funded and by whom.

9. The Development Planning and Management Transport Appraisal Guidance (DPMTAG) assessment together with the Ellon Traffic Modelling Study have identified possible road-based mitigations, and Transport Scotland supports the conclusions of those studies. However, the council wants more flexibility to allow for the reallocation of resources away from highway solutions and towards innovative transport and integrated land-use solutions to reduce the need to travel overall, such as facilities for home/localised working.

10. In response to requests for further information (FIR007 and FIR010), Transport Scotland remained concerned at the lack of clarity in the proposed plan, and in the council's proposed revised text, over whether mitigations are expected towards one or both of the trunk road junctions and whether these would be delivered by sites individually or through a combined contribution mechanism. In that respect, it referred to pre-application discussions between the prospective developer of site OP1 Cromleybank, the council and Transport Scotland, which concluded that the OP1 development would deliver the A90/B9005 improvements in their entirety, but would not be expected to contribute to the A90/A948 junction improvements. As this is not reflected in the proposed plan, it was not clear whether that remained the council's position. Similarly, the council's stance on an application for development at OP4 Balmacassie (since withdrawn) had failed to resolve questions as to how and where the full mitigation required at the A90/A948 junction would be delivered, and this had not been clarified in the proposed plan. It was not clear how the council's reliance on an updated Transport Assessment for OP1 would allow the identification of cumulative impacts or the establishment of appropriate contribution

mechanisms, nor how these matters could be resolved through a subsequent development management process. Transport Scotland also considered that the conclusions of the DPMTAG assessment should be identified and recognised, even if the site developers subsequently seek to identify alternative innovative solutions to address the transport impacts.

11. Although these issues remain unresolved, I am satisfied that the two studies mentioned in paragraph 9 demonstrate that there are measures available which could achieve the necessary mitigation. This means that the plan allocations are in principle acceptable.

12. However, Transport Scotland's concerns in Ellon form part of a wider concern regarding transport infrastructure and developer obligations throughout the plan area. This is discussed in Issue 12, where we recommend modifications requiring the council to prepare statutory supplementary guidance on these matters. For the reasons set out by Transport Scotland, I consider that such guidance should provide further information on the transport measures required to mitigate development in Ellon. It is my understanding that information on how, when and by whom these are to be delivered will be provided through the Delivery Programme, which will be the subject of regular updates. I recommend a sentence be added to the strategic transportation and local transport infrastructure bullet points in the settlement statement on this matter.

13. It is also appropriate that the plan should make reference to the conclusions of the DPMTAG assessment and the Ellon Traffic Modelling Study in order to provide a basis for discussions on mitigation measures. A modification to the vision section is recommended.

Site OP1 – Cromleybank

14. This allocation, in the southeast quarter of Ellon, is for 980 homes, a primary school and associated facilities, together with two hectares of employment land.

15. The proposed east-west link road between the B9005 and the A920 at Wineburn is intended to ensure that the local road network has the capacity to accommodate the extra traffic generated by development at site OP1, rather than just to facilitate access, and has been assessed as part of a transport appraisal. The route is indicative so the detail of its alignment, including its effects on amenity, the environment and access to properties, would require to be considered at planning application stage and to accord with policies including those on layout, siting, design and natural heritage. The options of constructing a bridge over the River Ythan versus an east-west link road are at a conceptual stage and I have insufficient information to consider them in this examination. No modification is required.

16. The impact of the Covid-19 pandemic on the demand for new homes is discussed in Issue 2.

17. A representation requests alteration of the OP1 allocation by transferring 150 homes to site CC1 because: OP1 has not delivered any homes since its zoning in 2012, the majority of the allocation is not expected to be delivered until after 2026, which would not ensure an adequate housing supply, and the number of homes proposed at Cromleybank is excessive. However, I see that both the 2019 and 2020 housing land audits indicate that housing will be delivered from this site throughout the plan period. Matters related to the speed of delivery of homes in general is discussed in Issue 5. Transferring allocations to a different

site within the same settlement would not necessarily result in speedier delivery. Moreover, as I conclude below, the proposal for mixed use development on site CC1 is not appropriate. No modification is required.

18. The transport matters relating to this site are covered in paragraphs 8 to 13 above.

19. The site OP1 allocation summary refers to the potential for development to impact on the qualifying species of birds at the Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA). A representation from NatureScot stated that the measures indicated in the summary were not required to protect the SPA. The council queried this advice. However, in its response to a request for further information, NatureScot has clarified that appropriate drainage provision and a construction method statement are not required to avoid an adverse effect either on the Sands of Forvie Special Area of Conservation or on the Ythan Estuary, Sands of Forvie and Meikle Loch Special Area of Conservation (SAC). It recommends that the allocation summary for site OP1 should be amended accordingly. This advice is based on detailed analysis, which concluded that the impact of drainage and construction works on the relevant bird species would not have an adverse effect on the integrity of either the SPA or the SAC. In the light of NatureScot's explanation, I recommend the appropriate modification.

20. Woodland Trust Scotland maintains that the OP1 allocation is likely to cause damage to or loss of an area of ancient woodland within its boundaries near the academy and should be deleted from the proposed plan. The Trust was requested to supply a plan and supporting information to establish the exact location and status of the area of ancient woodland it was referring to, but no response was received. The council provided additional wording to be included at the end of the penultimate sentence of the allocation summary, namely: "The ancient woodland site should be protected against loss or detrimental impact in any future planning applications." It also pointed out that all woodland is subject to protection under Policy E1 Natural Heritage, Nature Conservation Sites and Policy PR1 Protecting Important Resources, Trees and Development of the plan and that for any proposals involving the removal of trees or woodland, the Scottish Government's Control of Woodland Removal Policy would apply. I am satisfied that the policies cited, together with the suggested additional text, would provide adequate protection to ancient woodland on the site and recommend a modification accordingly.

Site OP2 – Former Academy and Annex

21. The former academy and annex constitute a centrally located split site which is allocated for mixed use options including housing, affordable housing, community uses and office space. The objection seeks retention of the woodland element of the site as being part of the natural infrastructure of the town and allowing access to woodland to the northwest of the site. However, I am informed that the site has an agreed masterplan and that part of the site has planning permission for 40 homes; replacement tree and shrub planting is required by the masterplan. At the time of my visit, work to clear trees on the former academy site was underway. It is therefore clear that decisions have already been taken which mean that I am unable to recommend any modification.

Site OP4 – Balmacassie

22. Balmacassie is a greenfield site at the north-east edge of the town which is allocated for 29 hectares of employment land.

23. Paragraph P1.2 in the proposed plan suggests that master plans are appropriate for employment sites of over two hectares. The pending planning application referred to in the allocation summary in the proposed plan has now been withdrawn. I agree with NatureScot that a masterplan would be appropriate, given the size, location and characteristics of site OP4. A modification to this effect is recommended.

24. The Gypsy/Traveller Liaison Officer requests clarification on whether the allocation of land for a gypsy/traveller site within site OP4, as in the current local development plan, is still included, noting that no specific reference is made in the proposed plan and no timescale for its provision is indicated. The liaison officer also queries whether provision of the site depends on prior development of the employment land.

25. The position is that, in the absence of any reference to a gypsy/traveller site on this site in the proposed plan, it is not included. Whilst the council's response suggests a modification to the allocation summary for site OP4 to include a requirement for a masterplan "with any specific reference made to the provision for a gypsy/traveller transit site", I am unable to make that change. The representation is expressed as a request for clarification rather than for inclusion of a gypsy/traveller site, and to insert the reference to a transit site at examination stage would deprive any interested party of the opportunity to make representations on this matter. No modification is required.

Site CC1 - Waterton

26. At site CC1, Stewart Milne Homes requests the addition of 150 homes (or a transfer from site OP1) and a riverside park to create a mixed use development alongside the allocated 10,000 square metres of retail and leisure uses.

27. The council is concerned that residential use could place restrictions on the deliverability and operation of the existing CC1 site and limit the scale of retail and leisure uses sought. It could also have a negative effect on landscape character as the land currently contributes to the natural green network along the River Ythan and protects the setting of the B-listed buildings at Boat of Fechil Croft, and would represent overdevelopment.

28. I agree with the council's arguments, noting that the "vision site layout" submitted by the developer would remove a large portion of the site from retail and leisure uses in a location suited to those uses by its relationship to the road network. Furthermore, it would extend the housing beyond the CC1 site towards the river, to the detriment of the setting of this attractive stretch of water.

29. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Sites in Ellon could potentially contribute to meeting this shortfall. However, for the reasons set out above, I conclude that site CC1 (part) should not be allocated. There are other sites available to meet the identified shortfall, as explained in issue 5. No modification is required.

Non-allocated Bid site FR063 – Site 1 adjacent to Golf View and Bid site FR064 – Site 2 adjacent to Golf View

30. Bid sites FR063 and FR064, for 51 and 32 homes respectively, stand on the northern edge of the town beyond a golf course. As I confirmed on site, development of these sites would cross the brow of the hill to the north of Ellon, resulting in a prominent, exposed site projecting into open countryside, and taking development out of the landscape which currently provides visual containment to the town. The proposed cemetery on adjacent land would not justify housing infill behind it. The McDonald Golf Club course and its associated tree belts provide an appropriate boundary on this side of the town.

31. Based on traffic modelling exercises, the council considers that the proposed development would impact on traffic congestion at the A90 junctions with the B9005 and the A948, and require re-modelling of the bridge over the River Ythan. I have seen no traffic assessment to alleviate these concerns.

32. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Sites in Ellon could potentially contribute to meeting this shortfall. However, for the reasons set out above, I conclude that bid sites FR063 and FR064 should not be allocated. There are other sites available to meet the identified shortfall, as explained in issue 5. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

1. Adding the following after the third sentence in the third paragraph of the Vision section in the settlement statement on page 419:

“Additional traffic movements arising from the sites allocated in Ellon will require transport mitigations to address their impact on the A90 trunk road at its junctions with the A948 and the B9005 and on the town centre. The Development Planning and Management Transport Appraisal Guidance (DPMTAG) assessment and the Ellon Traffic Modelling Study have identified potential mitigations. However, the council would also consider alternative innovative transport and integrated land use solutions to address the relevant impacts.”

2. Replacing the second bullet point in the Flood Risk section on page 420 with the following:

“Parts of sites OP1, OP3, CC1 and BUS are located adjacent to the SEPA Indicative 1 in 200 flood risk area or have small watercourses running through or adjacent to the site. A Flood Risk Assessment will be required and buffer strips will be required alongside the watercourse.”

3. Deleting the fourth bullet point in the Flood Risk section on page 421.

4. Adding a new sentence at the end of the strategic transportation bullet point on page 421 to read:

“Further information on the transport measures required to mitigate development in Ellon, and how, when and by whom these will be delivered is provided in Supplementary Guidance on Developer Obligations and Affordable Housing, and the Delivery Programme.”

5. Adding a new sentence at the end of the local transport infrastructure bullet point on page

421 to read:

“Further information on the transport measures required to mitigate development in Ellon, and how, when and by whom these will be delivered is provided in Supplementary Guidance on Developer Obligations and Affordable Housing, and the Delivery Programme.”

6. Adding the following sentence at the end of the strategic drainage and water supply bullet point on page 421:

“A Drainage Impact Assessment may be required.”

7. Adding the following wording at the end of the fourth paragraph of the allocation summary for site OP1 (Cromleybank) on page 423:

“In any future planning applications, the ancient woodland site should be protected against loss or detrimental impact.”

8. Removing the last paragraph of the allocation summary for site OP1 (Cromleybank) on page 423.

9. Adding the following new third sentence to the allocation summary for site OP4 (Balmacassie) on page 426:

“A Masterplan will be required.”

Issue 23	Newburgh	
Development plan reference:	Proposed LDP, Appendix 7C Formartine, Page 454-459	Reporter: Malcolm Mahony
Body or person(s) submitting a representation raising the issue (including reference number):		
PP0007 Elaine Freitag PP0135 Jane Waters PP0272 Scottish Water PP0353 Tom Sanders PP0448 Charlie Weir PP0533 Anne Wolrige Gordon PP0554 Tommy Hart PP0665 Stewart Milne Homes PP0749 John Dolman PP0758 Stewart Milne Homes PP0838 Graham Pryor PP0898 Graham Pryor PP0936 Derek Ball PP1129 Martin Hirst PP1144 John Dolman PP1151 William Ritchie PP1152 Rebecca Ritchie PP1179 Neil Strachan PP1180 The University of Aberdeen PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage)		
Provision of the development plan to which the issue relates:	Newburgh Settlement Statement	
Planning authority's summary of the representation(s):		
<p><u>General</u></p> <p><u>Distributor Road</u></p> <p>Support was received for the distributor road to reduce the impact on Main Street, but the Vision and the allocations need to align and be clear about how the distributor road can be delivered. There is also uncertainty as to how the allocations can help facilitate the distributor road unless there is a joined-up approach with developers and landowners. The residential part of OP1 has been developed and it is unclear how OP2 would link with the distributor road. The only way of securing the distributor road would be through mass allocation to the west and north of Newburgh with a requirement for a joint Development Framework otherwise it is unlikely to be delivered (PP0554).</p> <p>Concerns were raised over the safety of the possible distributor road as vehicles will be</p>		

approaching the proposed junction at speed which is located near a sharp left-hand bend and the area close to the bridge would be considered unsafe as it would be difficult for cars to pass each other (PP0448). The safety is not only for vehicles but also for pedestrians (PP0353, PP0448, PP0936, PP1129 and PP1151). It was also noted as a safety concern that additional traffic will be directed towards the primary school (PP1129).

Comments have been received noting that the road would lead to a significant loss of countryside for the community (PP0353, PP0898 and PP1152), habitat for wildlife (PP0448), views of the countryside (PP0448) and also the loss of an important community amenity (PP0353, PP0448, PP0838, PP0898 and PP1152). It was also noted that the benefits to alleviating traffic from Main Street would be disproportionate to the environmental impacts of the road (PP0533). Additionally, the distributor road would encourage future development that would threaten the shape and scale of Newburgh (PP0898).

The location of the proposed route was queried by a number of representees (PP0353, PP0448, PP0936 and PP1144), particularly the proximity to the three dwellinghouses at the proposed junction (PP0353 and PP0448).

It was suggested that the location of the new distributor road should be consistent with what was presented to Formartine Area Committee in December 2012. This route should be of the standard of an A-class road which could potentially proceed along the current B9000 to the junction with the A90. An intersection on the A90 with the B9000 could be possible if required in the future (PP1144).

Representees have indicated that the route of the road should be set in stone rather than being indicative (PP0533 and PP0554), and it should be clearly marked through the OP3 site where the start of it will be (PP0554).

The consultation process that was undertaken to decide the route of the distributor road was noted as a concern (PP0448 and PP0936), particularly contact being made with the houses at the proposed junction (PP0448). It has also not been indicated if other routes were discussed and no reference is made to why the proposed route is being used over any alternative (PP0448).

Concerns have been raised that the purpose of the link road seems to be to take traffic north, however anyone going to Peterhead will use the A90 so limits the amount of traffic that will use this road. It therefore does not appear that the road would fulfil the objective of taking traffic away from the centre of the settlement (PP0353, PP0448 and PP0936).

A representee requested that when referencing the road, it should be referred to as a bypass rather than a distributor road or a link road (PP1144).

Further Expansion

Support has been received for the location of the new development being located at the western edge to avoid traffic on Main Street and easier access to the Aberdeen Western Peripheral Route (AWPR) (PP0554).

Newburgh has expanded a lot and any further expansion would result in the feeling of a town rather than a village which should be avoided (PP0838). It is noted by a representee

that the proposed scale of housing is disproportionate to the size of the existing settlement and would have an adverse impact on the local coastal environment, including the National Nature Reserve (NNR) and species. There is a lack of recreational spaces for existing residents and those potentially moving into the settlement (PP0135).

Vision

The first comment in the Vision about transforming the area into a high-quality lifestyle, leisure and global business location is not correct and the Vision is misguided. The statement relating to the existing services not being able to be sustained without new development and the community are in favour of new development to the west of the settlement are untrue, this would increase disturbance for existing residents (PP1129).

Site P1 – To protect the play area and pond as an amenity for the settlement

Increasing the P1 allocation would hamper future development of the Culterty House site, where a sensitive development would provide full restoration of the pond with all ecological benefits that would ensue. Foveran Community Council support the development of the site which is currently an eyesore. Redevelopment would see three houses being required to enable the restoration works required (PP1179 and PP1180). The opportunity to redevelop and provide ecological value, biodiversity enhancement of the pond would be undermined by the extension of the P1 site which is unnecessary and unreasonable. There is also no justification for the extension in the Main Issues Report (MIR) or the Issues and Actions paper (PP1180). The two representees have included a number of Appendices (RD0204.A- RD0204.B and RD0205.A- RD0205.B) in their representations which provides further detail to support their positions.

Site BUS – Safeguarded for business uses

SEPA has confirmed that they have no further flooding, strategic drainage, or water supply issues with the designation summary for site BUS (RD0214.B) (PP1219).

Flood Risk

Scottish Environment Protection Agency (SEPA) has requested that the first and second bullet points in the 'Flood Risk' section are merged together. They have also requested that the third bullet point is amended to remove reference to SEPA's indicative flood map for sites OP1, OP2, OP3 and BUS (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' and water supply (RD0214.B) (PP1219).

Scottish Water has confirmed that additional text needs to be added to the 'Strategic drainage and water supply', "Scottish Water will initiate a growth project, should demand from committed development exceed available capacity and will instigate this on receipt of the 5 Growth Criteria from a developer. A Drainage Impact Assessment may be requested. Private treatment works are unlikely to be authorised but engagement with SEPA is advised to discuss further. Early engagement with Scottish Water is strongly encouraged." (PP0272).

Site OP1 – West of Airyhall View

SEPA has confirmed that they have no further flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B) (PP1219).

A representee has noted that the landowner will not let the site come forward for the uses allocated and the inclusion of non-residential development on the site would make for bad planning. It was also noted by the representee that they were not involved in the earlier masterplanning process (PP0007).

A representee has requested that the text in the allocation summary for OP1 relating to access and transportation is removed. It is argued that the provision of a link between the B9000 and A975 is unnecessary if the northern link is developed and would serve little purpose (PP0749).

Site OP2 – Knockhall Road

SEPA has confirmed that they have no further flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B) (PP1219).

This site should be removed from the Proposed Local Development Plan (PLDP) because it is inconsistent with the shape and identity of the village, additionally it will increase traffic on School Road which will be an obstruction for Foveran Primary School. The site would also have a negative impact on the local landscape and disturbance to wildlife (PP0838).

Site OP3 – Land North of School Road, Mill of Newburgh

SEPA has confirmed that they have no further flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B) (PP1219).

Support has been received for the allocation of 160 homes on the OP3 site however, there is a request for the boundary to be extended as far as the burn to the north in order to create a better residential development. Errors made in the MIR and the allocation summary text for the site justify the need to extend the boundary to the north. The increase in site size would not increase the capacity as it would be used as a buffer to the watercourse and parkland to add character to the development, so ensuring a high-quality residential environment (PP0758).

The OP3 site should be removed from the PLDP as the site would increase the population in Newburgh leading to an education constraint (PP1151). The site is also inconsistent with the shape and identity of the village, it will increase traffic on School Road, and would have a negative impact on the local landscape and disturbance to wildlife (PP0838).

This site being allocated for 160 homes will have a detriment on education provision with limited capacity and space for improvements on the existing school site. There is no support for works being carried out on the adjacent playing fields as this would lose valued open space. Investment in the existing school would not make marked improvements therefore a new school should be provided with this site (PP0554).

NatureScot has suggested amending or removing wording in the allocation summary for

site OP3 to avoid suggesting that appropriate drainage provision and a Construction Method Statement are necessary to mitigate an adverse effect on the integrity of the Sands of Forvie Special Area of Conservation (SAC). NatureScot has advised that while appropriate drainage provision and a Construction Method Statement may be required by the Council, this mitigation is not necessary to avoid an adverse effect on the integrity of the Sands of Forvie SAC (RD0255.B) (PP1300).

Non-Allocated Site – Bid Site FR027 – Land South West of Red Inch Circle

A representee has requested that bid site FR027 be allocated for up to 80 homes and a potential link road to the A975. This site is in a sustainable location, constraint free and can be delivered in the short term. The site has an approved masterplan from 2013, and through the preparation of this, full site assessments were carried out. The very south of the site is prone to flooding however, no housing development would be located on the flooding zone, and there would be open space between the housing and the flooding area, thus making the issues of flooding raised through the Main Issues Report (MIR) and Issues and Actions Papers irrelevant. It is highlighted by the representee that neither SEPA nor the Council’s Flood Prevention Team have an objection to the site (PP0665).

The site would be able to deliver the provision of the link road which is a community aspiration. It should also be noted that a number of constraints were noted in the MIR and Issues and Actions papers, but these were discussed at the preparation of the masterplan and were not raised as issues including road access, landscaping and a buffer strip for the watercourse. None of these should be regarded as discussions having been had with the Council’s Roads Team, screening would be provided and also a phase 1 habitat survey has already been carried out. The need for new housing and the link road outweighs the fact that the site is located on prime agricultural land and that the loss of prime agricultural land would be marginal. Additionally, another constraint noted is education capacity and this is recognised as a constraint but can be mitigated through developer obligations. The representee has included an Appendix (RD0103.A) in their representation which provides further detail to support their position (PP0665).

Modifications sought by those submitting representations:

General

Distributor Road

Modify the PLDP to amend the settlement Vision and the allocation summaries for sites OP1, OP2 and OP3 so that it all aligns and refers to the western bypass (PP0554).

Modify the PLDP to provide clarification as to how the distributor road can be delivered (PP0554).

Modify the PLDP to remove reference to a distributor road (PP0353, PP0533, PP0838, PP0898, PP0936, PP1129, PP1151 and PP1152).

Modify the PLDP to amend the location of the distributor road to bring it closer to Newburgh and be consistent with the layout which was at Formartine Area Committee in 2012 and shown in representee’s response. The road should also be of an adequate width (PP1144).

Modify the PLDP to provide more information about the distributor road within the Newburgh Settlement Statement (PP0448).

Modify the PLDP to ensure public consultation is undertaken in relation to the location of the distributor road and for wider awareness (PP0448).

Modify the PLDP to assess if any alternative route can be observed and state this in the allocation summary (PP0448).

Modify the PLDP to refer to a “by-pass” as opposed to a “distributor road” (PP1144).

Further Expansion

Modify the PLDP to amend the Newburgh Settlement Statement so that no further opportunity sites are allocated for housing (PP0838).

Modify the PLDP to allocate further opportunity sites as protected land or for developments promoting active transport, cycling routes and ‘green’ development such as community composting rather than housing (PP0135).

Vision

Modify the PLDP to amend the settlement Vision by deleting the statement, “... transforming the area into a high-quality lifestyle, leisure and global business location.” (PP1129).

Modify the PLDP to clarify how the statements relating to existing services and new development have been made, discussion should have happened with residents (PP1129).

Site P1 – To protect the play area and pond as an amenity for the settlement

Modify the PLDP to remove the proposed extension to the protected site and revert back to the 2017 LDP boundary (PP1179 and PP1180).

Flood Risk

Modify the PLDP to amend the first and second bullet points by merging them to read, “... National Flood Risk Assessment. Parts of the settlement may also be at risk from coastal flooding. Flood Risk Assessments ...” (PP1219).

Modify the PLDP to amend the first sentence of the third ‘Flood Risk’ bullet point to read, “Sites OP1, OP2, OP3 and BUS have small watercourses running through ...” (PP1219).

Services and Infrastructure

Modify the PLDP to amend wording in the ‘Strategic drainage and water supply’ section to read, “Scottish Water will initiate a growth project, should demand from committed development exceed available capacity and will instigate this on receipt of the 5 Growth Criteria from a developer. A Drainage Impact Assessment may be requested. Private treatment works are unlikely to be authorised but engagement with SEPA is advised to

discuss further. Early engagement with Scottish Water is strongly encouraged.” (PP0272).

Site OP1 – West of Airyhall View

Modify the PLDP to remove site OP1 (PP0007).

Modify the PLDP to amend the allocation summary for site OP1 to remove the statement, “access and transport provision, including a link road between the B9000 and the A975 must be provided on the site.” (PP0749).

Site OP2 – Knockhall Road

Modify the PLDP to remove site OP2 (PP0838).

Site OP3 – Land North of School Road, Mill of Newburgh

Modify the PLDP to amend the boundary of the OP3 site to extend the site to the north for parkland and retain allocation for 160 homes (PP0758).

Modify the PLDP to remove site OP3 (PP0838 and PP1151).

Modify the PLDP to replace the existing education requirement to the requirement to include a new school on the site for allocation summary OP3 (PP0554).

Modify the PLDP to amend or remove the following wording in the allocation summary for site OP3 in Newburgh, "Appropriate drainage provision will be required to demonstrate that no impact will result on the nearby Special Protection Area and Special Area of Conservation sites." and "The Sands of Forvie SAC; Ythan Estuary, Sands of Forvie and Meikle Loch SPA and Buchan Ness to Collieston Coast SPA are located to the northeast of the settlement. The site may have a disturbance to geese, recreational impacts on tern colonies, and the erosion of dunes. Any future masterplan or planning application will need to contain a Construction Method Statement to take account of the potential impacts to the qualifying interests of the Ythan Estuary, Sands of Forvie and Meikle Loch SPA and RAMSAR." (PP1300).

Non-Allocated Site – Bid Site FR027 – Land South West of Red Inch Circle

Modify the PLDP to include bid site FR027 for 80 homes and potential link road to the A975 (PP0665).

Summary of responses (including reasons) by planning authority:

General

Distributor Road

Support for the distributor road is noted. The Newburgh distributor road is a long-term aspiration with no detailed design work to determine the exact route of the road. This means that it would be inappropriate to show the route as anything but indicative. No change is required.

In order for the aspiration of the distributor road to be delivered, detailed design work would be required which would look at potential routes to ensure that a number of concerns raised by representees are addressed including, safety concerns, location of the road, ensuring it meets its purpose and also looking at the impact the proposed route would have on the local environment. No change is required.

Additionally, this design and engineering work would allow for alternative options to be considered to ensure that the route selected is the best fit for the settlement. During the work required to outline the detailed location of the distributor road there would be public consultation meaning that members of the public would get a further opportunity to comment on the proposal for a key piece of infrastructure for the settlement. No change is required.

The Council confirms that it intends to address the representee comment concerning consistency of terminology through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Further Expansion

Support for new development being located at the western edge of Newburgh is noted.

Newburgh is located in the Aberdeen Housing Market Area (AHMA) within a local growth and diversification area. In accordance with the Aberdeen City and Shire Strategic Development Plan (2020), the settlement is appropriate for a level of growth related to local needs (AD0016, page 23, and paragraph 3.45). There has been only one new allocation made through the PLDP, the OP3 site which is seen to meet local needs within the settlement. Each allocation made in the Plan has been through multiple assessments including the Strategic Flood Risk Assessment, Strategic Environmental Assessment, Development Planning and Management Transport Appraisal Guidance, and the Habitats Regulations Appraisals to ensure the most appropriate sites are allocated for development. No change is required.

Concerns regarding the lack of recreational spaces are noted. There are however policies in the LDP where any new development over 50 homes are generally expected to devote 40% of the site to good quality open space (AD0041.A, page 49, paragraph P2.2). This should ensure that new recreational areas are provided along with any new development. No change is required.

Vision

The Vision itself remains unchanged from the LDP 2017 and is considered to remain appropriate. The area is included within the Energetica Corridor where there is a principal aim relating to transforming the area into a high-quality lifestyle, leisure and global business location. Therefore, the statements in the Vision remain appropriate as they are an aspiration for Newburgh. No change is required.

Site P1 – To protect the play area and pond as an amenity for the settlement

The area of the protected land has been extended from the boundary of the LDP 2017 to include the whole natural area. Even though the area has been extended and caused concern to representees, the area was and remains to be covered by relevant policies

within the LDP to protect the natural nature of the site. It is noted by the respondent that there is a desire to make improvements to the pond areas. The extension of the designation to cover the full area would not prohibit these works to the ponds as this work would be in keeping with the designation of maintaining and preserving the area. No change is required.

Site BUS – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – West of Airyhall View

Comments from SEPA are noted. No change is required.

The comments in relation to the delivery of the site are noted. However, the site is noted to have no constraints within the 2019 Employment Land Audit (AD0018, page 30). The site is therefore considered to be established and marketable land. Constraints for the Employment Land Audit include the option of ownership but as noted this has not been selected. No change is required.

Masterplanning is a collaborative process, but it is acknowledged that this process was completed a number of years ago as the masterplan was agreed by Committee in 2013. Proposed Policy P1 Layout, Siting and Design introduces a new measure for masterplans. The policy states at paragraph P1.2 that once a masterplan is agreed that it shall remain valid for a period of 5 years, unless planning permission for the development has been granted and implemented (AD0041.A, page 47, paragraph P1.2). This would then allow further engagement to be had by landowners, developers and residents on any future masterplan for the area. No change is required.

In terms of access requirements these would have been looked at through the masterplanning process. Additionally, these will be looked at in more detail when an application for development is submitted to the Planning Authority. It is not considered that it would be appropriate to remove these requirements from the Plan without any substantial justification, therefore no change is required.

Site OP2 – Knockhall Road

Comments from SEPA are noted. No change is required.

The concerns regarding the OP2 site are noted however, this is a committed site and is currently under construction. At the end of 2019 there were 27 completions on the site, with planning permission in place for the remainder of the site, APP/2014/1408. Therefore, the site is considered established in terms of planning and is noted as effective in the Housing Land Audit 2019 (AD0022, page 64). In relation to the issues raised about landscape and roads these would have been considered through the Development Management process when the planning application was submitted. It should be noted that the application was refused by the Planning Authority at Formartine Area Committee, as the site did not comply with Policy 9 Developer Contributions and SG Developer Contributions² as there was infrastructure that could not sustain the development. There was no evidence that the proposal reflected the principles of the Energetica policy and also did not comply with Policy 8 Layout, siting and design as the application did not accord with the approved masterplan. The application was subsequently granted on appeal to the Scottish Ministers, PPA-110-2252, (see appeal decision notice, AD0069, page 1-17). The suitability of the site for development was accepted during the Examination of the LDP 2012 (AD0032) and the more recent planning application appeal decision. No change is required.

Site OP3 – Land North of School Road, Mill of Newburgh

Comments from SEPA are noted. No change is required.

Support for the allocation is noted. The request for the boundary of the site to be extended to the north however, is not supported. It is noted that the reason for the request is to ensure a high-quality residential environment as the area would be used as a buffer to the watercourse and as parkland. Due to the size of the allocation boundary, the number of homes allocated was already increased to ensure the density of the allocation was appropriate and to ensure best use of the land. Increasing the allocation boundary would again, result in underdevelopment of the site. Through the masterplan process the open space should be considered as part of the process which should in turn help to ensure that the site results in the best form of placemaking. No change is required.

Concerns about the allocation of this site are noted. The issues being raised through the submissions in terms of education and road infrastructure are both issues which would be looked at in more detail through the masterplanning process and also through any planning application that is submitted. A request for a new school to be provided within the area is noted, however, any decision on this would need to be reviewed along with other primary education provision capacities within the existing network. The size of the allocation on OP3, generally would not equate to the requirement of a new school however, this discussion along with the discussion of the other constraints would happen at the masterplanning process. No change is required.

The Council note the comments from NatureScot in relation to the Sands of Forvie SAC. In consultation with the Council's Environment Service, the Council have been advised that the text in relation to the impact on the SPA is appropriate and should remain in the allocation summary (AD0130). However, the Council would not object to the removal of reference to the Sands of Forvie SAC as this site is designated for its vegetation of which the OP3 site is not likely to impact upon. As such, if the Reporter is minded, to make an amendment, then the Council recommend that the last sentence of the third paragraph of the allocation summary could be amended to remove the reference to the Sands of Forvie SAC and that the first sentence of the fifth paragraph of the allocation summary could be

amended to remove the reference to the Sands of Forvie SAC.

Non-Allocated Site – Bid Site FR027 – Land South West of Red Inch Circle

The Council does not support allocating bid site FR027 for 80 homes and a potential link road to the A975. It is noted that there has been justification given by the representee as to why the site should be included within the LDP and further information was provided to the points raised through the Issues and Actions Papers. With this being said however, it is not felt that the justification provided to deal with the constraints outweighs the impact the site would have. It is acknowledged that education capacity issues can be dealt with through developer obligations, but other constraints cannot be justified effectively. The site would result in the loss of prime agricultural land. The justification provided that there is need for the housing and link road is not considered to be appropriate justification for the loss of this resource. No change is required.

As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the AHMA. No change is required.

Reporter’s conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 23. However, where such matters arise from representations made to the proposed plan, they require to be considered in the examination. I therefore address these as appropriate below.

Distributor road

3. In its schedule 4 response and in response to a further information request, the council explains that the Indicative North Distributor Road around the north-west sector of the village reflects a long-term community aspiration whose delivery is not expected within the timeframe of the proposed plan. Whereas the function of a traditional distributor road is principally to facilitate the movement of motor traffic, this route is envisaged as a “primary street”, whose purpose would also include serving housing areas and other local functions. Because of this status, no viability studies have been undertaken. It is seen as a way to reduce local traffic through the village centre. Provision of the first stretch of the “primary street” is a requirement included in the allocation summary for site OP3 (land north of School Road, Mill of Newburgh). Later stages of the “primary street” would require to be incorporated into additional housing allocations around the north-west sector of the village, subject to future negotiations with the community and key stakeholders. Such allocations would be expected to be brought forward through a future local

development plan.

4. In view of the above explanation, I consider that it would be inappropriate to depict the route in more detail on the plan. Safety, design and environmental concerns would be addressed at project stage. As each section of the street would be integral to future housing allocations, public funding and cost-benefit issues would not arise.

5. However, the site allocation summary requires to be amended to clarify the council's intentions along the lines of paragraph 3 above. The settlement map should be amended to label the route as "possible future primary street linking B9000 with A975". The southern section of the route should be shown entirely within site OP3, to accord with the council's explanation. I recommend appropriate modifications below.

Further expansion

6. With regard to the scale of expansion in Newburgh and its impact on local character and environment, the village lies within a Local Growth and Diversification Area identified in the Aberdeen City and Shire Strategic Development Plan 2020, where growth is to be related to local needs. Newburgh is also one of the settlements in which the proposed plan (paragraph 5.14) has included additional developments to promote the Energetica Corridor. As such, the council has assessed the level of growth to be appropriate and has carried out a range of assessments which it considers justify the proposed allocation of one new site (OP3) for 160 units.

7. In the Strategic Environmental Assessment, the site is assessed to have neutral or positive scores for all environmental receptors. In the Main Issues Report, the site was preferred by officers, subject to the resolution of constraints including education provision and potential impact on the A90(T) Newburgh junction. NatureScot has not objected to the proposed expansion as impacting adversely on the coastal environment. In the vision section of the settlement statement, the council reports that the community is in favour of new development to the west of the settlement. Whilst the scale of expansion has been subject to objections, there are also representations in support of expansion.

8. The alleged lack of recreational spaces would be addressed by policies in the plan which require developments over 50 homes to devote 40% of the site to good quality open space. I note that sites OP2 (Knockhall Road) and OP3 (Land north of School Road, Mill of Newburgh) both have a capacity of over 50 homes. The village has good access to very attractive coastal areas.

9. For the above reasons, I agree with the council that the scale of expansion proposed for Newburgh is appropriate for the plan period. No modification is required.

Vision

10. Aspects of the vision statement for Newburgh are challenged. However, the vision of the proposed plan remains unchanged from the current adopted plan and reflects the aims of the Energetica Corridor, within which Newburgh stands. The Main Issues Report indicated that the community was in favour of any new development being to the west of the village. The relatively small number of representations on this topic does not suggest widespread opposition to the vision for the settlement. As explained in paragraph 3 above, the proposed "primary street" would not be funded by public money. No

modifications are necessary.

Site P1/ Culterty House site

11. Compared to the current plan, the proposed plan extends the area of protected land (site P1) to include the whole natural area as an amenity for the village. A representation on behalf of the University of Aberdeen, which owns the site, maintains that the extended area of protection would hamper restoration of the site for its cultural and ecological interest, including the two ponds. This work would require enabling development, comprising restoration of Culterty House (currently boarded up) and the erection of two new houses, one of which would be located within the garden to the south of Culterty House (now overgrown). The latter would therefore fall within the area now proposed for protection.

12. There seems to be no public access into Site P1 at present. Its amenity value seems limited by that and by lack of management of the open/treed/pond areas together with the run-down appearance of the site. This is undesirable as it is located within the village and next to the main road. It seems likely that the ponds will degenerate without active management, especially as they may have been designed by the university to allow brackish water to collect at high tides for research purposes. A proposal along the lines of that described in the development appraisal submitted with the representation offers the prospect of reviving the amenity and ecological value of the site along with public recreation, whereas extending the protection area offers no prospect of funding to effect improvements. I note that these proposals have the support of the community council.

13. For those reasons, I recommend that the area of protection should revert to the area shown in the existing local development plan. A modification is recommended.

Flood Risk

14. The Scottish Environment Protection Agency's (SEPA) requests for textual changes and removal of reference to its indicative flood map for sites OP1, OP2, OP3 and BUS are appropriate in the interest of clarity and I recommend modifications accordingly.

Services and infrastructure

15. Scottish Water requests additional text, which is accepted by the council. I agree that the text provides helpful information and I recommend modifications accordingly.

Site OP1 – West of Airyhall View

16. Site OP1 is an open field between a housing estate and a small area of houses and light industry. It is proposed to roll forward its allocation in the current local development plan for community facilities and 0.8 hectares of employment land. The owners of the site are opposed to employment use on their land, stating that they were not consulted in the 2013 masterplanning process that led to the allocation of site OP1. They consider that it would be bad planning for their dwelling and the two others to be adjacent to non-residential uses on site OP1, as well as having an industrial allocation to the west.

17. I consider that there would be scope for these issues to be addressed within the layout of a future masterplan, as would be required given that the validity of the existing

one has expired. As to the owners' unwillingness to release the land for the allocated uses, the council argues that the site is listed in the 2019 Employment Land Audit as having no constraints, which includes having no ownership constraints, and is therefore considered as established and marketable land.

18. I am aware that this site contributes to the employment land allocation in Local Growth and Diversification Areas, where it is expected that an appropriate amount of business land will be identified and maintained. In the circumstances, it is not unreasonable for the council to take the view that the land should retain its allocation for community and employment land, even if the current position on ownership constraints has changed.

19. The allocation is to include part of a link road between the B9000 and the A975. A representation opposes this as being unnecessary if the northern link is developed. The link road requirement derives from the 2013 masterplan process and its removal would require clear justification (including that a northern link would remove the need for a link to the south), which the representation does not provide. That issue could be revisited through any future masterplan process.

20. No modification is required.

Site OP2 – Knockhall Road

21. Planning permissions have been issued for all of this site, and part is under construction. It would therefore not be appropriate for me to recommend changes to address the matters raised in representations.

Site OP3 – Land north of School Road, Mill of Newburgh

22. This land to the west of the settlement is newly allocated for 160 homes. A representation on behalf of the prospective developer seeks to extend the site northwards as far as a burn to allow for a parkland setting, a buffer to the burn and the establishment of a defensible boundary.

23. The council considers that attributes such as these should be achieved within the existing allocation boundaries through a masterplanning process. As it has already increased the number of homes to ensure an appropriate density of development and best use of the land, it considers that extension of the site would again result in underdevelopment.

24. The addition of a sizeable area of land would run counter to the council's plan-wide approach to housing densities and I agree that the setting and boundary treatment could be achieved through masterplanning, whilst the distance from the burn would obviate the need for a buffer in that location. No modification is required.

25. Objections to the allocation of site OP3 on the basis that it would put pressure on the capacity of the existing primary school cite lack of space for improvements on the existing school site and oppose use of the adjacent playing fields as losing valued open space. The council considers that it can deal with this issue through the planning application and masterplanning processes. I note that the housebuilder representation in support of this site refers to the likelihood of a need for developer contributions towards education

provision. Given that there are many different ways to address education provision, I have no reason to consider that a solution would not be forthcoming.

26. Other concerns regarding landscape issues, the impact of the development on wildlife and increased traffic on School Road would be addressed in any planning application and masterplanning process.

27. In its response to a request for further information, NatureScot has clarified its advice to indicate that appropriate drainage provision and a construction method statement are not required to avoid an adverse effect either on the Sands of Forvie Special Area of Conservation or on the Ythan Estuary, Sands of Forvie and Meikle Loch Special Area of Conservation. This advice is based on detailed analysis which concluded that the impact of drainage and construction works on the relevant bird species would not have an adverse effect on the integrity of the SPA site integrity. In the light of that explanation, I recommend an appropriate modification.

Non-allocated Bid Site FR027 - Land south west of Red Inch Circle

28. Site FR027 comprises fields to the south of Newburgh which occupy a fairly prominent location sloping down to the A975. It was identified in the 2012 local development plan for later development to be promoted by a future development plan process, and was the subject of a masterplan for housing approved by the council in 2013. This included the bid site together with land to the west and north west. The housing element of Phase 1 of the masterplan, for 40 houses, has been built and stands to the north of the site.

29. For the proposed local development plan, the land is being promoted by Stewart Milne Homes for up to 80 units, and would potentially include a link road from the B9000 (via Marshall Road) to the A975 with the purpose of reducing traffic flows on the main street through the village.

30. The representation states that: the site is in a sustainable location; it can be developed in the short term; it can deliver a link road; education capacity can be dealt with through developer contributions; neither SEPA nor the council's flood protection team nor the council's roads team objected to development of the site in connection flood risk or road access when consulted on the approved masterplan; a phase 1 habitat survey has confirmed that the land is of low ecological value with no protected species; the site is not located in an area of landscape significance; landscape mitigation would be provided; the development would include biodiversity enhancements; and the loss of prime agricultural land would be marginal given that such designations cover most of Aberdeenshire.

31. The council accepts the argument set out in the representation regarding education capacity. However, it identifies other constraints in the Main Issues Report and the Issues and Action paper, namely: visual prominence; impact on the landscape setting of the village; flood risk on the lower lying areas; potential to impact on protected species; access from the A975; loss of largely prime agricultural land; and lack of alignment with community preferences for expansion to the west of the settlement. Although these constraints were addressed in further information submitted by the promoter (as outlined above), the council remains unpersuaded that the impacts of development would justify an allocation for housing. Moreover, it does not support the provision of a link road in this location in the short term and considers that sufficient housing land has been allocated in

the plan as proposed.

32. I consider that development of this site would represent a substantial extension into open countryside and would, cumulatively with OP3, represent the addition of a large number of houses over the plan period in a relatively small settlement with limited local facilities and services. Newburgh is located within a Local Growth and Diversification Area where the Strategic Development Plan (in paragraphs 3.45 and 3.47) requires that levels of growth in individual settlements should relate to local needs and that proposals for growth beyond local needs would require to be justified against the vision, aims, strategy and targets of the plan. That justification has not been provided. The proposal would result in loss of prime agricultural land, which policy PR1 indicates can only be justified where it is required to meet strategic housing needs and there are no reasonable alternatives; that does not apply here.

33. Matters relating to the overall housing provision in the proposed plan are covered in Issues 2 and 5 of our examination. For the reasons set out in schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I accept that bid site FR027 could potentially contribute to meeting this shortfall, if allocated. However, given the availability of other sites to meet the strategic development plan allowance for the Aberdeen Housing Market Area which do not have the disadvantages outlined above, I do not consider the allocation of this site to be justified. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

1. Amending the first sentence of the second paragraph of the vision section on page 454 to read:

“The community is in favour of any new development being located to the west of the settlement and have an aspiration of a future vehicular route which would by-pass the village centre.”

2. Amending the first and second bullet points of the Flood Risk section on page 455 to read as one bullet point:

“• Parts of Newburgh are in an area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment. Parts of the settlement may also be at risk from coastal flooding. Flood Risk Assessments may be required.”

3. Amending the first sentence of the third bullet point of the Flood Risk section on page 455 to read:

“Sites OP1, OP2, OP3 and BUS have small watercourses running through or adjacent to the sites, or are at risk from surface water flooding.”

4. Amending the ‘Strategic drainage and water supply’ bullet point of the Services and Infrastructure section on page 455, to read:

“Scottish Water will initiate a growth project should demand from committed development exceed available capacity and will instigate this on receipt of the 5 Growth Criteria from a developer. A Drainage Impact Assessment may be requested. Private treatment works are unlikely to be authorised but engagement with SEPA is advised to discuss further. Early engagement with Scottish Water is strongly encouraged.”

5. Replacing the final sentence of the first paragraph of the allocation summary for site OP3 (land north of School Road, Mill of Newburgh) on page 458 with:
“Placemaking requirements will be required in the form of a masterplan for the site that includes provision of a “primary street” on the western side of the site.”
6. Replacing the first sentence of the second paragraph of the allocation summary for site OP3 (land north of School Road, Mill of Newburgh) on page 458 with:
“Development of this site will support the first section of a vehicular link between the B9000 and the A975 to the north of Newburgh. Whereas the function of a traditional distributor road is principally to facilitate the movement of motor traffic, this route is envisaged as a “primary street”, whose purpose would also include serving housing areas and other local functions. Subject to future negotiations with the community and key stakeholders, later stages of the “primary street” would be incorporated into additional housing allocations around the north-west sector of the village within a future local development plan. When complete, the route is intended to reduce vehicular traffic through the village centre.”
7. Deleting the last sentence of the third paragraph of the allocation summary for site OP3 (land north of School Road, Mill of Newburgh) on page 458.
8. Deleting the final paragraph of the allocation summary for site OP3 (land north of School Road, Mill of Newburgh) on page 458.
9. Relabelling the “Indicative north distributor road” in the settlement plan on page 459 to read:
“Possible future primary street linking B9000 with A975”.
10. Amending the line of the possible future primary street in the settlement plan on page 459 so that its southern end joins the B9000 within the boundary of site OP3.
11. Amending the boundary of P1 in the settlement plan on page 459, so that it reverts to the boundary as shown in the 2017 local development plan.

Issue 24	Oldmeldrum	
Development plan reference:	Proposed LDP, Appendix 7C Formartine, Page 460-469	Reporter: Malcolm Mahony
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>PP0021 Joan Young PP0190 Richard Hay PP0242 Dougald Robertson PP0266 Richard Bice and Sandra Sim PP0271 Bob Driscoll and Dorothy Driscoll PP0272 Scottish Water PP0507 Susan Lawie PP0593 Graeme Webster PP0748 Hallam Land PP0755 Kirkwood Homes PP0767 Richard Bice and Sandra Sim PP0770 Paul Gray and Pamela Gray PP0811 Mrs Young PP0815 John Pirie PP1044 c a s e Consulting Limited PP1045 c a s e Consulting Limited PP1134 Meldrum, Bourtie and Daviot Community Council PP1219 Scottish Environment Protection Agency PP1300 NatureScot PP1321 The Church of Scotland General Trustees PP1343 Historic Environment Scotland</p>		
Provision of the development plan to which the issue relates:	Oldmeldrum Settlement Statement	
Planning authority's summary of the representation(s):		
<p><u>General</u></p> <p>Meldrum, Bourtie and Daviot Community Council has listed priorities for the settlement as follows: a requirement for bungalows and affordable housing, developer obligations to be allocated to education and healthcare, development in the northeast of the settlement to be addressed collectively with regards to the requirement for a pedestrian crossing and connectivity between newly allocated sites as well as links to other settlements (PP1134).</p> <p>Meldrum, Bourtie and Daviot Community Council has objected to a lack of employment land allocations within Oldmeldrum (PP1134).</p> <p>A representee has questioned the competency of increasing the densities of allocated sites within Oldmeldrum given the constraints of these sites (PP0593).</p>		

Site P1 – To protect the recreational area and cemetery as amenities for the settlement and for contribution to the character of the place

Meldrum, Bourtie and Daviot Community Council has requested that the space adjacent to the Pleasure Park at site P1 becomes a protected site as this would be an important community asset, particularly in relation to the proposed allocation of site OP5 (PP1134).

Site R1 – For a potential long-term future expansion of Meldrum Academy

Scottish Environment Protection Agency (SEPA) has sought an addition within the allocation text for R1 to include a requirement for a Peat Survey and Phase 1 Habitat Survey and mention that peaty gleys and mixed habitat are likely to be present onsite (RD0214.B) (PP1219).

Site R2 – For a future Community Church and Site R3 – For a future Transport Interchange

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R2 or R3 (RD0214.B). No modification sought (PP1219).

Site BUS – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has sought the addition of OP3 and OP5 to the first bullet point in the 'Flood Risk' section as being within its list of being within the indicative 1 in 200-year flood risk area, or having a small watercourse running through or by the site and whereby a Flood Risk Assessment is required (RD0214.B) (PP1219).

SEPA has sought more 'succinct' wording in the second 'Flood Risk' bullet point by means of referencing the Meadow Burn specifically (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has requested amending the 'Strategic drainage and water supply' bullet point to provide clear transparency to potential developers the significant waste water treatment issues in Oldmeldrum. They note that whilst the Proposed Plan text states a technical solution is still being sought by Scottish Water, as a result of low dilution availability in the receiving waters, a private treatment plant built to an adoptable standard will not be acceptable for the same reason (RD0214.B) (PP1219).

Scottish Water request that under the 'Strategic drainage and water supply' bullet point, additional sentences are added after the third sentence in this section, which state: "Strategic Drainage Impact Assessment is ongoing and an anticipated upgrade to the network would be required. Any development interested in developing in the Oldmeldrum catchment area must engage directly with Scottish Water as soon as possible to discuss

build out plans.” (PP0272).

Site OP1 – Land North of Distillery Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has expressed support for the proposed retention of site OP1 and related Church under site R2. The reference to an approved masterplan is welcomed and it is acknowledged that there is a pending planning application. No modification sought (PP1321).

Meldrum, Bourtie and Daviot Community Council has indicated that they agree with the allocation summary in that a second access point is a requirement for this development, due to the large amount of traffic from both the proposed housing and community facility requiring access and egress to this site. No modification sought (PP1134).

Representees have objected to the site for a number of reasons including:

- The increased density of 88 homes represents overdevelopment of the site (PP1045, PP1134 and PP1321).
- There is a lack of an adequate second access point at present allocation numbers (PP0593, PP1045 and PP1321).
- There is a pending application, which is deemed likely to be approved before the Proposed Plan is adopted, will help to facilitate the delivery of a new community church and that the proposed density is unrealistic (PP1321).
- The additional 38 houses allocated for this site should be allocated elsewhere in the Formartine area of the Aberdeen Housing Market Area (PP1045).
- Meldrum, Bourtie and Daviot Community Council also commented that the site allocation should include a new primary school given the surrounding new housing (PP1134).
- The requirement for a second access point for the delivery of further development beyond the existing consent should be removed, as it is not required or possible (PP1321).

Site OP2 – Coutens

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

Meldrum, Bourtie and Daviot Community Council has stated that the allocation should be for housing only and not include reference to employment land as there is no employment land nearby the site (PP1134).

Representees have raised concerns that the proposed density of the site would not be appropriate for the character of the area (PP0021 and PP0811) and a representee has specifically stated that the increase in density is speculative given the lack of any planning history since the inclusion of the site within the Housing Land Audit in 2013 (PP1044). Another representee has questioned the deliverability of this allocation which has been allocated since 2013 but has had no planning application come forward on the site. The representee has included an Appendix (RD0091.A) in their submission which provides

further detail to support their position (PP0593).

Representees have raised concerns that the associated increase in traffic from the allocated site will impact local road safety specifically in relation to the proposed use of Coutens Drive. Additionally, it is considered that the site will impact local residential amenity and that local infrastructure will not be sufficient to serve the allocation at this site (PP0021 and PP0811).

A representee has raised concerns with the adequacy of Gas Street to serve the development safely. Development of this site would require the developer to upgrade Gas Street to take into account increased usage (PP0507).

Historic Environment Scotland (HES) has commented that OP2 is located within the boundary of the Battle of Barra site and while impacts upon archaeological remains dating to the battle are expected to be low, the impact upon the special qualities of the battlefield should be assessed further. Significant impacts on the understanding and appreciation of the battlefield landscape are unlikely but any potential impacts on key landscape characteristics and cumulative impacts should still be assessed with mitigation enhancement considered in line with Historic Environment Scotland guidance (RD0266.A) (PP1343).

Site OP3 – Land south of Millburn Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

Site OP4 – Land at Chapelpark

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP4 (RD0214.B). No modification sought (PP1219).

Meldrum, Bourtie and Daviot Community Council has indicated support for the hub, road widening and allocation for 62 houses as part of the allocation at this site. No modification sought (PP1134).

NatureScot has stated that OP4 should include the requirement for active travel provision in order to contribute to better connectivity to existing paths and promote safe active travel (RD0255.B) (PP1300).

Site OP5 – Newbarns

SEPA has requested that the allocation statement should refer specifically to a phase 1 Habitat Survey. It also requested that the allocation summary should include an additional requirement for a Peat Survey due to 50% of the site possibly being underlain with peat (RD0214.B) (PP1219).

A representee has stated that if proposed site OP5 is supported, significant changes are required to be made to the roadways to accommodate the proposed development (PP0266).

A representee has stated that any potential impacts in terms of road development

requirements and drainage requirements must be fully explored for OP5. The representee raises specific concerns regarding road safety, of which additional development would emphasise the issue. It is also stated that the pros and cons of the proposal are not highlighted within the allocation summary (PP0190).

A representee has objected to the proposed access from Newbarns as it is private and not in the same ownership as the wider site and should therefore be removed and that there is potential for traffic congestion at this point also (PP0767).

Representees have raised concerns that existing housing at Newbarns defines the settlement's boundary and the Planning Committee commented at the time that there would be no further development in this area and that the allocation should be removed (PP0767 and PP0266) or part reduced (PP0767). The representee has indicated that in order to reduce the site, the greenfield land at the west of the site is removed from the proposed OP5 site to allow for local greenfield land to remain as an aspect for the properties at Newbarns and Park Lane. This would retain some of the rural character, afford the community an area of green space to utilise and retain some of the natural habitat (PP0767).

A number of representees have objected to site OP5 (PP0242, PP0266, PP0271, PP0767 and PP0770) for the reasons set out below:

- Objection to the site was on the basis that the density of the allocation is not appropriate for the location when taking account of the OP4 site (PP0242).
- Concern that the associated increase in traffic from the allocated site will impact local road safety (PP0266, PP0271, PP0770 and PP0767).
- Concern the increase in traffic will impact the pedestrian safety for those using the park (PP0271), and in particular at the vehicular access onto the A947 (PP0190, PP0242 and PP0271).
- The anticipated increase in traffic in terms of impacts of noise and pollution (PP0767).
- Concern that residents of this allocated site will need to cross the A947 to get to the town's central services which poses a safety risk while traffic calming measures on the A947 would affect traffic flow (PP0242 and PP0266).
- There are concerns over the adequacy of local services and infrastructure (including primary/secondary schools, medical centre/dentist, police and fire service) to serve the proposed numbers at this allocation (PP0242, PP0767, PP0770 and PP0266).
- There is no need for this site to be allocated until sites OP1, OP2 and OP3 have been developed and impacts assessed and asserted that there is no proof of demand for further houses (PP0266).
- Objected to the site as there is no public benefit to the proposed allocation at this site and that there are other more preferable alternative sites (PP0271).
- Concerns over the loss of greenfield land which is considered unnecessary, and the associated impact upon local character (PP0266, PP0770 and PP0767) and the impact on local wildlife (PP0266, PP0767 and PP0770).
- Concerns of the impact on the green belt (PP0770).
- The allocation will impact local residential amenity (PP0271 and PP0767).

Site OP6 – West of Coutens

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP6 (RD0214.B). No modification sought (PP1219).

Representees, including Meldrum, Bourtie and Daviot Community Council, have sought clarity as to whether the site should be allocated for employment land as the site is possibly open space associated with the adjacent housing development (PP0815 and PP1134).

A representee has raised concerns regarding the adequacy of Gas Street to serve the development safely. Development of this site would require the developer to upgrade Gas Street to take into account increased usage (PP0507).

A representee has objected to site OP6 on the grounds that there was no bid for employment land on site OP6. It was stated that the employment land being located amongst housing (site OP2) and the R1 site is too detached from other employment land in the settlement (BUS) and bid site FR110 would have been more appropriate in that regard (PP0815).

A representee has stated that the allocation should be for housing only and not include reference to employment land as there is no employment land nearby the site and an alternative site within the settlement should be found for employment allocation (PP1134).

Non-Allocated Site – Bid Site FR062 – Site 2, Newbarns

A representee has objected that there were inconsistencies in accepting bid site FR061 (OP5) but not FR062, including the presumption against development due to prime agricultural land and issues relating to accessibility and implications for future roadways. The positive aspects of FR062 were not acknowledged. These include the fact that the site allows for better co-ordination and flexibility, the deliverability of the site and the support from the Community Council to support a larger site which provides opportunities to extend the Pleasure Park. The site would not be visible in the wider landscape. Development would augment existing links to the Pleasure Park and connect these links to the north of the settlement. Existing points of access could serve the site. There is an existing pedestrian crossing over the main road. The representee has included an Appendix (RD0131.A) in their submission which provides further detail to support their position (PP0755).

Meldrum, Bourtie and Daviot Community Council stated that FR062 should be allocated for 146 houses alongside OP5 Newbarns so the entire area can be consistently and sympathetically developed as a whole (PP1134).

Non-Allocated Site – Bid Site FR073 – Land at Parkside Piggery

Meldrum, Bourtie and Daviot Community Council support the decision made to not take forward site FR073 but would like to draw attention to the proximity of the A947 and a bus route to this site. No modification required (PP1134).

Non-Allocated Site – Bid Site FR083 – Land at Colpy Roundabout

Meldrum, Bourtie and Daviot Community Council has indicated that this site FR083 should be used for an employment land allocation and not as a reserved site for housing due to

the proximity to existing employment land and demand (PP1134).

Non-Allocated Site – Bid Site FR088 – Land at Parcock Quarry

Meldrum, Bourtie and Daviot Community Council has indicated that there is no reason why this small development should not have been allocated as bungalows are needed and infrastructure is in place. If allocated however, it should not set a precedent for other building to take place on the other side of the relief road (PP1134).

A representee objected to the failure to identify bid site FR088 for an allocation for 10 homes even though infrastructure is in place. Additionally, that the site is brownfield and in a desirable location with minimal landscape impacts which lends itself to bungalow style housing which are identified as being required by the Community Action Plan. The site was previously supported by the Council and the Community Council. A development at this location is considered to benefit biodiversity while the site is also ready to be delivered and includes access, service ducts and a pedestrian crossing which meet standards and is well connected by core paths. Assessment of FR088 in the Main Issues Report was inaccurate, that there is no woodland on the site while there are no issues of ground contamination from a small-scale quarry and the comment relating to the site being outwith the settlement’s boundary is not adequate justification for not allocating the site (PP0593).

Non-Allocated Site – Bid Site FR110 – Site 1, Land Adjacent to B9170

Meldrum, Bourtie and Daviot Community Council stated that FR110 should be allocated as an opportunity site for employment use as the surrounding land has been developed for employment use. Allocating FR111 for a bypass would also help employment land (PP1134).

A representee has stated that FR110 should replace the allocation for employment land at site OP6 (PP0815).

Non-Allocated Site – Bid Site FR111 – Site 2, Land Adjacent to Millburn Road & B9170

A representee has objected to the failure to identify bid site FR111 for an allocation for 350 homes. The site has good access to the town centre (paths and bus routes) and employment sites and can enhance green corridors and biodiversity. The site was identified as a Reserved Housing Site in the Main Issues Report as having merit. Issues relating to the Barra Battlefield, access issues and education could be dealt with appropriately subject to consultation with Historic Environment Scotland with regards to the battlefield. Due to the pandemic HES input has not been possible prior to submitting the representation to the consultation. The representee has included an Appendix (RD0126.A, RD0126.B and RD0126.C) in their submission which provides further detail to support their position (PP0748).

Meldrum, Bourtie and Daviot Community Council sought the addition of a southern bypass through bid site FR111 in order to help the surrounding employment land (PP1134).

Modifications sought by those submitting representations:

General

Modify the PLDP to include reference to a requirement for bungalows and affordable housing, requirement for developer obligations to be allocated to education and healthcare and requirement for improved connectivity to areas outwith the allocated site (PP1134).

Modify the PLDP to allocate more employment land in Oldmeldrum, in particular to allocate alternative employment bid sites in place of site OP6 (PP1134).

Modify the PLDP to include more sites allocated for housing which can be readily delivered and are free from constraints (PP0593).

Site P1 – To protect the recreational area and cemetery as amenities for the settlement and for contribution to the character of the place

Modify the PLDP to include the allocation of open space situated adjacent to the Pleasure Park, P1, as a protected site (PP1134).

Site R1 – For a potential long-term future expansion of Meldrum Academy

Modify the PLDP to include within the allocation text for R1 a requirement for a Peat Survey and Phase 1 Habitat Survey and mention that peaty gleys and mixed habitat are likely to be present on site (PP1219).

Flood Risk

Modify the PLDP to amend the first 'Flood Risk' bullet point to read, "Parts of OP2, OP3, OP5, OP6 and R1 are within ..." (PP1219).

Modify the PLDP to amend the second 'Flood Risk' bullet point to, "Part of the BUS site is within the 1 in 200-year flood risk area of the Meadow Burn. A Flood Risk Assessment will be required. Buffer strips will be required along the Burn which should be integrated positively into the development. Morphological improvements to the Burn may be required." (PP1219).

Services and Infrastructure

Modify the PLDP to amend the 'Strategic drainage and water supply' bullet point to state, "Oldmeldrum Waste Water Treatment Works has limited capacity. Scottish Water are investigating options for a growth project but until a technical solution is found this cannot be confirmed. All new development in Oldmeldrum must connect to the public waste water network and therefore, until a growth project is implemented, development during the Plan period may be limited." (PP1219).

Modify the PLDP to amend the 'Strategic drainage and water supply' bullet point to state, "There is insufficient capacity at Oldmeldrum Waste Water Treatment Works (WWTW). Scottish Water is investigating options to accommodate the anticipated flow from the growth of Oldmeldrum. Strategic Drainage Impact Assessment is ongoing and an anticipated upgrade to the network would be required. Any developer interested in developing in the Oldmeldrum catchment area must engage directly with Scottish Water as soon as possible to discuss build out plans." (PP0272).

Site OP1 – Land North of Distillery Road

Modify the PLDP to reduce the proposed allocation from 88 units to 50 units (PP1045, PP1134 and PP1321) and identify a new site within the AHMA Local Growth Area for the removed shortfall (PP1045).

Modify the PLDP to remove the reference to the requirement for a second point of access for OP1 beyond the existing consent (PP1321).

Modify the PLDP to include the allocation of a primary school within the OP1 site (PP1134)

Site OP2 – Coutens

Modify the PLDP to amend site OP2 to an allocation for only residential use and remove employment land from the area (PP1134).

Modify the PLDP to reduce the proposed allocation from 85 units to 50 units (PP0811, PP0593 and PP0021).

Modify the PLDP to delete the contribution of 35 houses from the OP2 allocation and reduce the LDP allocation to 50 houses. Identify a new site for 35 houses within the Formartine AHMA Local Growth Area (PP1044).

Modify the PLDP to remove the secondary access at Coutens Drive for OP2 (PP0021 and PP0811).

Modify the PLDP to include a requirement to upgrade Gas Street with regards to OP2 (PP0507).

Modify the PLDP to note within the allocation summary that any potential impacts on key landscape characteristics including cumulative impacts require further assessment with respect to HES Battlefield guidance. Mitigation and enhancement measures are also required to be set out (PP1343).

Site OP4 – Land at Chapelpark

Modify the PLDP to add the following text at the end of the second paragraph, "Provision for active travel is required, including a link to the nearby recreational path (Den of Gownor track). This should also seek to coordinate with any provision for OP5 to the south." (PP1300).

Site OP5 – Newbarns

Modify the PLDP to amend the third sentence in the first paragraph for site OP5 to, "A Flood Risk Assessment and Phase 1 Habitat Survey will be required." (PP1219).

Modify the PLDP to add a new fourth sentence in the first paragraph for site OP5 to state, "Due to the possibility of a significant amount of peat on the site, a Peat Survey will also be required." (PP1219).

Modify the PLDP to clarify road development requirements for site OP5 (PP0266).

Modify the PLDP to clarify road development requirements and drainage requirements for site OP5 (PP0190).

Modify the PLDP to exclude a requirement for OP5 to be served by the privately owned access from Newbarns (PP0767).

Modify the PLDP to remove part of OP5 to include buffer of open space adjacent to existing homes (PP0767).

Modify the PLDP to remove site OP5 (PP0242, PP0266, PP0271, PP0767 and PP0770).

Site OP6 – West of Coutens

Modify the PLDP to clarify whether OP6 can be allocated for employment land or if it is considered open space tied to the adjacent housing development (PP0815 and PP1134).

Modify the PLDP to amend the allocation summary for site OP6 to include a requirement to upgrade Gas Street (PP0507).

Modify the PLDP to remove site OP6 and allocate site FR110 for employment use instead (PP0815).

Modify the PLDP to remove site OP6 or reallocate the site for residential use and allocate land for employment use elsewhere in the settlement (PP1134).

Non-Allocated Site – Bid Site FR062 – Site 2, Newbarns

Modify the PLDP to include site FR062 for 146 homes (PP0755 and PP1134).

Non-Allocated Site – Bid Site FR083 – Land at Colpy Roundabout

Modify the PLDP to include site FR083 for an opportunity site for employment land (PP1134).

Non-Allocated Site – Bid Site FR088 – Land at Parcock Quarry

Modify the PLDP to include site FR088 for 10 homes (PP0593 and PP1134).

Non-Allocated Site – Bid Site FR110 – Site 1, Land Adjacent to B9170

Modify the PLDP to include bid site FR110 - Site 1 as an opportunity site for employment land (PP1134).

Modify the PLDP to remove site OP6 and allocate site FR110 for employment instead (PP0815)

Non-Allocated Site – Bid Site FR111 – Site 2, Land Adjacent to Millburn Road and B9170

Modify the PLDP to include site FR111 for 350 homes (PP0748).

Modify the PLDP to include a southern bypass for site FR111 (PP1134).

Summary of responses (including reasons) by planning authority:

General

The priorities listed by Meldrum, Bourtie and Daviot Community Council for the settlement are noted. Within the Vision it is noted that new housing is a key aspiration for the settlement. Under Policy H2 Affordable Housing there is a provision that all new development must include 25% affordable housing within the allocation (AD0041.A page 42). Additionally, Policy P1 Layout, Siting and Design notes that the design of new developments should be adaptable through a balance of building types, tenures and sizes (AD0041.A page 48). Both of these capture the first priority of the Community Council. No change is required.

In terms of the priority in relation to Developer Obligations this is captured within the Services and Infrastructure section of the Settlement Statement as it details what Developer Obligations are required as a result of new development. Also, the priority relating to connectivity is something that again, is required through Policy P1 Layout, Siting and Design as there is a requirement for new development to be well connected including through means of active travel (AD0041.A page 48). No change is required.

Meldrum, Bourtie and Daviot Community Council's concern about the lack of employment land opportunities within the settlement is noted. However, the new OP6 allocation provides 3.2 hectares of employment land opportunities and there are also some infill opportunities on the BUS site. This is considered to be an appropriate level of allocation given the update of employment sites as from 2014 to 2019 there were only 1.12 hectares developed, (see Employment Land 2018/2019, AD0018, page 36). The OP6 allocation was previously allocated as OP2 in the LDP 2017 for 50 homes and 4.2ha employment land. The OP2 site (as per the LDP 2017) has been split into two opportunity sites – with site OP2 (as per the PLDP) allocated for residential use as per bid FR068, albeit with an increased density, and the remainder of the former LDP 2017 OP2 site has been allocated for employment use as site OP6. No change is required.

In relation to the query on densities of allocated sites, this is something that is calculated to ensure best use of land and not result in either overdevelopment or underdevelopment. As noted through Policy H1 Housing Land the numbers are indicative but higher densities than noted would only be considered where there are no negative impacts on infrastructure, open space and residential amenity as a result (AD0041.A, page 41). No change is required.

Site P1 – To protect the recreational area and cemetery as amenities for the settlement and for contribution to the character of the place

Site P1 has been identified as a protected site to protect the recreational area and cemetery as amenities for the settlement and for contribution to the character of the place. The site was identified in the LDP 2017 and has been taken forward into the PLDP. The space adjacent (to the east) to the Pleasure Park is open fields that are outwith the settlement boundary and are not considered to be a type of open space that would usually

require to have a protected designation. With regards to the proposed OP5 site, in line with Policy P2, all new development must be accompanied by adequate public open space and the provision and location of open space will be considered during the masterplan phase (AD0041.A). No change is required.

Site R1 – For a potential long-term future expansion of Meldrum Academy

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site R2 – For a future Community Church, Site R3 – For a future Transport Interchange and Site BUS – Safeguarded for business uses

The comments from SEPA are noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications. Very similar comments were noted by SEPA but are addressed through the non-notifiable modification from Scottish Water.

Site OP1 – Land North of Distillery Road

The comments from SEPA are noted. No change is required.

Supportive comments for the allocation are noted. No change is required.

Land for the proposed church has been reserved as site R2 and does not form part of the developable site area of site OP1. The allocation density was increased in size to avoid underdevelopment of the site and be in keeping with the densities of the properties surrounding the site. It is acknowledged that there is a planning application, APP/2019/1555, pending on the site which is for less than the proposed allocation but as at 1 February 2021 is still a pending application it would not be prudent to make recommendations prematurely to reduce the allocation, it is therefore considered appropriate to keep the allocation for 88 homes. In light of this, it is not considered necessary to allocate the additional 38 homes elsewhere in the Formartine area of the Aberdeen Housing Market Area. There were a number of concerns relating to this development including access. These issues would be looked at again in more detail in relation to any planning application on the site and discussions would be undertaken with stakeholders to ensure an appropriate decision was reached. No change is required.

The Community Council note that the allocation should include a new primary school. Information received from the Council's Education Service and contained within the 'Services and Infrastructure' section of the Plan is that any new development would need to contribute towards additional primary school capacity. There is also no commitment

within the Council's Capital Plan 2016-2032 to put funds towards the building of a new primary school within Oldmeldrum (AD0099, page 2). It would therefore not be a deliverable requirement to include a new primary school within the allocation at this stage. No change is required.

Site OP2 – Coutens

The comments from SEPA are noted. No change is required.

This allocation is a new allocation solely for housing. The housing element of the allocation previously formed part of a mixed-use allocation in the 2012 and 2017 LDP. The site was split into the separate allocations for housing and employment uses to give greater transparency to the residents within the settlement as to what development will happen where within the site. The site is still subject to a masterplan, which is required to show how the development on the OP2 and OP6 sites will be linked. The allocation density was increased in size from that of the original bid submission to avoid underdevelopment of the site, however as noted through Policy H1 Housing Land, the numbers are indicative (AD0041.A). The Council note that the site is marketability constrained in terms of the HLA 2019 (AD0022, page 65). However, given that the site is now a separate allocation than the employment element, the Council believe it is appropriate to continue to identify it in the PLDP. Through its allocation and subsequent inclusion in the associated Delivery Programme, the Council's Delivery Team would be able to facilitate any discussion required between parties and work with them to bring the site forward. No change is required.

Any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan. Additionally, issues relating to infrastructure, including roads would be assessed at the planning application stage through consultation with the relevant stakeholders. No change is required.

The Council confirms that it intends to address HES's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP3 – Land south of Millburn Road

The comments from SEPA are noted. No change is required.

The Council note that this site is now completed and for clarity, there is no need to allocate the site in the Plan. If the Reporter is minded, to make a change, the Council would recommend removing the OP3 allocation, remove the allocation summary, update the associated maps and Table 1 and 2 of Appendix 6.

Site OP4 – Land at Chapelpark

The comments from SEPA are noted. No change is required.

Supportive comments for the allocation are noted. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP5 – Newbarns

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council note the representee's concerns regarding road safety and the impact on the local road network from the proposed development. The Council also note the requests that road development and drainage solutions are to be fully explored for the site and the concern regarding the proposed access which the representee has stated is private. However, any issues relating to infrastructure, including roads, access arrangements and drainage would be assessed at the planning application stage through consultation with the relevant stakeholders. With regard to the concern that the allocation summary does not provide the pros and cons of the site, the function of the allocation summary is not to weigh up the positives and negatives of the site. The PLDP sets out allocations and identifies what is expected as part of each allocation. No change is required.

The site was agreed to be allocated at the Special Meeting of Formartine Area Committee in September 2019 and has been carried forward into the PLDP and allocated as such (AD0141). The Council note the representee's request to reduce the site to exclude the greenfield land. However, in line with Policy P2, all new development must be accompanied by adequate public open space and this may make a significant contribution to green-blue networks in communities (AD0041.A). The provision and location of open space will be considered during the masterplan phase. As such it is not considered that the site should be reduced and land at the west of the site removed. No change is required.

The allocation is considered to be in an appropriate location and relates well to the new development on the OP4 allocation. Within the allocation summary for the site there is a requirement for strategic landscaping as well as a carefully considered design of the site to mitigate the impact on the setting of the listed building and providing an edge to the development. This will also help to mitigate landscape character impact. No change is required.

The density of the site is in keeping with the other allocations within Oldmeldrum in order to ensure that there is not underdevelopment or overdevelopment of the site. One of the key themes through the Vision of the Plan is that there is demand for new housing within the settlement which is why there are a number of allocations within the settlement. There is a steady number of housing completions showing demand remains within the settlement, albeit there were no completions in 2020 due to the restrictions from Covid-19, as in 2019 there were 28 houses completed and it is anticipated that 23 will be completed this year and an increase in 2022, (see the Housing Land Audit, AD0022, page 28). The site will bring public benefit as there will be 25% of the allocation providing affordable houses within the settlement which is something that is considered to be needed within the settlement as noted by the Community Council. No change is required.

Any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan. Additionally, issues relating to infrastructure, including roads, access, schools and drainage would be assessed at the planning application stage through consultation with the relevant stakeholders. Concerns relating to the loss of greenfield land, impact on

character and wildlife are noted. These considerations are looked at through the site assessment stage when a development bid is considered for development. These impacts will also be considered again, at a planning application stage when the planning application is assessed against the relevant policies within the Plan. The concern relating to impact on the green belt is noted, however Oldmeldrum is not located near the green belt and as such the proposed site is not considered to have an impact on the green belt. No change is required.

Site OP6 – West of Coutens

The comments from SEPA are noted. No change is required.

The site was allocated within the 2012 LDP (part of the site), and in the 2017 LDP as a mixed-use allocation for both housing and employment land. This is not a new allocation, the change that has occurred is to split the housing and employment uses into separate allocations to give greater transparency to the residents within the settlement as to what development will happen where within the site. The site is still subject to a masterplan, which is required to show how the development on the OP2 and OP6 sites will be linked. Careful designing of the site will ensure that the development of the site works with the surrounding areas. Any impacts on the amenity of neighbouring properties and any potential road improvements would be addressed at a planning application stage with the proposal being assessed against the relevant policies within the Plan. Additionally, it is not considered that bid site FR110 is an appropriate replacement for site OP6 – please refer to the response on bid site FR110 as set out below. No change is required.

Non-Allocated Site – Bid Site FR062 – Site 2, Newbarns

The Council does not support allocating bid site FR062 for 146 homes. Support for the site from the Community Council and the representee are noted. The representee notes a number of reasons why the site should become an allocated site. However, as noted within the Issues and Actions Papers, promoting this site alongside the newly allocated OP5 would promote development that was not in scale with the needs of the community in the Plan period (AD0040.D, page 71). The current proposal would also result in underdevelopment on the site. At the Formartine Area Committee meeting in September 2019, the Committee agreed an additional recommendation to include wording within the allocation summary for OP5 to encourage a masterplan between the OP5 site and the FR062 site as a whole on the basis of the work being phased (AD0141, page 3). It is still considered at this time that extra development within Oldmeldrum, other than what is proposed, is not required at this stage. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site FR073 – Land at Parkside Piggery.

Supportive comments for not allocating bid site FR073 for 10 homes are noted. No change is required.

Non-Allocated Site – Bid Site FR083 – Land at Colpy Roundabout

The Council does not support allocating bid site FR083 for employment land. The comments from Meldrum, Bourtie and Daviot Community Council are noted. Within the Main Issues Report the site was noted as a reserved site for Employment Land, therefore not a site that was being considered for immediate development (AD0038.D, page 73). However, in response to the Main Issues Report consultation, although there was some support from representees, HES and NatureScot both noted concerns with the site. Notably for HES the impact upon the Barra Battlefield and NatureScot note that the site is poorly located to the settlement, (see Issues and Actions Paper, AD0040.D, page 68). The site was therefore not carried through into the Proposed Plan as a site for either immediate or reserved status. No change is required.

Non-Allocated Site – Bid Site FR088 – Land at Parcock Quarry

The Council does not support allocating bid site FR088 for 10 homes. Within the Main Issues Report the site is noted to be an undesirable location for expansion of the settlement and is outwith the logical boundary of the settlement. It is also noted that the site would be inaccessible to a range of local services within Oldmeldrum (AD0038.D, page 74). These concerns are reiterated within the Issues and Actions Paper in response to comments received through the consultation for the Main Issues Report, but it is also noted that it would be very difficult to provide a safe route to school from the site. These concerns remain appropriate and valid to not allocate this site for development.

Additionally, As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site FR110 – Site 1, Land Adjacent to B9170

The Council does not support allocating bid site FR110 for employment land. The site is noted to be well located to existing employment land within the settlement, but it would take development further from the core of the town. It is also noted that the site would be relatively prominent from the B9170 and is of high historical context, (see MIR, AD0038.D, page 74). Comments were then received from HES in response to the Main Issues Report consultation that there was a concern that development on the site would have an impact upon the Barra Battlefield along with landscape impacts, (see Issues and Actions Paper, AD0040.D, page 68). It was therefore decided that the most appropriate thing to do was not to allocate the site even though there is support from the Community Council. This view is still considered to be relevant. Additionally, it is not considered that this site should replace the allocation for employment land at site OP6 due to the reasons set out above and those reasons highlighted in the response section for OP6 – West of Coutens. No change is required.

Non-Allocated Site – Bid Site FR111 – Site 2, Land Adjacent to Millburn Road and B9170

The Council does not support allocating bid site FR111 for 350 homes. Within the Main Issues Report the site was noted as having some merits and was noted as being a reserved site, which was not preferred for immediate development. Through the assessment of the site a number of potential issues were highlighted, including impact on Barra Battlefield, access, education provision and loss of prime agricultural land. It was noted that further information on these constraints and the possibility to resolve them,

particularly the impact on the Battlefield, would be required before the site could be considered preferred (AD0038.D, page 73). Through the Issues and Actions papers it was highlighted that HES were concerned that there would be an impact on the Barra Battlefield and other adverse archaeological impacts should the site be developed (AD0040.D, page 70). Due to these concerns, it was noted that the site should not be identified as a site within the Plan for development.

Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

The request to include the addition of a southern bypass through bid site FR111 is noted, however the aspiration for this piece of road infrastructure is highlighted within the Settlement Statement Vision and this is considered an appropriate location for reference to it. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 24. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

General

3. Meldrum, Bourtie and Daviot Community Council wishes the plan to refer to the need for the provision of bungalow accommodation and affordable housing in the town. As Aberdeenshire Council points out, policies H2 (Affordable Housing) and P1 (Layout, Siting and Design) address these points by requiring developments to provide a proportion of affordable housing and a balance of building types, tenures and sizes.

4. Similarly, the community council's wish for a significant amount of developer obligation money to be allocated to education and healthcare is addressed under the Services and Infrastructure section of the settlement statement.

5. The other matters which the council has listed as general representations are dealt with under sites OP6 and FR062 below.

6. No modifications are required.

Site R1 – Potential long-term future expansion of Meldrum Academy

7. The Scottish Environment Protection Agency (SEPA) seeks an addition to the allocation text for R1 requiring peat and habitat surveys due to likely on-site conditions. I consider that these requirements are necessary for environmental protection, and recommend a modification.

Flood risk

8. SEPA seeks amendment of the first bullet point in the Flood Risk section of the settlement summary to include OP3 and OP5 as sites vulnerable to flood risk. I consider that this is necessary in the interest of flood safety and recommend a modification.

9. SEPA seeks more precise wording of the second bullet point in the Flood Risk section of the settlement summary by referencing the Meadow Burn specifically. I consider that this is appropriate in the interest of accuracy and recommend a modification.

Services and infrastructure

10. SEPA requests amendment of the strategic drainage and water supply bullet point to make the significant waste water treatment issues in Oldmeldrum clear to potential developers. Developers require to understand that, although Scottish Water is seeking a technical solution, any private treatment plant built to an adoptable standard would not be acceptable on the same basis. Scottish Water suggest alternative wording to address this point. I consider that the suggested amendment is appropriate in the interest of clarity and recommend a modification.

Site OP1 – Land north of Distillery Rd

11. This site, located in a residential area in the north of Oldmeldrum, is allocated for 88 homes. A masterplan for a 50 home development was approved in March 2016, in line with the allocation in the current local development plan. The increase in density identified in the proposed plan would contribute 38 homes towards the strategic development plan allowance in the Aberdeen Housing Market Area.

12. This increase in density has been criticised in several representations as being excessive and unrealistic. Some have pointed to the planning application for 49 dwellings (pending determination at the time the proposed plan was published) as a reason to revert to an allocation of 50 units.

13. Church of Scotland General Trustees, who own the site together with the adjacent land which is reserved for a community church (site R1), argue that it is not realistic for their landholding to support 88 homes, a church, substantial open space and landscaping.

14. Paragraph 4.8 in the strategic development plan states that “land brought forward to housing must be used efficiently”. I note that increased housing densities have been applied to sites throughout the local development plan area to avoid underdevelopment and, as stated in Policy H1 Housing Land, the figures are indicative. The policy leaves scope for lower (or higher) densities to be considered in the light of specific conditions on any site. However, whilst I acknowledge that an indicative density of 88 homes on the site may be appropriate on this site, I note that planning permission has now been granted for 49 homes and the landowner does not support the increased density.

15. I consider that the overall allocation for OP1 should be reduced to 49 homes in order to reflect the recent planning permission and in response to representations. Some subsequent changes are required to the allocation summary to indicate that planning permission has been granted. Modifications to this effect are recommended. The relevant table in Appendix 6: Housing Land Allocations also requires to be modified to deduct allocation OP1 (and 38 homes) from the list of sites identified as contributing towards the strategic development plan allowance. This is because 50 homes on this site form part of the 2019 effective supply. The implications of this change for the overall housing land provision are addressed in Issue 5.

16. The allocation summary in the proposed plan states that a second access point is required to deliver further development beyond the existing consent. This statement has no implications for the access arrangements agreed as part of the planning permission for 49 homes. However, it may be a relevant consideration if revised proposals for an increased number of homes are submitted. I therefore consider it prudent to retain this sentence in the allocation summary. No modification is required.

17. The community council's suggestion that a new primary school should be included in the allocation for this site would not be deliverable as there are no funds committed for a new primary school in Oldmeldrum within the Aberdeenshire Council's Capital Plan 2016-2032. No modification is required.

Site OP2 – Coutens

18. In the adopted plan, a site which combines what is now described as Coutens and West of Coutens allocates a mix of 50 homes and 4.2 hectares of employment land. The proposed plan splits that site into an allocation of 3.2 hectares of employment land on site OP6 (West of Coutens) and 85 homes on site OP2 (Coutens).

19. Representations seek to reduce the allocation from 85 homes to its current figure of 50 homes as the increased density would be out of character in a rural location, would spoil the outlook of existing houses, would increase traffic noise and would not be likely to be matched by expansion of local infrastructure.

20. However, increasing housing density is an authority-wide strategy designed to avoid underdevelopment and is consistent with paragraph 4.8 of the strategic development plan. Our examination has concluded that the council's approach to housing density is appropriate (see Issue 5). I am not persuaded that the increased indicative density proposed at Coutens would be out of character; Oldmeldrum is a comparatively large settlement in mid-Formartine with a mix of housing densities. The actual density of a development on this site would require to be justified in the masterplan for sites OP2 and OP6 against relevant policies of the plan. Protecting the outlook of individual houses is not a planning matter. No evidence is presented of the potential for undue levels of traffic noise or that expansion of local infrastructure would not be commensurate with increases in housing stock.

21. Issues of traffic safety in relation to the use of Coutens Drive as a secondary access to the site and of the amenity of existing residential properties would be assessed against the relevant plan policies as part of the processing of any planning application.

22. The deliverability of the site is questioned, as no planning application has been forthcoming since its allocation in 2013. In the 2019 housing land audit, the site was indicated as effective over the plan period, being shown for development between 2023 and 2026. However, the 2020 audit shows none of the units as being effective over the plan period, and the site as being constrained by marketability. The 2020 housing land audit was undertaken in respect of the site as it stands in the current plan. Aberdeenshire Council argues that because the revised site is now a separate housing allocation housing its allocation should remain and that, through its inclusion in the associated Delivery Programme, the council's delivery team would facilitate discussions between parties to bring the site forward. Additionally, I note that there is interest in the site from an active housebuilder and, from the settlement statement, that meeting the demand for new housing in Oldmeldrum is a key aspiration for the town.

23. Regarding the above matters, no modifications are required.

24. The community council's request that sites OP2 and OP6 should be allocated for housing only is discussed under site OP6 below.

25. Historic Environment Scotland has requested amended text regarding the Battle of Barra Inventory historic battlefield site to require further assessment of potential impacts on the site along with mitigation and enhancement measures. I agree that this should be included as compliant with Historic Environment Scotland guidance, and recommend an appropriate modification.

Site OP4 – Land at Chapelpark

26. The 2019 housing land audit shows 35 homes on site OP4 (land at Chapelpark). This figure was increased in the proposed plan to an indicative capacity of 68 to make more efficient use of the site, with the additional 33 homes contributing to the strategic development plan allowance for the Aberdeen Housing Market Area. In October 2020, an application for the approval of matters specified in condition one of the earlier planning permission in principle was granted for 62 homes (APP/2020/0761).

27. In order to accurately reflect the number of homes expected to be built on this site, the overall allocation for OP4 should be reduced to 62 homes, with 27 of these contributing towards the strategic development plan allowance. Some subsequent changes are required to the allocation summary to reflect the 2020 planning permission. Modifications to this effect are recommended. The relevant figures in Appendix 6: Housing Land Allocations also require to be modified. The implications for this change for the overall housing land provision are addressed in Issue 5.

28. The representation from NatureScot advises that the allocation should include a requirement for active travel provision. I consider that is appropriate in order to align with the aims of the proposed plan.

Site OP5 – Newbarns

29. This is a newly allocated greenfield site for 146 homes on the north-east edge of the settlement, whose development is expected to be phased. It lies to the east of the A947, which is the main road into Oldmeldrum from the north. Most of the town's facilities lie to the west of that road. The north-west boundary of the site lies close to the southern end of

site OP4.

30. The Main Issues Report refers to considerable pressure for employment, retail and housing allocations within Oldmeldrum. As the town centre is densely developed, the report looks for development opportunities on the periphery of the town. Here the Battle of Barra Inventory site is a constraint as its boundary encompasses open land to the south and west of the town. The report concludes that, despite the need for residents to cross the A947 to access services, site OP5 might be the only non-allocated site in the town that could be considered for development. The community council supports development in this location.

31. Paragraph 5.15 of the proposed plan, referring to the locations in Aberdeenshire outwith the Strategic Growth Areas, states that the council has re-evaluated allocations that are currently stalled in Rural Housing Market settlements and increased allocations in Aberdeen Housing Market area towns such as Oldmeldrum and Pitmedden, where growth is more likely. The proposed plan recognises Oldmeldrum as a key settlement in providing services to the surrounding communities including education, retail, healthcare and community services. It enjoys a fairly central location within Formartine, was formerly the main market town for the surrounding countryside and enjoys good transport links.

32. The strategic environmental assessment states that development of the site would result in the loss of prime agricultural land and that the site partly overlaps with an area of carbon-rich soil and peatland. It considers that development in this location is unlikely to have any effect on landscape quality. It considers that a proposal of the scale proposed would lead to increased traffic flow through Oldmeldrum, where air quality is approaching the EU objective level.

33. SEPA requests that the allocation statement includes reference to a Phase 1 habitat survey and a requirement for a peat survey. I consider that those surveys would be appropriate for this large greenfield site where the presence of peat is possible, and recommend a modification to that effect.

34. It is argued that the allocation of 146 houses, when taken together with the OP4 allocation, is excessive compared with the number of existing houses on the east side of the busy A947, giving rise to access problems and placing strain on what are claimed to be inadequate existing services and infrastructure.

35. Some of these concerns, including education provision, could be addressed by requirements for developer contributions to mitigate impacts on infrastructure, in accordance with policy RD2 of the proposed plan. A summary of services and infrastructure requirements for developments in the town is set out on page 462 of the proposed plan. Requirements to address vehicle access arrangements, including a new junction configuration onto the A947, and pedestrian crossing facilities on the A947 are outlined in the site allocation statement for detailed assessment in any planning application against relevant policies of the local development plan. Concerns regarding noise and pollution, residential amenity, local character and local wildlife would also be assessed against those policies. Development on prime agricultural land is generally to be avoided, however, in line with policy PR1 (Protecting Important Resources), its loss, is justified as being required to meet strategic housing needs where there are no reasonable alternatives.

36. Landscape impact was considered in the council's Strategic Environmental Assessment to have a neutral effect. The area is not covered by any landscape designation. It comprises grazing land of pleasant but unexceptional character. Visibility of the site is restricted by the landform, vegetation and lack of significant public viewpoints.

37. A representation seeks the exclusion from the allocation of a boggy woodland area to allow for habitat retention, community ground and to benefit the outlook from houses in Newbarns. However, those matters would be appropriately addressed in a masterplan covering the whole allocation.

38. Several representations argue that development should not extend beyond the existing housing at Newbarns, a position which they say was previously accepted by the planning committee. However, each local development plan requires to look afresh at the allocations appropriate for each settlement, and the council has carried out comprehensive assessments to support this allocation.

39. One representation argues that the allocation should be removed in order to reduce the pace of expansion in Oldmeldrum and avoid services being overwhelmed by unnecessary housing. However, the need for additional housing arises from targets set by the strategic development plan to meet identified needs in each housing market area, as discussed in Issue 5. For the reasons set out in paragraph 31 above, I am satisfied that the level of growth proposed for the town is justified against the vision, aims, strategy and targets of the plan.

40. With regard to other matters raised in representations: benefits of the allocation would include helping to meet targets for new housing and providing affordable housing; the site requires to be assessed on its own merits rather than by comparison with other sites; it does not lie within or near the green belt; land ownership matters cannot be addressed in this examination, and it is not the purpose of an allocation summary to provide the pros and cons of a site.

41. Other than the modification sought by SEPA, no further modification is required.

Site OP6 – West of Coutens

42. In the adopted plan, a site at and west of Coutens allocates a mix of 50 homes and employment land of 4.2 hectares. The proposed plan splits that site into two separate allocations; 3.2 hectares of employment land on site OP6 (West of Coutens); and 85 homes on site OP2 (Coutens).

43. The community council wishes site OP6 to be used for housing because there is no other employment land nearby. Another representation criticises this allocation because there was no bid for employment land here and the allocation is detached from the other employment land in Oldmeldrum at site BUS. However, I consider that this is not, in essence, a new allocation and separation from other employment land is not in itself a reason for rejecting employment use on this land. It follows that there is no need to consider replacement land for employment use.

44. The community council and a local resident are concerned that site OP6 is amenity open space associated with the adjacent 400 house development and should not be allocated for development. However, part of this land was allocated for development in

the 2012 local development plan and the 2017 local development plan and no evidence has been submitted to support the concerns.

45. Given its role as part of the core path network, the possible need for a section of Gas Street to be upgraded, would be assessed against plan policies and Appendix 8: Successful Placemaking Design Guidance, in the processing of any future planning application.

46. As part of the site lies within the boundary of the Battle of Barra Inventory historic battlefield, Historic Environment Scotland advises, that any potential impacts of development on the key landscape characteristics and the cumulative impacts should be assessed, with mitigation and enhancement considered, in line with the battlefield guidance. I agree that this advice should be reflected in the site allocation summary.

47. No modification is required other than the additional advice recommended by Historic Environment Scotland.

Non-allocated Bid Site FR062 – Site 2 Newbarns

48. Bid site FR062 combines site OP5 with the adjoining field to the south. This combined site is promoted for development with up to 200 units, compared with 146 units for OP5 alone. This would include 37 units for affordable housing.

49. The promoter argues that the proposed larger site would allow for better co-ordination and flexibility, together with opportunities to extend the adjacent pleasure park (on site P1), and to improve countryside access. It is claimed that the site is free of constraints and would be able to deliver a steady rate of development. The community council supports the bid proposal so that the entire area can be consistently and sympathetically considered as a whole. The promoter argues that considerations regarding development of this site are similar to those regarding site OP5 and site OP2, both of which are proposed for allocation.

50. I do not accept that the site is free of constraints. Indeed, the strategic environmental assessment refers to a significant loss of prime agricultural land and a partial overlap with an area of carbon-rich soil and peatland. It also refers to constraints relating to water treatment, education, road access, and the need for residents to cross the A947 road to reach local services. However, it anticipates no significant landscape impact.

51. Irrespective of the extent to which these matters might be resolved, I agree with the council that promoting this large site alongside newly allocated site OP5 would be out of scale in the plan period. Moreover, the number of homes proposed would represent underdevelopment, contrary to paragraph 4.8 in the strategic development plan and inconsistent with the approach to other sites in the proposed plan.

52. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Sites in Oldmeldrum could potentially contribute to meeting this shortfall. However, for the reasons set out above, I conclude that bid site FR062 should not be allocated. There are other sites available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing

Market Area, as explained in issue 5.

53. No modification is required.

Non-allocated Bid Site FR083 – Land at Colpy Roundabout

54. Bid site FR083 is a field to the west of Oldmeldrum which is being promoted for employment use. It lies outwith the A920 relief road, which forms the settlement boundary on this side of the town.

55. The community council considers that it should be allocated as employment land on the grounds of demand and proximity to existing employment land to the east (BUS). Historic Environment Scotland is concerned about the potential impact of development here on the Barra Battlefield site. NatureScot considers that the site is poorly related to the settlement.

56. I have seen no clear evidence of a shortfall of employment land in Oldmeldrum, and note that site OP6 has been allocated for employment in the proposed plan. The potential for development to impact adversely on the Barra Battlefield site counts against allocation of this site, as does the way in which it projects prominently into open countryside beyond an otherwise compact urban form. I also note from the main issues report that the land is constrained by contamination and prime agricultural land status. The strategic environmental assessment considers that the proposal would be likely to have a significant negative impact on the setting of Oldmeldrum and might weaken the sense of place and identity of the settlement.

57. No modification is required.

Non-allocated Bid Site FR088 – Land at Parcock Quarry

58. Bid site FR088 is a former quarry located to the north of the A920 relief road around the northern edge of Oldmeldrum. A development comprising 10 bungalows is proposed on the quarry floor. The site has an existing access road, is close to a pedestrian crossing over the A road, and is partly screened by the landform, including the quarry walls. It is adjacent to two core paths.

59. This proposal is supported by the community council, which wishes to see more bungalows in the town.

60. The site is on a high point overlooking the town. The vehicular access onto the A920 road stands next to a local viewpoint with seating and disabled access. The A920 road separates the site from the town and is subject to a 40mph limit. A pedestrian refuge is provided to aid crossing of the road. The site lies beyond the existing urban boundary, as marked by the line of the relief road. It would be an outlier, poorly related to the urban form and, to the extent that it was visible, have an adverse landscape and visual impact. It is relatively distant from local services and it would be difficult to provide a safe route to school, especially given the nature of the pedestrian crossing.

61. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan

allowance for the Aberdeen Housing Market Area. Sites in Oldmeldrum could potentially contribute to meeting this shortfall. However, for the reasons set out above, I conclude that bid site FR088 should not be allocated. There are other sites available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, as explained in issue 5.

62. No modification is required.

Non-allocated Bid Site FR110 – Site 1 land adjacent to B9170

63. Bid site FR110 is a triangular field next to the B9170 road on the southern boundary of Oldmeldrum. It extends beyond an existing industrial estate (Barra Business Park) and is being promoted for employment land.

64. Whilst its location adjacent to existing land in industrial use is appropriate, it is prominent to road users on the B9170 entering and leaving the town from the south and it projects into open countryside. It falls within the Barra Battlefield designated site and Historic Environment Scotland is concerned that development of the site would have an impact on the battlefield site along with landscape impacts. It would be located in the vicinity of an area of fighting and of important places associated with the battle (namely the Bruce Field and the Comyn Lines). Its development would also result in the loss of prime agricultural land.

65. The proposed plan allocates employment land within the town and no need for additional land has been demonstrated.

66. No modification is required.

Non-allocated Bid Site FR111 – Site 2 Land adjacent to Millburn Rd and B9170

67. This is a large site which stretches along the southern edge of the town. It comprises open fields which slope gently down from the south to the Meadow Burn along its northern edge. At its western end, it borders the B9170 and Millburn Road. It is being promoted for 350 homes.

68. The site's merits were recognised in the main issues report, namely good connectivity to the town centre and employment land together with the potential to enhance green corridors and biodiversity. The report noted the site as being reserved for future development and not to be allocated in the proposed plan. The primary reasons were the need to resolve issues around vehicular access, education provision, archaeological impacts – especially on the Battle of Barra Inventory site, and the council's position that in the proposed plan there was an appropriate and sufficient supply of deliverable housing land within the Aberdeen Housing Market Area.

69. The promoter (Hallam Land) proposes two vehicular access junctions into the site from the B9170 and has submitted indicative drawings. I note that the council would prefer an additional vehicular access to the east. However, no resolution on the acceptability of the B9170 access arrangements or the need for an eastern access has been concluded.

70. Hallam Land understands that the education issue raised by the council relates to the

need for additional capacity to accommodate children from the proposed development. This it claims can be achieved by extending existing schools and the company offers to contribute to the proportionate cost of such extensions. I note that policy RD2 states that “contributions will be sought towards the provision of necessary infrastructure” and that site OP5 is also affected by an education capacity constraint. I therefore consider it likely that a solution could be found to address this matter.

71. The strategic environmental assessment states that development of the site would result in the loss of prime agricultural land and that the site partly overlaps with an area of carbon-rich soil and peatland. It considers that development in this location is unlikely to have any effect on landscape quality. It also considers that a proposal of the scale then proposed (200 homes) would lead to increased traffic flow through Oldmeldrum, where air quality is approaching the EU objective level, decreasing air quality.

72. The site falls within the Battle of Barra Inventory site and Historic Environment Scotland expressed concern about potential impacts of development on that site as well as on archaeology in the area. Because of restrictions caused by the Covid-19 pandemic, consultation with Historic Environment Scotland was delayed until after the deadline for representations on the proposed plan. The promoter subsequently submitted outline proposals for the consideration of Historic Environment Scotland and has since requested that the Historic Environment Scotland response be included in this examination. This late information was not accepted because I considered that I had sufficient information and the material offered would not affect my recommendation.

73. The proposed plan allocates land for a total of 413 homes in Oldmeldrum. The addition of 350 homes, as promoted on this site, would be a substantial increase and considerably more than the only newly allocated site in Oldmeldrum, OP5 (Newbarns). Oldmeldrum is located in the Local Growth and Diversification Area where it is expected that growth will be restricted to that meeting local needs unless specifically justified against the vision, aims, strategy and targets of the plan. Whilst I consider that the proposed plan offers special justification for some growth above that meeting local needs (see paragraph 31 above), the proposed additional 350 homes could not be justified in that way.

74. Hallam Land argues that there is a significant shortfall in the proposed plan’s site allocations as intended to meet the housing allowances identified in the strategic development plan for the Aberdeen Housing Market Area. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Sites in Oldmeldrum could potentially contribute to meeting this shortfall. However, for the reasons set out above, I conclude that bid site FR111 should not be allocated. There are other sites available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, as explained in issue 5.

75. The community council refers to benefits arising from allocating site FR111 for a southern bypass, but this is not part of the proposal.

76. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

1. Adding a second sentence to Reserved Land R1 (page 461) to read:

"A Peat Survey and Phase 1 Habitat survey will be required due to the potential presence of peaty gleys and mixed habitat onsite."

2. Replacing the first sentence of the first bullet point under Flood Risk (page 461) with:

"Parts of OP2, OP3, OP6 and R1 are within the Scottish Environment Protection Agency's indicative 1 in 200 year flood risk area, or have a small watercourse running through or adjacent to the site."

3. Replacing the second bullet point under Flood Risk (page 461) with:

"• Part of the site OP3 and the BUS site are within SEPA's indicative 1 in 200 year flood risk area of the Meadow Burn or have a small watercourse running through or adjacent to the site. A Flood Risk Assessment will be required for the BUS site. A Flood Risk Assessment

may be required for OP3. Adequate buffer strips will be required along the river corridor associated with the Meadow Burn which should be integrated positively into the developments. Morphological improvements to the Meadow Burn may be required."

4. Replacing sentences 3 to 5 of the strategic drainage and water supply bullet point under Services and Infrastructure (page 462) with:

"There is insufficient capacity at Oldmeldrum Waste Water Treatment Works (WWTW). Scottish Water is investigating options to accommodate the anticipated flow from the growth of Oldmeldrum. Strategic Drainage Impact Assessment is ongoing and it is anticipated that an upgrade to the network would be required. Any developer interested in developing in the Oldmeldrum catchment area must engage directly with Scottish Water as soon as possible to discuss build out plans."

5. Changing the allocation figure for site OP1 (Land North of Distillery Road) at the top of page 463 as follows:

"Allocation: 49 homes."

6. Deleting the second and third sentences in the first paragraph of the allocation summary for OP1 (Land North of Distillery Road) on page 463 and replacing the fifth sentence with:

"Planning permission has been granted for 37 houses with land set aside for 12 affordable homes (planning application reference APP/2019/1555)"

7. Amending the entry for Oldmeldrum OP1 in the relevant table in Appendix 6 to show that the site does not contribute towards the strategic development plan allowance for the Aberdeen Housing Market Area; to remove the figure '38' from the Local Growth AHMA column; and change the figure in the LDP Allocation column to '49'. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

8. Inserting the following new text after the second sentence of the second paragraph of the allocation summary for OP2 (land south of Millburn Road) on page 464:

"Any potential impacts on key landscape characteristics including cumulative impacts require further assessment with respect to Historic Environment Scotland battlefield

guidance. Mitigation and enhancement measures are also required to be set out.”

9. Changing the allocation figure for site OP4 (Land at Chapelpark) at the top of page 466 as follows:

“Allocation: 62 homes.”

10. Replacing the second and third sentences of the first paragraph in the allocation summary for OP4 (land at Chapelpark) on page 466 with:

“The capacity of the site has been increased to 62 homes to avoid underdevelopment and reflect the approval of a recent application (APP/2020/0761). If the existing permission is not implemented, a masterplan will be required.”

11. Amending the entry for Oldmeldrum OP4 in the relevant table for the Aberdeen Housing Market Area in Appendix 6 to replace ‘33’ with ‘27’ in the second last column and ‘68’ with ‘62’ in the last column. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

12. Adding the following sentences at the end of the second paragraph in the allocation summary for site OP4 (land at Chapelpark) on page 466 as follows:

“Provision for active travel is required, including a link to the nearby recreational path (Den of Gownor track). This should also seek to coordinate with any provision for OP5 to the south.”

13. Replacing the third sentence in the first paragraph of the allocation statement for site OP5 (Newbarns) on page 467 with:

“A Flood Risk Assessment and Phase 1 Habitat Survey will be required.”

14. Adding a sentence after the third sentence in the first paragraph of the allocation summary for OP5 (Newbarns) on page 467 as follows:

“Due to the possibility of a significant amount of peat on the site, a Peat Survey will also be required.”

15. Adding the following sentence after the third sentence in the second paragraph of the OP6 (West of Coutens) site summary on page 468:

“Any potential impacts on the key landscape characteristics of the battlefield site and the cumulative impacts should be assessed, with mitigation and enhancement considered, in line with the battlefield guidance.”

Issue 25	Pitmedden	
Development plan reference:	Proposed LDP, Appendix 7C Formartine, Page 470-475	Reporter: Malcolm Mahony
Body or person(s) submitting a representation raising the issue (including reference number):		
PP0018 Glen Schreuder PP0254 Elizabeth Strachan PP0331 Andrew Strachan PP0383 Claymore Homes PP0384 Claymore Homes PP0410 Paul Walsh PP0469 Julian Slater PP0531 Wendy Campbell PP0566 Udney Community Council PP0667 Stewart Milne Homes PP0677 Stewart Milne Homes PP0678 Stewart Milne Homes PP0713 Graham Stott PP0725 Lindsey Ritchie PP0728 Matthew Stott PP0834 Margaret Coutts PP0895 David Murray Associates Limited PP0909 Pamela Johnstone PP0937 Ross and Emilia Murray PP0955 Karen Leslie and Kenneth Turner PP0959 Andrea Gilmartin PP0990 Oonagh Stewart PP0997 Thomas MacKenzie PP0998 Christina MacKenzie PP1001 Russell and Tracey Gibb PP1014 Claire Woodward PP1156 Allan and Charlotte Hay PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage) PP1343 Historic Environment Scotland		
Provision of the development plan to which the issue relates:	Pitmedden Settlement Statement	
Planning authority's summary of the representation(s):		
<u>General</u> A representee has indicated that improved amenities should be provided in the settlement given the level of housing proposed in the settlement (PP0018).		

A representee has suggested that the 351 homes proposed across OP1, OP2 and OP3 is excessive unless it were directly linked to the building of a new community school. It is stated that 100 homes would be more appropriate over the next decade (PP0469).

Site R1 – Reserved for a new village hall

A representee has sought clarification on the access route for site R1 for a village hall, querying whether it would be accessed from the medical centre, whether parking would be provided and where the site boundary would be located (PP0018).

A representee has sought the removal of site R1. The representee considers that the site would be better identified for housing rather than a village hall as the site has been identified for a village hall since 2003 with no proposals and that 17-years is ample time for such proposals to be progressed or implemented. However, the representee has questioned whether the site will ever be delivered. In the Main Issues Report (MIR) 2019, bid site FR008 was not identified as an Officer's preference as the development of a village hall was still considered an aspiration and no other site was identified by the developer. However, site OP2 identifies a community hub and therefore an alternative space has been identified and site R1 is surplus to requirements for a village hall. As such, site R1 can be developed for a more appropriate and deliverable land use such as for housing. The site is able to gain access through existing residential development and has a developer to deliver the site. It is also well located and within walking distance of existing facilities, and well located, near to site OP2. The representee states that an alternative to allocating the site for housing could be to identify the site within the settlement boundary as white land so the site would come forward under Policy P3. The representee has included two Appendices (RD0053.A and RD0053.B) in their submission which provides further detail to support their position (PP0384).

Site BUS1 – Safeguarded for business uses

Scottish Environmental Protection Agency (SEPA) has confirmed that they have no further flooding, strategic drainage, or water supply issues with the designation summary for site BUS1 (RD0214.B). No modification sought (PP1219).

A representee has sought the reallocation of the BUS1 site as an opportunity site for residential or mixed-use development. The site is currently occupied by a vacant workshop and is being actively marketed for business, however, there has been no take up and given the economic climate this is unlikely to change. The retainment of the BUS1 designation is constraining the development of the site for any productive purpose. The Council did not support the re-allocation of the site in the Issues and Action Papers but did confirm that part of the site is brownfield and concluded that the removal of a business land allocation of this size would not impact the overall land supply and that if the site was removed, the landowner could develop the brownfield elements for small-scale employment or residential use. At the special meeting of Formartine Area Committee in September 2019, the Minute does not record any queries or objections to the removal of BUS1, however the Minute does record that the Udney Development Trust tabled a plan illustrating preferred options for the settlement however there is no indication that the Committee did not also accept the Officer's recommendations in respect of the removal of the BUS1 designation. The preferred options which have been allocated as opportunity sites in the PLDP are located to the south of the settlement – as such any changes to

BUS1 will not present any conflicts with these sites. At the subsequent Infrastructure Services Committee meeting in October 2019, the Minute does not record any decision with respect to the Officer's recommendation in the Issues and Actions papers to remove BUS1. A pre-application enquiry was submitted seeking feedback on the principle of residential development if the BUS1 site were to be removed and proposals assessed against PLDP Policy R2. Support was indicated for the redevelopment of the site for residential use and as such the representee states that the most appropriate approach to allow it to be redeveloped in accordance with the PLDP would for it to be re-allocated as an opportunity site. With regards to concerns raised by Officers in the Issues and Actions papers, the representee considered that the site has a good relationship with the village and stated that the PLDP could specify the need for a buffer around any development on the site. As such, it is requested that the BUS1 designation is reallocated as an opportunity site for residential or mixed-use development, which would also be in line with Scottish Planning Policy. However, if reallocation of the site is not considered appropriate, then the BUS1 designation should be removed to allow the brownfield elements to be considered under Policy R2. The representee has included a number of Appendices (RD0044.A, RD0044.B and RD0044.C) in their submission which provides further detail to support their position (PP0331).

Flood Risk

SEPA recommends that site OP3 is added to the first 'Flood Risk' bullet point as a Flood Risk Assessment (FRA) is required for the site (RD0214.B) (PP1219).

SEPA requests that the first 'Flood Risk' bullet point removes references to buffer strips as this requirement is covered in the allocation text for site OP1 (RD0214.B) (PP1219).

SEPA requests that site R1 is added to the second 'Flood Risk' bullet point as a FRA is required for this site and have commented that they will object if the requirement for a FRA on site R1 is not included in the 'Flood Risk' section (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land at Bonnyton Farm

SEPA has confirmed that they have no further flooding, strategic drainage, or water supply issues with the designation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has raised concern regarding site OP1, stating that it received more rejections than approvals and yet it is still going ahead (PP0018).

Udny Community Council has objected to the inclusion of site OP1 in the PLDP and would wish to see it removed. Site OP2 and site OP4 clearly provide ample opportunity for housing development within the settlement. Further development would lead to overdevelopment and reduce the quality of life for the residents. It is stated that the developer has failed to provide the two required points of safe access to the site and the representee does not accept the Reporter's view as expressed in the Notice of Intention

for the site. Concern has been raised as the visibility splays are dependent on a house-owner, the site would lead to an increase in road congestion and the site conflicts with the “Imagine Udney” proposals for a village centre. Furthermore, the site impacts on the amenity of facilities, with a lack of parking which will impact the shop as well as impact the surrounding residential amenity (PP0566).

Site OP2 – Land Southwest of Pitmedden

A representee has highlighted that the PLDP states that part of the site is located within the Health and Safety Executive (HSE) outer consultation zone associated with one or more oil or gas pipelines in the vicinity. The representee states that this is not an impediment to development, and it is noted that the adjacent housing development is also within this consultation zone. The pipeline lies further from this site than the development adjacent and would not pose any restrictions on development and it is also capable of being realigned or encased, thereby permitting development in the immediate vicinity. As required by the Settlement Statement, this would be considered within the design process and presented as part of the planning application. No modification sought (PP0383).

SEPA has requested amendments to the text in the third paragraph of the allocation summary (RD0214.B) (PP1219).

A representee has indicated support for the site OP2 for 219 homes, a primary school and community uses which has the backing of the local community and will ensure a high quality, well-designed, efficient development can be provided. However, objection has been made to the site boundary which does not cover the entire land promoted by the developer and it is requested that the OP2 site boundary is extended to include the entirety of the land holding covering bid sites FR006 and FR007. The requirement of two vehicular points of access to the site, a loop road and a link road cannot be delivered without the entire land holding being allocated as there is not adequate land on the OP2 site for the provision of this. Additionally, with regards to the statement in the allocation summary pertaining to a multipurpose hall on the site – this would be considered through the masterplan for the site and there is adequate land reserved for this. However, the requirement for these uses within the OP2 designation further justifies the identification of the entire land holding. The representee has included a number of Appendices (RD0052.A, RD0052.B and RD0052.C) in their submission which provides further detail to support their position (PP0383).

A representee has considered that the supporting text within the Settlement Statement for site OP2 is extensive and a number of the requirements for the site are standard requirements considered through the course of a planning application. This includes open space provision, community food growing areas, landscaping, housing design, permeability, transport impact, buffer strips, drainage, affordable housing and permeability with adjacent housing developments. Furthermore, a Flood Risk Assessment was carried out by the developer as part of the development adjacent to the medical centre which was deemed acceptable. The OP2 site is further from the Burn than the adjacent development and it is not anticipated that there would be any risk of flooding on the site (PP0383).

Historic Environment Scotland (HES) has welcomed the revised boundary for site OP2 which reduces the site area and moves its western boundary further away from the historic landscape setting of the A Listed Udney Castle. Whilst HES consider this would help mitigate potential adverse impact on the setting of Udney Castle, they urge that appropriate

measures are included to maintain the existing south-east to north-west linear tree belt (RD0266.A) (PP1343).

A number of representees have objected to the allocation of site OP2 (PP0018, PP0667 and PP0678). Concern was raised regarding the proposed OP2 site, with a representee querying the confidence in putting a housing development in this location. Concern was also raised regarding the marketability of the site as existing new homes in the settlement remain unsold (PP0018).

It was also stated that the proposed site for 219 homes is out with the scale of the settlement. It is stated that the Council have unjustifiably increased the number of homes for the site and included the requirement for a primary school and community facilities – however it has not been assessed whether it is deliverable and viable to deliver these additional elements. Additionally, a number of material constraints have been identified with the site and were highlighted in the MIR 2019. The site is located on prime agricultural land, has protected species and the development will result in the loss of mature trees. The representee highlighted that further constraints identified within the MIR included that the site would be visually prominent of which the topography of the site would add to, as well as creating challenges for the creation of Sustainable Urban Drainage systems (SuDS). The site would also require drainage infrastructure to be upgraded. Historic Environment Scotland (HES) objected to the site through the MIR due to the impact on Udney Castle. It is considered that there are less visually prominent sites available within the settlement (PP0667 and PP0678).

The deliverability of the site within the Plan period is raised as a concern, and it is highlighted that SPP (paragraph 119) advises that Planning Authorities should be confident that land can be brought forward for development in the Plan period. The Strategic Environmental Assessment (SEA) for FR007 has been assessed on the basis of 32 homes, rather than 110 homes and concern is raised as to whether appropriate assessment has been carried out. Additionally, the Council's assessment of FR006 determined that the site could accommodate 566 homes – as such on OP3, 676 homes could be potentially be applied for on the site where large allocations should be directed to settlements closer to Aberdeen City (PP0667 and PP678). The representee has included two Appendices (RD0107.A and RD0107.B) in their submission which provides further detail to support their position (PP0678).

A representee has requested that bid site FR096 is allocated as an opportunity site for 90 homes, as a replacement to site OP2. The remaining 129 homes should be allocated to other sustainable locations in Aberdeenshire, such as Westhill, Balmedie and Blackburn. The representee considers that site OP2 is too big for the size of the settlement and that its development would be detrimental to wildlife, particularly protected species. However, the proposed 90 homes on bid site FR096 is commensurate with the scale of the settlement, providing 2-4 bedroomed homes. It is considered that there is capacity at the primary school to accommodate the additional pupils from bid site FR096, whereas site OP2 would require a new primary school. The representee highlights that SPP encourages optimising the use of existing resources which the allocation of bid site FR096 would achieve. It was stated that bid site FR096 also has strong visual containment and would help strengthen the western boundary of the village. The representee has included two Appendices (RD0106.A and RD0106.B) in their submission which provides further detail to support their position (PP0677).

Site OP3 – Mill of Allathan

SEPA has requested that the requirement for a FRA be included in the allocation summary and have stated that they will object if this is not included. Additionally, SEPA has requested that text requiring a buffer strip is included within the allocation summary (RD0214.B) (PP1219).

NatureScot has requested that wording which requires provision for active travel is included in the allocation summary for site OP3 as it is a relatively large allocation, and this would help to promote safe and convenient active travel opportunities in accordance with the PLDP's aims. NatureScot acknowledged that the allocation text already highlights an Access Strategy and Transport Assessment as well as including text regarding connectivity with site OP1, however considers provision for active travel is also encouraged (RD0255.B) (PP1300).

A representee has sought clarification on the proposed location of the OP3 site as it will have an impact of overlooking for the existing homes in Allathan Park and considers that the homes could be built along the roadside of the same field which would not cause issues of overlooking (PP0254).

A representee has commented that if the OP3 site is to be retained, development should be limited to single storey dwellings to prevent overlooking and minimise visual impact (PP0713 and PP0725).

Clarification was sought on whether two additional junctions would be delivered on the B999 between Allathan Park and Allathan Quarry as speeding is already a concern within the settlement (PP0990).

A number of representees have objected to site OP3 (PP0254, PP0410, PP0531, PP0566, PP0713, PP0725, PP0728, PP0834, PP0909, PP0937, PP0955, PP0959, PP0990, PP0997, PP0998, PP1001, PP1014 and PP1156). The following reasons have been cited:

- Other sites which provide clear benefit to the surrounding community are available for development (PP0566), such as OP2 which is a logical extension to the settlement and fits with community aspiration (PP0410, PP0531, PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014), as well as provides numerous community benefits (PP0937).
- Alternative viable sites are available (PP0410, PP0531, PP0713, PP0725, PP0728, PP0834, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- The site does not meet community aspirations (PP0410, PP0531, PP0713, PP0725, PP0728, PP0834, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- Development bids have previously been rejected (PP0410, PP0531, PP0713, PP0725, PP0728, PP0834, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014) due to the site's location within the pipeline safety zone – other sites are available without this risk (PP0410, PP0531, PP0713, PP0725, PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014), as well as concerns regarding flood risk, unacceptable development of prime agricultural land and landscape impact (PP0410, PP0531, PP0728, PP0909,

PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).

- The site constitutes prime agricultural land of which development on is unacceptable (PP0713 and PP0725).
- Due to the location and zoning of the gas pipeline, site layout and design will be restricted (PP0410, PP0531, PP0728, PP0909, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- Physical constraints such as location and topography exist on the site (PP0410, PP0531, PP0713, PP0725, PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014), as well as geology constraints (PP0410, PP0531, PP0728, PP0909, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- Concern raised that the development would make land at property neighbouring the site unstable (PP0955).
- There are wayleaves restricting development that require to be addressed (PP0410, PP0531, PP0713, PP0725, PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- The site is in close proximity to potentially contaminated land (PP0410, PP0531, PP0713, PP0725, PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- The development will impact on the amenity of nearby properties (PP0410, PP0531, PP0566, PP0713, PP0725, PP0728, PP0834, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014), of which screening would not mitigate against (PP0410, PP0531, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014) due to the elevation, topography and geology of the site (PP0937).
- The development will impact on privacy of nearby properties (PP0254, PP0410, PP0531, PP0566, PP0713, PP0725, PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- Concern was raised regarding the impact the development will have on school capacity/provision (PP0410, PP0531, PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- Concern was raised regarding the impact the development would have on local health care provision (PP0937).
- The development would have a considerable impact on local facilities and services (PP0713 and PP0725).
- There is insufficient water and drainage capacity to support the site (PP0410, PP0531, PP0713, PP0725, PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014), and a drainage solution would be expensive and complex to overcome (PP0937).
- The development will impact on private waste water drainage in nearby gardens (PP0254, PP0410, PP0531, PP0728, PP0909, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- The development will cause increased surface run-off water from the site leading into nearby properties causing possible flooding (PP0254, PP0410, PP0531, PP0566, PP0713, PP0725, PP0728, PP0909, PP0937, PP0955, PP0959, PP0990, PP0997, PP0998, PP1001 and PP1014), and potential flooding in other parts of the settlement (PP0713 and PP0725).
- Concern was raised regarding flood risk at the north west of the site (PP0410, PP0531, PP0728, PP0909, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014) and the potential flood risk posed by the new bridge (PP0937). A cut-off drain will be required along the west boundary of the site (PP0937).

- The site and the proposed access will impact on road safety (PP0410, PP0531, PP0728, PP0909, PP0937, PP0955, PP0959, PP0990, PP0997, PP0998, PP1001, PP1014 and PP1156) from the creation of a 3rd road junction in close proximity to the entrance to the settlement (PP0410, PP0531, PP0566, PP0713, PP0725, PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014). It was queried as to where the second access is to be located (PP0937).
- The site is not required as OP1 and OP2 already constitute overdevelopment (PP0410, PP0531, PP0713, PP0725, PP0728, PP0834, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- The proposed high density on the site is not acceptable within the context of the settlement (PP0410, PP0531, PP0713, PP0725, PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- There is no demand for additional housing in Pitmedden – new homes in the settlement remain unsold and OP1 and OP2 will provide any required housing over the next 2-10 years (PP0410, PP0531, PP0728, PP0909, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- The site would be visually prominent and negatively impact the setting and landscape of the settlement (PP0410, PP0531, PP0713, PP0725, PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001, PP1014 and PP1156).
- The site would compromise the planned village gateway on the south approach (PP0937).
- The development does not work to join Milldale to Pitmedden, and with the proposed OP4 site, Milldale and Cloisterseat will be seen as a new and separate entity (PP0937).
- The bid submission for FR108 contains numerous inaccuracies and omissions (PP0410, PP0531, PP0713, PP0725, PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- The site was previously rejected by the Council in 2018 and was not preferred in the Main Issues Report (MIR) 2019. The site received the same recommendation as other sites in the vicinity, and these were not discussed at the Special Meeting of Formartine Area Committee or by the Infrastructure Services Committee in 2019 (PP0410, PP0531, PP0728, PP0834, PP0909, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- Concern has been raised as to why OP3 has been allocated when it was not a recommendation of the Issues and Actions papers, additionally clarification has been sought as to why bid sites FR132 and FR133 have not been allocated when these sites adjoin OP3 and have been deemed unsuitable (PP0410, PP0531, PP0728, PP0909, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- It is queried as to why the proposed development has increased from 30 homes to 68 homes (PP0937 and PP1156), particularly as the site was not included in the Draft LDP (PP1156) and was deemed as the least acceptable (PP0713, PP0725, PP0937 and PP0990).
- The development will impact on wildlife (PP0410, PP0531, PP0713, PP0725, PP0728, PP0909, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014) and biodiversity on the site (PP0410, PP0531, PP0728, PP0909, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014). The north of the site has been returned to its natural state and supports a rich wildlife habitat (PP0937).
- Loss of mature trees along the Bronie Burn for the proposed link to OP1 is raised as a concern (PP0713, PP0725 and PP0937).
- The site does not benefit from solar gain (PP0410, PP0531, PP0713, PP0725,

PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).

- The proposed provision of a link road is not deliverable due to land ownership issues and unfeasible developer negotiations (PP0410, PP0531, PP0713, PP0725, PP0728, PP0909, PP0937, PP0955, PP0997, PP0998, PP1001 and PP1014).
- Concern raised regarding the location of OP1 on which development is due to commence shortly and the impact it will have on the development of OP3 (PP0410, PP0531, PP0728, PP0909, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- Servicing of the site would be difficult (PP0410, PP0531, PP0713, PP0725, PP0728, PP0909, PP0937, PP0955, PP0959, PP0990, PP0997, PP0998, PP1001 and PP1014) and the proposed development would be economically unviable (PP0410, PP0531, PP0713, PP0725, PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014).
- The site will cause possible noise pollution (PP0410, PP0531, PP0728, PP0909, PP0937, PP0955, PP0959, PP0997, PP0998, PP1001 and PP1014) and impact on health (PP0254, PP0713 and PP0725). The development will cause pollution during and post construction (PP0937).
- Concern raised that there has been a lack of community involvement and consultation for the future housing development within the settlement (PP0410, PP0531, PP0713, PP0725, PP0728, PP0909, PP0955, PP0959, PP0997, PP0998, PP1001, PP1014 and PP1156).
- Concern that there has been a lack of notification and information provided regarding the proposed development for those living locally (PP1156).

Site OP4 – Land at Cloisterseat

SEPA has confirmed that they have no further flooding, strategic drainage, or water supply issues with the designation summary for site OP4 (RD0214.B). No modification sought (PP1219).

Non-Allocated Site – Bid Site FR008 – Land for public hall OP1 South West of Pitmedden

A representee has sought the removal of site R1 and has requested that bid site FR008 is allocated in the Settlement Statement for 5 homes. The representee considers that the site would be better identified for housing rather than a village hall as the site has been identified for a village hall since 2003 with no proposals and that 17 years is ample time for such proposals to be progressed or implemented. However, the representee has questioned whether the site will ever be delivered. In the Main Issues Report (MIR) 2019, bid site FR008 was not identified as an Officer's preference as the development of a village hall was still considered an aspiration and no other site was identified by the developer. However, site OP2 identifies a community hub and therefore an alternative space has been identified and site R1 is surplus to requirements for a village hall. As such, site R1 can be developed for a more appropriate and deliverable land use such as for 5 homes. The site is able to gain access through existing residential development and has a developer to deliver the site. It is also well located and within walking distance of existing facilities, and well located near site OP2. The representee states that an alternative to allocating the site for 5 homes could be to identify the site within the settlement boundary so the site would come forward under Policy P3. The representee has included two Appendices (RD0053.A and RD0053.B) in their submission which provides further detail to support their position (PP0384).

Non-Allocated Site – Bid Site FR096 – Land at West and North West Pitmedden

A representee has requested that bid site FR096 is allocated as an opportunity site for 90 homes, as a replacement to site OP2. The remaining 129 homes should be allocated to other sustainable locations in Aberdeenshire, such as Westhill, Balmedie and Blackburn. The representee considers that site OP2 is too big for the size of the settlement and that its development would be detrimental to wildlife, particularly protected species. However, the proposed 90 homes on bid site FR0096 is commensurate with the scale of the settlement, providing 2-4 bedroomed homes and affordable homes. It is considered that there is capacity at the primary school to accommodate the additional pupils from bid site FR096, whereas site OP2 would require a new primary school. Bid site FR096 is also within easy and safe walking distance of the village school. The representee highlights that SPP encourages optimising the use of existing resources which the allocation of bid site FR096 would achieve. It was stated that bid site FR096 would allow for a green buffer and would strengthen the existing tree belt and provide a defined edge to the settlement. Additionally, bid site FR096 would allow for strong visual containment and would help strengthen the western boundary of the settlement. It was stated that open space with SuDS could be provided, and there would be no requirement to remove significant areas of woodland. The site is well related to the settlement and is deliverable. It would not have any access issues and would provide a network of paths connecting to the settlement facilities. The representee has included two Appendices (RD0106.A and RD0106.B) in their submission which provides further detail to support their position (PP0677).

Non-Allocated Sites – Bid Site FR132 and Bid Site FR133 – Quarry Field Site, Land at Mill of Allathan Farm, Udney and Quarry Road Site, Land at Mill of Allathan Farm, Udney

A representee has requested that proposed site OP3 (bid site FR108) is expanded to include land contained in bid sites FR132 and FR133 to provide a combined site suitable for mixed-use development. It is stated that a community exercise undertaken established a preference for future development to the south of Pitmedden, with a community wetland park. Additionally, the community wished to see a new community hall and primary school to the west of the B999 – it is acknowledged by the representee that these will be accommodated on the proposed OP2 site, along with new housing. The representee highlighted that bid sites FR108, FR132 or FR133 were not preferred in the MIR, however at the Special Meeting of Formartine Area Committee it was agreed that these sites were to be allocated. However, at the subsequent ISC meeting it was agreed that FR132 and FR133 should not be promoted for development due to the sites impinging significantly on an area restricted by high pressure oil pipelines. The representee considered that this decision was based on inaccurate information and that it is not in line with SPP and that the scale and type of development proposed for the sites are fully compliant with that permitted using the PADHI tool. A fully consultative approach is proposed for the three sites which will form the basis of the community engagement. It is stated that the development would provide local employment opportunities in the centre of the village within short walking/cycling distance of the local population and directly on a bus route. Individual custom build serviced plots will be made available on the site which are in high demand within the UK. Additionally, small-scale, local business space would be provided in a central settlement location. As such an integrated residential and employment site would be the result of this land allocation, which would provide a unique and distinctive sense of place on approach to the settlement from the south. The enlarged OP3 site

would also provide a more sensitive and appropriate range of housing options. The representee has included two Appendices (RD0165.A and RD0165.B) in their submission which provides further detail to support their position (PP0895).

A representee has considered that bid site FR132 is a more superior site than proposed site OP3 and has the added benefit as it would link Milldale to Pitmedden along with the village green and would have no impact on neighbouring properties (PP0937).

A representee has stated that bid site FR133 should be reserved for a recreational park as the quarry is now commercially developed (PP0937).

Modifications sought by those submitting representations:

General

Modify the PLDP to state that an increase in public amenities is required in the settlement (PP0018).

Modify the PLDP to reduce the number of allocated homes in the settlement to 100 homes (PP0469).

Site R1 – Reserved for a new village hall

Modify the PLDP to amend the text for Site R1 to provide clarification on the access route, proposed parking plan and the scale of the R1 site (PP0018).

Modify the PLDP to remove site R1 (PP0384).

Site BUS1 – Safeguarded for business uses

Modify the PLDP to amend site BUS1 to an opportunity site for residential or mixed-use development (PP0331).

Modify the PLDP to remove site BUS1 (PP0331).

Flood Risk

Modify the PLDP to amend the first sentence of the first 'Flood Risk' bullet point to read, "Parts of site OP1 and OP3 are within the Scottish Environment Protection Agency's (SEPA) indicative 1 in 200-year flood risk area, or has a small watercourse running through or adjacent to the site." (PP1219).

Modify the PLDP to amend the second sentence of the first 'Flood Risk' bullet point to read, "A Flood Risk Assessment will be required." (PP1219).

Modify the PLDP to amend the second 'Flood Risk' bullet point to read, "A Flood Risk Assessment will be required for BUS1 and R1. Adequate buffer strips will be required along the watercourses which should be positively integrated into the development." (PP1219).

Site OP1 – Land at Bonnyton Farm

Modify the PLDP to clarify if development on site OP1 is going ahead (PP0018).

Modify the PLDP to remove site OP1 (PP0566).

Site OP2 – Land Southwest of Pitmedden

Modify the PLDP to amend the first sentence of the third paragraph of the allocation summary for site OP2 to read, “Buffer strips will be required adjacent to the watercourses running through the site which should be integrated positively into the development.” (PP1219).

Modify the PLDP to amend the site boundary of site OP2 to include the full extent of bid sites FR006 and FR007 (PP0383).

Modify the PLDP to amend the allocation summary of site OP2 to remove reference to open space provision, community food growing areas, landscaping, housing design, permeability, transport impact, buffer strips, drainage, affordable housing, permeability with adjacent housing developments and the requirement for a Flood Risk Assessment (PP0383).

Modify the PLDP to amend the allocation summary of site OP2 to include appropriate measures to maintain the existing south-east to north-west linear tree belt (PP1343).

Modify the PLDP to amend the third sentence of the third paragraph of the allocation summary to read, “The site may have pockets of localised drainage issues which could be mitigated through the provision of Sustainable Drainage Systems (SuDS).” (PP1219).

Modify the PLDP to remove site OP2 (PP0018, PP0667 and PP0678).

Modify the PLDP to remove site OP2 and allocate bid site FR096 for 90 homes (PP0677).

Site OP3 – Mill of Allathan

Modify the PLDP to amend the allocation summary for site OP3 to include the text, “A Flood Risk Assessment will be required. A buffer strip will be required adjacent to the watercourse on the northern boundary of the site which should be integrated positively into the development.” (PP1219).

Modify the PLDP to amend the allocation summary for site OP3 to include additional text after the penultimate sentence which reads, “Provision for active travel is required.” (PP1300).

Modify the PLDP to provide clarification of the location of site OP3 (PP0254).

Modify the PLDP to amend the allocation summary for site OP3 to include additional text which limits the design of the development on the site to single storey dwellings (PP0713 and PP0725).

Modify the PLDP to provide clarification on the requirement for two additional junctions on the B999 between Allathan Park and Allathan Quarry (PP0990).

Modify the PLDP to remove site OP3 (PP0254, PP0410, PP0531, PP0566, PP0713, PP0725, PP0728, PP0834, PP0909, PP0937, PP0955, PP0959, PP0990, PP0997, PP0998, PP1001, PP1014 and PP1156).

Non-Allocated Site – Bid Site FR008 – Land for public hall OP1 South West of Pitmedden

Modify the PLDP to include bid site FR008 for 5 homes (PP0384).

Non-Allocated Site – Bid Site FR096 – Land at West and North West Pitmedden

Modify the PLDP to remove site OP2 and allocate bid site FR096 for 90 homes (PP0677).

Non-Allocated Sites – Bid Site FR132 and Bid Site FR133 – Quarry Field Site, Land at Mill of Allathan Farm, Udney and Quarry Road Site, Land at Mill of Allathan Farm, Udney

Modify the PLDP to amend site OP3 to include bid sites FR132 and FR133 for a mixed-use development (PP0895).

Modify the PLDP to include site FR132 for a housing development (PP0937).

Modify the PLDP to include FR133 as a reserved site for a recreational park (PP0937).

Summary of responses (including reasons) by planning authority:

General

The representee’s concerns regarding the requirement for improved amenities to be provided within the settlement given the level of housing proposed are noted. However, the ‘Services and Infrastructure’ section and allocation summaries for the proposed sites in the Settlement Statement set out what development may be required to contribute towards to ensure the developments are acceptable in planning terms for all users. No change is required.

The concerns raised stating that the proposed housing on OP1, OP2 and OP3 is excessive unless directly linked to the building of a new community school are noted. Site OP1 (reference OP2 in the LDP 2017) already has planning permission granted on the site, which was granted on appeal in July 2020. The appeal was granted following the registering of a planning obligation, under section 75 of the Town and Country Planning (Scotland) Act 1997, which included a requirement for contributions towards additional classroom capacity at Meldrum Academy. Site OP2 has been allocated for 219 homes, a new primary school and community uses. The proposed school on this site is proposed to be a “community” school, owned and built by the community and proposed to be run by Aberdeenshire Council as outlined in the Imagine Udney Community Plan (see FAC Minutes, AD0141, page 13 and AD0149). However, issues relating to education infrastructure would be looked at in more detail through the masterplan process and also through any planning application that is submitted on site OP2 and site OP3. Any decision on the provision of a new school within the area would require to be reviewed along with other education provision capacities within the existing network. No change is required.

The representee’s concern that 100 homes, rather than the proposed 351 homes, would be more appropriate over the next decade are noted. Pitmedden is located in the

Aberdeen Housing Market Area (AHMA) within a local growth and diversification area. In accordance with the Aberdeen City and Shire Strategic Development Plan (2020), the settlement is appropriate for a level of growth related to local needs (SDP, AD0016, page 23, and paragraph 3.45). The allocated sites are seen to meet local needs within the settlement. Each allocation made in the Plan has been through multiple assessments including the Strategic Flood Risk Assessment (SFRA)), Strategic Environmental Assessment (SEA), Development Planning and Management Transport Appraisal Guidance (DPMTAG), and the Habitats Regulations Appraisals (HRA) to ensure the most appropriate sites are allocated for development. No change is required.

Site R1 – Reserved for a new village hall

This site has been identified as a ‘reserved site’, which means that it is safeguarded for a specific use – in this case a new village hall. The purpose of the reserved site is to reserve the land for this use in the event that development proposals for a new village hall come forward, and so no alternative development is allowed on the site. With regards to the clarification sought from the representee regarding the access to the site and parking provision, this would be addressed and clarified at the planning application stage. The site boundary for the reserved site is indicated on the settlement map within the Settlement Statement for Pitmedden (PLDP, AD0041.F, page 475). No change is required.

The representee’s request for the removal of site R1 is noted. There was a bid received (FR008) on the R1 site for 5 homes, however it was not considered an Officer’s preference in the MIR (MIR 2019, AD0038.D, page 79) as there still remains an aspiration to create a village hall in the community and this location represents an appropriate site on which there are community expectations. It is acknowledged that the OP2 site identifies a community hub, however there is no confirmation that a community hall/hub will be delivered on this site. As such, it is considered to be prudent to retain the safeguarding of the land at site R1 for a village hall as there is not yet a commitment to deliver the community hall on site OP2. It is noted that the ‘Actions’ section of the Issues and Actions Papers state that the existing OP1 site in the LDP 2017 should be retained for the potential use of a community hall (I&A Papers, AD0040.D page 77). However, on consideration at the Special Meeting of Formartine Area Committee, the Committee recommended that the Community Plan as presented by the Udney Development Trust on the day of the Committee was to form the basis of the Settlement Statement for Pitmedden (FAC Minutes 10/09/2019, AD0141, pages 13-14 and Imagine Udney Plan, AD0149). The Community Plan which was presented did not include site OP1 as per the LDP 2017, however indicated that at the location of site R1 within the PLDP, should be the location for a potential new village hall. As such, R1 has been allocated as a reserved site for a new village hall and it is considered that it should be retained as such.

In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Site BUS1 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

The representee’s request for the reallocation of the BUS1 site as an opportunity site for

residential or mixed-use development is noted. Whilst it was considered that the BUS1 site should be retained in the MIR 2019, following consultation it was considered by Officers in the Issues and Actions Papers (I&A Papers, AD0040.D, pages 78-80) that the BUS1 site's removal would not impact on the overall employment land supply, and that if the site was removed from the Plan, the landowner could develop the brownfield elements on the site for small-scale employment or residential use. However, on consideration at the Special Meeting of Formartine Area Committee, the Committee recommended that the Community Plan as presented by the Udney Development Trust on the day of the Committee was to form the basis of the Settlement Statement for Pitmedden (FAC Minutes 10/09/2019, AD0141, pages 13-14 and Imagine Udney Plan, AD0149). The Community Plan indicated that the BUS1 site was to be retained and this has therefore been reflected in the PLDP. The view is maintained that the site is not well related to the settlement as it is detached and isolated from the main settlement, which would result in a development that conflicts with the built pattern of Pitmedden. However, as the purpose of BUS sites are to safeguard existing business uses of which there are none currently on the site, and given the size of the site, if the reporter were minded, to make an amendment, then the Council recommend that the BUS1 site could be removed from the PLDP and the settlement boundary at this location removed accordingly.

Flood Risk

The Council confirms that it intends to address SEPA's comments through non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land at Bonnyton Farm

Comments from SEPA are noted. No change is required.

The Council notes the concern of the allocation of site OP1 and Udney Community Council's objection to the proposed OP1 site in the PLDP. The proposed OP1 site is identified as an effective site within the Housing Land Audit 2019 (HLA, AD022, page 66) and is considered to be a deliverable site. The OP1 site was subject to a recently successful planning appeal as part of APP/2019/0753. A road safety audit undertaken by engineers on behalf of the developer confirmed that the proposed arrangement for reopening the junction between Ingleside and the B999 poses no safety problems. The Council's Roads Development Service have also confirmed that the proposed arrangement is acceptable. Additionally, site impacts such as impact on amenity and parking provision were considered under the successful planning appeal APP/2019/0753. The site is identified in the Community Plan as was presented by the Udney Development Trust on the day of the Special Meeting of Formartine Area Committee which was agreed by Councillors to form the basis of the Settlement Statement for Pitmedden (FAC Meeting Minutes 10/09/2019, AD0141, pages 13-14 and Imagine Udney Plan, AD0149). No change is required.

As noted above the site was subject to a recently successful planning appeal as part of APP/2019/0753. As such, the Council notes the following non-notifiable modification has been made to the PLDP to update factual references since the PLDP was agreed.

Site OP2 – Land Southwest of Pitmedden

The representee's comments highlighting that the PLDP states that part of the site is located within the Health and Safety Executive (HSE) outer consultation zone associated with one or more oil or gas pipelines in the vicinity are noted. As acknowledged by the representee and as is required by the Settlement Statement, this matter would be considered within the design process and presented as part of the planning application and considered under Policy P4 Hazardous and Potentially Polluting Development and Contaminated Land of the Plan (AD0041.A). No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council welcomes the representee's support for site OP2. The representee's request that the site boundary is extended to include the entirety of bid sites FR006 and FR007 is noted. Whilst FR007 was identified as a preferred site in the MIR, FR006 was identified as a reserved site as it was not preferred for immediate development (MIR 2019, AD0038.D, pages 78-79). However, on consideration at the Special Meeting of Formartine Area Committee, the Committee recommended that the Community Plan as presented by the Udney Development Trust on the day of the Committee was to form the basis of the Settlement Statement for Pitmedden (FAC Meeting Minutes 10/09/2019, AD0141, pages 13-14 and Imagine Udney Plan, AD0149). This included the entirety of bid site FR007, and it was further clarified and agreed at Infrastructure Services Committee on 3 October 2019 that the boundary of the FR007 site was to be amended to incorporate some of the FR006 site (ISC Meeting Minutes 03/10/2019, AD0151, page 14). The OP2 site thus reflects what has been indicated in the Community Plan, including a primary school and community facilities, and it is not considered that the OP2 site should be extended further. As this is a proposed new site that sits within the Aberdeen Housing Market Area, a standard density of 25 homes per hectare has been applied to reach the allocation of 219 homes. This excluded the land highlighted within the Community plan for a potential school. In line with Policy H1 Housing Land, the numbers quoted are indicative and at such time as a planning application is submitted for the site, the layout, siting and design may mean that a higher or indeed lower number of dwellings may be come forward, (PLDP, AD0041.A, page 41). The application of a standard density in the Aberdeen Housing Market is intended to provide a degree of certainty for communities on the scale of development that could reasonably be achieved on a site. Further detail on this is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations. Furthermore, as stated by the representee, the site layout for the allocated uses and those uses stated within the allocation summary will be considered during the masterplan stage for the site as will the access requirements and the need and location for the loop and link road. No change is required.

It is considered reasonable and appropriate to leave the allocation text as it stands. This means that at a time when a masterplan comes forward on the site, all of the issues identified within the allocation summary can be discussed. Removing the issues noted by the representee, such as open space provision, community food growing areas, landscaping, housing design, permeability, transport impact, buffer strips, drainage and affordable housing, would potentially pre-empt any discussion with the appropriate Service when a masterplan came forward on the site. The Council notes that the representee states that a Flood Risk Assessment was carried out by the developer as part of the LDP

2017 OP1 site. However, the requirement for buffer strips in the allocation summary is still deemed appropriate due to the presence of watercourses on the site. No change is required.

The Council welcomes HES's support for the boundary for site OP2. The Council notes HES's request to amend the allocation summary to include appropriate measures to maintain the existing south-east to north-west linear tree belt. However, it is considered that the allocation text is reasonable and appropriate as it states that the existing tree belt should be maintained to protect the setting of Udney Castle. Further detail on the protection of the existing tree belt will be considered and determined during the planning application stage and as such the allocation text is considered to be sufficient as it sets out the requirement. No change is required.

Objection to site OP2 is noted. Pitmedden is located in the Aberdeen Housing Market Area (AHMA) within a local growth and diversification area. In accordance with the Aberdeen City and Shire Strategic Development Plan (2020), the settlement is appropriate for a level of growth related to local needs (SDP, AD0016, page 23, and paragraph 3.45) and the proposed allocations are considered appropriate for the settlement. Each allocation made in the Plan has been through multiple assessments including the Strategic Flood Risk Assessment, Strategic Environmental Assessment, Development Planning and Management Transport Appraisal Guidance, and the Habitats Regulations Appraisals to ensure the most appropriate sites are allocated for development.

As detailed above, the OP2 site largely reflects what has been indicated in the Community Plan, including a primary school and community facilities and a standard density of 25 homes per hectare has been applied to reach the allocation on the site. Concerns raised regarding the impact on protected species are noted, however the site was not considered to have an impact when undertaking the SEA. Additionally, the presence of any protected species will be considered during the planning application stage. As stated in the MIR (MIR 2019, AD0038.D, page 78), although the site is categorised as prime agricultural land, the absence of other parcels being available makes a compelling case for Scottish Planning Policy relating to prime agricultural land to be set aside. Additionally, as a form of compensation, it is stipulated within the allocation summary that a proportion of the open space should include community food growing areas. The Council notes the representee's concerns regarding the loss of mature trees. However, the allocation summary states that the existing tree belt should be maintained, additionally any potential loss of trees would be considered at the planning application stage. The allocation summary states that landscaping should be provided to mitigate any adverse landscape character impacts, and whilst the MIR highlighted that there would be challenges to the creation of SuDS, this is not seen as a constraint that cannot be overcome and will be further considered at the planning application stage. The Council notes the representee's comments regarding the required upgrade to drainage infrastructure and requirements pertaining to this are detailed within the 'Strategic drainage and water supply' section of the Settlement Statement. With regards to HES's comments during the MIR stage, as detailed in the Issues and Actions Papers (MIR 2019, AD0038.D, page 74), HES stated that the FR006 site will impact on views from Udney Castle. However, comments from HES on the Proposed Plan state that they support the site boundary of the OP2 site. Additionally, it is considered that the allocation summary has sufficient text which highlights that the site has the potential for an adverse impact on Udney Castle and that the existing tree belt should be maintained to protect its setting. No change is required.

As stated above, each allocation has been through multiple assessments to ensure the most appropriate sites are allocated for development. Although the MIR identified constraints with the site, these are not considered to be constraints that cannot be overcome and will not preclude the development from coming forward. The SEA indicates that site OP2 includes both bid sites FR006 and FR007 for an allocation of 219 homes and as such it is considered that the appropriate assessment has been carried out (AD0045.A). The full extent of FR006 has not been allocated and as detailed above, a standard density of 25 homes per hectare has been applied to reach the allocation of 219 homes on the OP2 site. No change is required.

The Council notes the representee's request to allocate bid site FR096 as an opportunity site for 90 homes, as a replacement for site OP2. However, the Council does not support allocating bid site FR096 or consider the removal of site OP2 to be appropriate. Bid site FR096 was not identified as a preferred option within the MIR (MIR 2019, AD0038.D, page 80). As discussed in the Issues and Actions Papers (I&A Papers, AD0040.D, page 79), while the site is well related to the existing settlement and provides an opportunity to improve links to Pitmedden Gardens, the site is given a high level of protection as a Designated Landscape for Pitmedden House. The development of this site could significantly impact on the setting of the Pitmedden House. No change is required.

Site OP3 – Mill of Allathan

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The location of the site is shown in the Settlement Statement map for Pitmedden (PLDP, AD0041.A, page 475). With regards to the layout, siting and design of the site, this would be considered through the masterplan and subsequent planning application stage, with proposals being assessed against the relevant policies within the Plan. Additionally, as stated within the allocation summary for site OP3, wider transportation requirements are to be determined through a Transport Assessment at the planning application stage at which road infrastructure requirements would be assessed. No change is required.

The Council does not support the removal of site OP3 from the Proposed Plan. The Council notes the concerns raised stating that other alternative sites are available for development and that various constraints exist on the site as highlighted by the representees. Bid site FR108 was not identified as a preferred site in the MIR (MIR 2019, AD0038.D, page 81), but on consideration at the Special Meeting of Formartine Area Committee, the Committee recommended that the Community Plan as presented by the Udney Development Trust on the day of the Committee was to form the basis of the Settlement Statement for Pitmedden (FAC Meeting Minutes 10/09/2019, AD0141, pages 13-14 and Imagine Udney Plan, AD0149). This included bid site FR108. The OP3 site thus reflects what has been indicated in the Community Plan. As this is a proposed new site that sits within the Aberdeen Housing Market Area, a standard density of 25 homes per hectare has been applied to reach the allocation of 68 homes. In line with Policy H1 Housing Land, the numbers quoted are indicative and at such time as a planning application is submitted for the site, the layout, siting and design may mean that a higher or indeed lower number of dwellings may be come forward (PLDP, AD0041.A, page 41).

The application of a standard density in the Aberdeen Housing Market is intended to provide a degree of certainty for communities on the scale of development that could reasonably be achieved on a site. Further detail on this is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations.

Concerns raised regarding physical constraints on the site that may impact the site layout and design are noted. However, this detail would be considered through the masterplan and subsequent planning application stage, with proposals being assessed against the relevant policies within the Plan. Additionally, it is acknowledged that the site is located within proximity to the pipeline safety zone. In this case, the matter would be for further discussion at such a time that detailed proposals come forward for the proposed development and the risk would be managed through Policy P4 Hazardous and Potentially Polluting Development and Contaminated Land of the Plan (PLDP, AD0041.A, pages 50-51).

A number of concerns have been noted with regards to infrastructure, including road access and infrastructure, school provision, surface water, WWTW provision, health care and local services. These are all covered under 'Services and Infrastructure'; which notes what Developer Obligations are required as a result of a development being delivered. These requirements would also be discussed again between the Council's Developer Obligations Team, the developer and any relevant stakeholder upon submission of a planning application. It is therefore not considered to be a barrier to development. Additionally, any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan. It is also noted that the allocation summary states that a Water Impact Assessment will be required for the site.

Concerns regarding the demand for housing in the settlement are noted. However, Pitmedden is located in the Aberdeen Housing Market Area (AHMA) within a local growth and diversification area. In accordance with the Aberdeen City and Shire Strategic Development Plan (2020), the settlement is appropriate for a level of growth related to local needs (SDP, AD0016, page 23, and paragraph 3.45) and the proposed allocations are considered appropriate for the settlement.

Concerns relating to the impact that the site will have on visual impact, the loss of wildlife and contaminated land are aspects that were considered through the site assessment stage of the Plan-making process. Within the allocation summary it is also stated that landscaping and strategic planting should be utilised to mitigate any detrimental effects on landscape character. The Plan has a presumption in favour of retaining woodland on development sites. The impact on any trees on or surrounding the site will require to be in line with Policy PR1 Protecting Important Resources (PLDP, AD0041.A, pages 73-75).

Concerns raised regarding site OP3 not working to join Milldale and Pitmedden are noted. However, the two parts of the settlement are connected at site P3. Future delivery on aspirations for connectivity of the two separate parts of the settlement would be more appropriately considered as part of a future review of the Plan at a time when sites have progressed.

The concerns raised regarding the inaccuracies contained within the bid submission for FR108 are noted, however, the bid submission is submitted by those who are proposing

the site for development and its content is outwith the Council's control.

Concerns raised regarding the reasoning of why FR108 has been allocated as an opportunity site, but the adjoining bid sites FR132 and FR133 have not are noted. Bid sites FR132 and FR133 were not preferred in the MIR (MIR 2019, AD0038.D, page 81). On consideration at the Special Meeting of Formartine Area Committee, the Committee recommended that the Community Plan as presented by the Udney Development Trust on the day of the Committee was to form the basis of the Settlement Statement for Pitmedden (FAC Meeting Minutes 10/09/2019, AD0141, pages 13-14 and Imagine Udney Plan, AD0149), and this included bid sites FR132 and FR133. However as discussed at ISC, 3 October 2019 (ISC Meeting Minutes 03/10/2019, AD0151, page 14), bid sites FR132 and FR133 were not considered appropriate for development – please see discussion under Council's response, section 'Non-Allocated Sites – bid site FR132 and bid site FR133 – Quarry Field Site, Land at Mill of Allathan Farm, Udney and Quarry Road Site, Land at Mill of Allathan Farm, Udney' below for further detail on the non-allocation of these sites.

The representees have highlighted concern that the site would not benefit from solar gain. However, this would be a matter considered through development management procedures, addressed through the masterplan process to ensure an appropriate layout, siting and design of the site is reached.

Concerns regarding land ownership issues in relation to the provision of a link road are noted. However, this matter would be addressed as the site comes forward for development in discussion with the Council's Transportation Service. The Council's Delivery Team would also be able to facilitate any discussions required between parties and work with them to bring the site forward.

With regard to the concerns noted in terms of the impact the proposed development of site OP1 would have on site OP3, it is not anticipated that there would be any adverse impact on site OP3 arising from the development of site OP1. If required, mitigation measures could be put in place at such a time when the site comes forward for development.

Concerns regarding the economic viability of the site are noted. However, the Council has received confirmation from the bid proposer through the bid form that the site is viable.

Additionally, concerns relating to pollution during construction and post construction are noted, however this is something that can be managed through a Construction Traffic Management Plan (CTMP) which is looked at when a planning application is submitted.

With regard to the concern raised that there had been a lack of notification and information provided regarding the proposed development for local residents, engagement activities have been undertaken in line with the relevant statutory requirements as set out in the Participation Statement (AD0044). This includes, but was not limited to, sending out neighbour notification letters to those properties within 20m of proposed development within the PLDP. In light of the discussion above, it is therefore not considered appropriate to remove site OP3. No change is required.

Site OP4 – Land at Cloisterseat

Comments from SEPA are noted. No change is required.

Non-Allocated Site – Bid Site FR008 – Land for public hall OP1 South West of Pitmedden

The Council does not support allocating bid site FR008 for 5 homes. The representee's request to allocate bid site FR008 for 5 homes in the Plan is noted. However, as discussed in the Council's response under 'Site R1', it is not considered that bid site FR008 should be allocated for residential development. As discussed above (refer to section containing the Council's response under 'Site R1'), R1 has been allocated as a reserved site for a new village hall and it is considered that it is prudent and appropriate to retained it as such. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site FR096 – Land at West and North West Pitmedden

The Council does not support allocating bid site FR096 for 90 homes or consider the removal of site OP2 to be appropriate. The representee's request to allocate bid site FR096 as an opportunity site for 90 homes, as a replacement for site OP2 is noted. Bid site FR096 was not identified as a preferred option within the MIR (MIR, AD0038.D page 80). As discussed in the Issues and Actions Papers (I&A Papers, AD0040.D, page 79), while the site is well related to the existing settlement and provides an opportunity to improve links to Pitmedden Gardens, the site is given a high level of protection as a Designated Landscape for Pitmedden House. The development of this site could significantly impact on the setting of Pitmedden House. Please refer to discussions under "Site OP2 – Land Southwest of Pitmedden" which provide explanation as to the allocation of site OP2 and the density which has been reached for the site. No change is required.

Non-Allocated Sites – Bid Site FR132 and Bid Site FR133 – Quarry Field Site, Land at Mill of Allathan Farm, Udney and Quarry Road Site, Land at Mill of Allathan Farm, Udney

The Council does not support allocating bid sites FR132 (24 homes) and FR133 (employment land) as a mixed-use expansion to site OP3. The representee's request to expand proposed site OP3 (bid site FR108) to include land contained within bid sites FR132 and FR133 to provide a combined site suitable for a mixed-use development is noted. As discussed at ISC, 3 October 2019 see ISC Meeting Minutes 03/10/2019, AD0151, page 14), bid sites FR132 and FR133 impinge significantly on an area restricted by high pressure oil pipelines and these sites should not be promoted for development on the basis of the precedent that inclusion of these sites may set for allocations in other similar areas. Scottish Planning Policy, paragraph 107, states "Proposals for development in the vicinity of major-accident hazard sites should take into account the potential impacts on the proposal and the major-accident hazard site of being located in proximity to one another. Decisions should be informed by the Health and Safety Executive's advice, based on the PADHI tool. Similar considerations apply in respect of development proposals near licensed explosive sites (including military explosive storage sites)". This has been used to justify why development should not occur on some sites, including those at Westhill, Drumoak and Stonehaven and as such, as a principle, the Council would not look to promote development in the vicinity of pipelines.

As discussed in the MIR 2019 (MIR 2019, AD0038.D, page 81), both sites sit on a hillside in a prominent location that would lead to a negative impact on the setting of the

settlement. Whilst the MIR considered that the allocation of bid site FR108 (proposed site OP3) could provide a very small-scale employment allocation without the need to cut into much of the slope at the west side of bid site FR133, it was considered that even this would likely have some negative impact on the setting of the settlement. Additionally, the housing proposed on bid site FR132 was considered to potentially lead to ribbon development. As such it is maintained that these sites would have an adverse impact on the character of the area and are unsuitable for development.

In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

The representee's recommendation that bid site FR133 should be reserved for a recreational park as the quarry is now commercially developed is noted. However, site P4 has been designated "To protect the open space for the creation of a recreational park as an amenity for the settlement and to protect the area as a significant contribution to the character of the place", located to the north of Allathan Quarry. This reflects the Community Plan as presented by the Udney Development Trust on the day of the Special Meeting of Formartine Area Committee, which was agreed to form the basis of the Settlement Statement for Pitmedden (FAC Meeting Minutes 10/09/2019, AD0141, pages 13-14 and Imagine Udney Plan, AD0149). No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to the settlement statement matters covered in Issue 25. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

General

3. A representation argues that, given the level of housing proposed in Pitmedden, improved amenities should be provided in the settlement. However, the Services and Infrastructure section and the allocation summaries for the proposed sites within the Pitmedden settlement statement set out the contributions required from a development towards the provision of services and infrastructure in order that it is acceptable in planning terms. No modification is required.

4. A total of 351 homes is proposed for Pitmedden on sites OP1, OP2 and OP3, and a representation maintains that this would be excessive unless it was linked to the building of a new community school. The requirement in the proposed plan for a new primary

school was associated with the allocation of 219 homes on site OP2. However, my conclusion and recommendation set out below reduce the size of that site and amend the allocation to 100 homes, which would bring the total number of homes proposed for Pitmedden down to 232. For this reason and because no justification for a new school has been provided, I have no basis for recommending a new school.

5. The same representation argues that 100 homes would be more appropriate for the settlement over the next decade. Pitmedden is located within a Local Growth and Diversification Area where it is expected that growth will be restricted to that meeting local needs unless specifically justified against the vision, aims, strategy and targets of the plan. As pointed out in the Main Issues Report, Pitmedden is well located between Oldmeldrum and Ellon and there is fairly significant development pressure due to its accessible location and the existing services within the settlement. At paragraph 5.15 of the proposed plan, the council explains that within the Local Growth and Diversification Area “opportunity has been promoted where there are deliverable options” and that its re-evaluation of currently stalled allocations has led to an increase in allocations in towns such as Oldmeldrum and Pitmedden, where growth is more likely. The representation provides no evidence to support a contrary view and I am satisfied that the proposed scale of growth (as amended) is justified. No modification is required.

Site R1 – reserved for a new village hall

6. Site R1 is a small area in the centre of the village located in front of the medical centre. A representation contends that the site should be reallocated for housing on the grounds that it has been allocated for a village hall since 2003, which is ample time for a scheme to be implemented. Moreover, as the allocation statement for site OP2 (land south-west of Pitmedden) includes the provision of a community hub, it is unnecessary to reserve site R1. It is stated that the site is close to existing facilities in the village, can be accessed through existing residential development and has a developer to deliver the homes.

7. A bid for housing on this site was made and considered in the Main Issues Report 2019, but not accepted for reasons of access, appropriateness of the site and the community expectation for a village hall there. Whilst the OP2 site allocation identifies a community hub, there is as yet no commitment that a community hall will be delivered as part of that development. It is therefore prudent to retain the reservation. No modification is required.

Site BUS1 – safeguarded for business use

8. Site BUS1 lies on the B999 road to the north of the village and separated from it by an intervening field. It backs onto the walled garden of the Pitmedden designed landscape, which is associated with Pitmedden House. A rather dilapidated vacant workshop building stands in a corner of the field.

9. A representation seeks the reallocation of site BUS1 as an opportunity site for development as residential (15 homes) or mixed use (12 homes and 1,000 square metres of commercial land).

10. Consent for a new warehouse was granted in 2015 but this has not been built. The promoter contends that this is due to lack of demand despite marketing through an agent.

However, as the council points out smaller units have not been proposed. I am not convinced that a lack of demand for business use has been demonstrated.

11. The site is situated some 125 metres from the village boundary. For residential use, that makes it somewhat remote from, and not well related to, the existing village. Its development would encourage pressure for housing on the intervening field in an ad hoc way. It would potentially have a negative impact on the setting of the designed landscape and the village. All the same comments would apply to the mixed use proposal. The circumstances around allocation OP4 (land at Cloisterseat) are different from those at site BUS1 and do not allow me to make any direct comparisons. Arguments relating to the council's handling of the proposal prior to publishing the proposed plan are not within the remit of this examination.

12. The council suggests that, as the purpose of BUS sites is to safeguard existing business uses, of which there are none currently on the site, and given the size of the site, it would support an amendment to remove the BUS1 site from the plan, together with the settlement boundary around that location. This, however, would be a significant modification which could have repercussions for interested parties and would deny them the opportunity to have their arguments heard. I therefore decline the council's suggestion. No modification is required.

Flood risk

13. The Scottish Environment Protection Agency (SEPA) recommends that site OP3 is added to the first Flood Risk section bullet point as a flood risk assessment is required for that site. I agree that this should be done in the interest of environmental protection and recommend the appropriate modification.

14. SEPA recommends that the first "Flood Risk" bullet point removes references to buffer strips as this requirement is covered in the allocation text for site OP1. I agree that this should be done in the interest of clarity and recommend that appropriate modification.

15. SEPA recommends that site R1 is added to the second "Flood Risk" bullet point as a flood risk assessment is required for this site, adding that they will object if that requirement is not included. I agree that this should be done in the interest of environmental protection and recommend an appropriate modification.

Site OP1 – Land at Bonnyton Farm

16. Representations wish to see site OP1 removed from the proposed plan. They state that sites OP2 and OP4 constitute ample opportunity for housing development within the settlement and that more would lead to overdevelopment and a reduced quality of life for residents. They argue that the developer has failed to provide the two required points of safe vehicular access to the site. Other concerns relate to visibility splays, road congestion, conflict with the Imagine Udny proposals for the village centre, lack of parking and impact on residential amenity.

17. As the council points out, the site is identified in the housing land audit 2019 as effective and is considered to be deliverable. It now enjoys planning permission as a result of a successful planning appeal, which considered the main concerns. I am therefore satisfied that no modification is required.

Site OP2 - Land south-west of Pitmedden

18. This newly allocated site occupies two fields on the south-western edge of the village. It is allocated for 219 homes, a new primary school and community uses.

19. At Main Issues Report stage, the officers' preference was for bid site FR007 (the eastern part of the site) to be allocated for 110 homes. Bid site FR006 (the remainder of site OP2 plus land to the west) was to be reserved for development beyond the plan period. Following the consultation on the Main Issues Report, officers recommended that only site FR007 be allocated in the proposed plan. Having heard a presentation for the site to be extended to include part of FR006 in line with the community plan, the council decided to allocate the extended site for housing along with the community plan's requirements for a new primary school and community uses. After applying the standard density, the indicative housing capacity increased to 219 homes. The site allocation summary refers to the community's wish that the community hub should be designed to deliver a multipurpose hall. It also indicates that two points of vehicular access will be required, connected internally through a loop road and including a link to the B9000 and B999.

20. The potential developer of the site (Claymore Homes) seeks a substantial western extension of the site, to incorporate the whole of bid site FR006, (19 hectares in total). Claymore Homes maintains that the provision of two vehicular access points, a loop road and a link road cannot be delivered without that additional land; moreover, that the requirement for a multi-purpose community hall on the site further justifies the proposed extension of the site.

21. A representation on behalf of Stewart Milne Homes (the promoter of bid site FR096) questions the deliverability of the site allocation and its viability for the scale of development now proposed. This is on the basis that the original bid proposal did not include a primary school and community facilities, together with a requirement to upgrade drainage infrastructure.

22. In response to a further information request (FIR018), the council has confirmed that development of the scale proposed would require two vehicular links to the existing road network. It states that only one link to the B999 (to the east of the site) would be feasible for reasons of land ownership, and that linking north-westwards to the B9000 would entail building a road outwith the allocated site and through a belt of woodland which runs alongside the B9000. No other route options are available.

23. The council states that the new link road would require removal of a significant number of trees from the woodland which could be to the detriment of protected species. An initial site assessment by the council's ecologists and the North East Biological Records Centre confirmed that the woodland is included in the Native Woodland Survey and that badgers and red squirrels (both protected species) are present on the site. The potential impact of this on the delivery of the site was assessed. The Strategic Environmental Assessment considered that the impact of the allocation on flora, fauna and biodiversity, pre- and post-mitigation, would be neutral. In this regard, I find it surprising that it makes no mention of the native woodland or the protected species. The council expects that further appropriate surveys would be carried out at planning application stage and the results would influence the detail of an application and the mitigation required.

24. The council argues that any long-term growth within the settlement would likely be directed to the west, where a bid proposal indicates an aspiration for growth from the development industry. As such, the link road would serve both the OP2 site and any future development to the west, in line with the Scottish Government's Investment Hierarchy. The council therefore maintains that providing access to development land in the village for the very long term represents an over-riding public benefit, making the link road's impacts on the woodland and protected species justifiable under policy EI.1: Protected Species of the proposed plan.

25. Allocating a site which requires the construction of a road outwith an allocation and outwith the settlement boundary is not normal practice. The potential developer argues that it creates uncertainty for a major development to rely on construction of a road which is not allocated in the local development plan, and that it does not make sound planning or economic sense to exclude the land required to enable delivery of the project. Road building costs are normally supported by the development alongside them. In the case of the north-western link road, this would not be possible as it would lie outside the allocated site. As compensatory tree planting would be required to offset the loss of woodland, additional land would be required. This would be on top of requirements for a primary school and community uses.

26. I consider that all of these are valid concerns and am concerned that they have not been resolved at this time. I therefore conclude that it would be not be appropriate to allocate only part of FR006, as the proposed plan does. However, the option of allocating the whole of bid sites FR006 and FR007 would run counter to the council's stated position that it does not wish to see any further expansion of the site in the proposed plan. I also note that the extended site would not be consistent with the community plan. Moreover, in the light of Circular 6/2013: Development Planning, paragraph 118, I am not satisfied that I have adequate environmental information regarding the extended site, and it is not clear whether the proposal to take access from the north and through the ancient woodland has been subject to public engagement. Without this information and clarity, I am unable to recommend the modification to the site that would be required for its expansion westwards.

27. Based on the above analysis, I consider it necessary to recommend a modification to amend the allocation to site FR007 for 100 homes and a community hub, in line with the officers' recommendation in the Issues and Actions Paper. However, I note that the council wishes to deliver the aspirations of the community plan and recognise that there may be potential for the council, developer and community to work together to address the unresolved matters relating to the development of a larger site, for inclusion in a future local development plan.

28 Allocation OP2 in the proposed plan contributes land for 219 homes towards the strategic development plan allowance for the Aberdeen Housing Market Area. However, given the outcome of my assessment above, this contribution would now be 100 homes. A modification to reflect this change is required in the relevant table in appendix 6. The implications of this deduction for the overall housing land provision are addressed in Issue 5.

29. In its response to my request for further information, the council suggested additional wording to ensure protection for the potential new link from the site to the B999. I consider

that, in view of its importance to enabling the development, a modification to the allocation statement is necessary.

30. The concerns expressed by Historic Environment Scotland with regard to the impact of development on the setting of the category A-listed Udney Castle related to the site as allocated in the proposed plan. Given that the smaller site as now recommended, is located further from the castle, I consider these concerns to be addressed.

31. Much of the site is prime agricultural land (grade 3.1). However, in line with policy PR1 (Protecting Important Resources), I consider that the loss of prime agricultural land may be justified, if it is required to meet strategic housing needs and there are no reasonable alternative sites.

32. The marketability of the site is questioned as some existing new homes in Pitmedden have remained unsold, but this is not supported by comprehensive evidence. As the council points out, there is fairly significant development pressure in the settlement due to its accessible location and the existing services within the village, making it reasonable to assume that the market could support the delivery of the proposed 100 houses over the plan period.

33. In broader terms, I consider that the allocation of site OP2, as modified, would result in a compact urban form with good accessibility to facilities and services in the centre of the village. It would also have the potential for expansion westwards by allocations in future plans – a reference to which should be included in the allocation summary.

34. SEPA requests an amendment to the allocation summary requiring buffer strips next to the watercourses running through the site. I consider that this is appropriate in the interest of environmental protection, and recommend a modification.

35. To address the above conclusions, I recommend modifications to amend the settlement map to reduce the extent of allocation OP2 to align with bid site FR007 and amend the allocation summary as set out below.

Site OP3 – Mill of Allathan

36. SEPA requests that a requirement for a flood risk assessment and for a buffer strip are included in the site allocation statement. I agree that these are required in the interest of the water environment and recommend amendments accordingly.

37. NatureScot requests the addition of wording in the allocation statement to require the provision for active travel. I agree that this would be appropriate for a site of this scale and would accord with the aims of the plan. I recommend an amendment accordingly.

38. Representations express concern over possible overlooking of existing housing in Allathan Park, residential amenity, privacy, visual impact and the location of road junctions. These would be matters to be addressed in a masterplan and subsequent planning application, including a transport assessment.

39. A substantial number of representations sought removal of site OP3 from the plan for a range of reasons. These are set out in the council's summary above.

40. With regard to those representations, the allocation of site OP3 reflects the

community plan submitted to the Formartine Area Committee by the Udney Development Trust and, to that extent, indicates community involvement. Moreover, our examination has concluded that the council's Participation Statement for the proposed plan meets the statutory requirements. The council's justification for the scale of housing allocations in the village is discussed at paragraph 5 above and I am satisfied that the allocation is not excessive. Many of the physical constraints mentioned in the representations (including the pipeline hazard risk) would influence the site layout, design and potentially the capacity of the site. However, these matters could be dealt with in the masterplanning and planning application processes, where they would be assessed against relevant policies of the plan (including Policy P4 – Hazardous and Potentially Polluting Development and Contaminated Land), rather than justifying deletion of the site. The potential impacts of site development on visual impact, wildlife and contaminated land were considered through the Strategic Environmental Assessment, and would be addressed through the requirement for strategic landscape planting together with protection for woodland and trees through the relevant policies in the plan. Potential pollution issues could be dealt with through the imposition of appropriate planning conditions on any approval. The proposed connectivity with site OP1 is a matter for discussion between the parties rather than a reason for removing the allocation. No evidence has been presented to counter the assurance of the bid proposer that the proposal would be viable. Concerns relating to infrastructure (including road access, school provision, surface water, waste water treatment, health care and local services) would be addressed by developer contributions towards items set out in the Services and Infrastructure statement for Pitmedden.

41. Concerns relating to the council's handling of the proposal prior to publishing the proposed plan are not within the remit of this examination.

42. Site OP3 has been identified as contributing 68 homes towards the strategic development plan housing allowance for the Aberdeen Housing Market Area. I do not consider that the matters raised in representation outweigh the benefits in terms of meeting housing need. No modification is required.

Non-allocated bid site FR008 – Land for public hall OP1 south-west of Pitmedden

43. As discussed at paragraphs 6 and 7 above, this bid relates to a small site in the village centre, which the proposed plan reserves for a new village hall. Whilst the allocation of site R1 has not progressed for a number of years, the local community still has clear aspirations for a community hub. The site OP2 allocation includes a community hub, but as yet there is no commitment that it will be delivered as part of that development. It is therefore prudent to retain the reservation. Furthermore, I note that the Main Issues Report did not accept the bid for housing on the site for reasons of access and appropriateness of the site. No modification is required.

Non-allocated bid site FR096 – Land at west and north-west Pitmedden

44. Bid site FR096 comprises two fields at the north-west corner of the settlement extending over some 6.3 hectares and abutting the designed landscape gardens around Pitmedden House, a National Trust for Scotland property, which is open to the public.

45. A representation on behalf of Stewart Milne Homes, which has an option on the site, requests that bid site FR096 is allocated for 90 homes as a replacement for site OP2.

The remaining 129 homes should be allocated to other sustainable locations in Aberdeenshire. It maintains that the bid site is an appropriate size for the settlement whereas site OP2 is too big, would be detrimental to wildlife and would require construction of a new primary school. The bid site would therefore optimise use of existing resources. It would enjoy visual containment, would strengthen the existing tree belt, would provide a defined edge to the settlement, would be within easy and safe walking distance of the primary school and is deliverable.

46. With respect to impact on the setting of Pitmedden House and Gardens, the representation refers back to the last local development plan examination, which it claims concluded that development of the site would not impact on Pitmedden Gardens. This is a misreading of the report. The reporter pointed out that the site assists in maintaining the countryside setting of the gardens and referred to other land in Pitmedden being less sensitive to development. His removal of a protective designation over this and other land was for reasons of consistency and because other policy protection was available. I consider that development on the bid site could potentially impact the setting of the house and gardens. Site FR096 is also further from the village facilities and services than site OP2 and would not be able to meet community aspirations for that site.

47. The outcome of my assessment of allocation OP2 in the proposed plan would reduce the contribution that this site makes to the strategic development plan allowance for the Aberdeen Housing Market Area. However, the implications of this change can be addressed across the Aberdeen Housing Market Area as a whole. It does not necessarily require the allocation of additional land in Pitmedden.

48. Given the disadvantages of bid site FR096 and the availability of suitable sites elsewhere in the Aberdeen Housing Market Area (see Issue 5), I conclude that the alternative option presented by Stewart Milne Homes should not be allocated. No modification is required.

Non-allocated bid sites: FR132 Quarry Field site, Land at Mill of Allathan Farm, Udney and FR133 Land at Mill of Allathan Farm, Udney

49. A representation requests the expansion of proposed site OP3 (Mill of Allathan) to include bid sites FR132 and FR133. The representation arises from a community engagement exercise commissioned by Udney Community Trust with the support of Udney Community Council. This identified a preference for development alongside the B999 road to the south of Pitmedden, illustrated by a plan showing employment land and residential land (24 homes) on the bid sites.

50. The proposal was supported at a special meeting of the Formartine Area Committee, but a later meeting of the Aberdeenshire Council Infrastructure Services Committee decided not to allocate these sites because they impinged significantly on an area restricted by high pressure oil pipelines. The representation contends that this is inaccurate and that the scale and type of development would be compliant with that permitted by the Health and Safety Executive's PADHI tool (as advised in Scottish Planning Policy) because the small scale employment use proposed would fall into the inner consultation zone and the appropriately-sized housing into the middle consultation zone.

51. The proposed sites form a narrow band of development alongside the B999,

projecting some 350 metres into open countryside and linking with a cluster of housing at Milldale. The proposed sites, by contrast, retain a compact layout for the village. The land slopes up from the road, which would make development in this location prominent in the rural setting of Pitmedden. Employment development, in particular, would be likely to require cut and fill, increasing the landscape impact.

52. In order to fully consider the implications of the pipeline consultation zone, I would require input from the pipeline operator and the Health and Safety Executive. However, as there are other reasons why I do not consider the site should be allocated, it is not necessary for me to seek further information from these parties.

53. Whilst the bid sites have benefits including community initiative and providing accessible local employment opportunities, these do not justify the allocation, given the above disadvantages.

54. A representation contends that site FR132 should be preferred to site OP3 (Mill of Allathan) as it would link Pitmedden to Milldale. However, I have concluded that site OP3 is acceptable and that the linking proposals would have disadvantages.

55. A representation suggests that FR133 should be reserved for use as a recreation park because the quarry is now commercially developed. However, as an area to the north of the quarry is designated as a recreational park (P4), this is unnecessary.

56. No modifications are required.

Reporter's recommendations:

Modify the local development plan by:

1. Amending the first "Flood Risk" bullet point on page 471 to read:

"- Parts of site OP1 and OP3 are within the Scottish Environment Protection Agency's (SEPA's) indicative 1 in 200 year flood risk area, or have a small watercourse running through or adjacent to the site. A Flood Risk Assessment may be required."

2. Amending the second "Flood Risk" bullet point on page 471 to read:

"- A Flood Risk Assessment will be required for BUS1 and R1. Adequate buffer strips will be required along the watercourses which should be positively integrated into the development."

3. Amending the allocation for site OP2 (Land south-west of Pitmedden) on page 473 to read:

"Allocation: 100 homes and a community hub."

4. Amending the entry for Pitmedden OP2 in the relevant table in Appendix 6 to replace '219' with '100'. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report)

5. Replacing the second paragraph of the allocation statement for site OP2 (Land south-west of Pitmedden) on page 473 with the following:

"The site requires a vehicular access from the B999, whose route should be protected during any incremental development. This should lead to an internal loop road. Suitable

access arrangements should be discussed with the council in advance of any planning application. Permeability with the housing development adjacent to the medical centre is also required plus connectivity to the existing path network at Bronie Crescent and Seton Terrace. Access and fully permeable connectivity throughout the site are required and the site layout should make provision for potential future expansion to the west. Wider transportation requirements are to be determined through a Transport Assessment that takes all of the proposed allocations into account.”

6. Amending the first sentence of the third paragraph of the allocation statement for site OP2: (Land south-west of Pitmedden) on page 473 to read:

“Buffer strips will be required adjacent to the watercourses running through the site, which should be integrated positively into the development.”

7. Amending the settlement map on page 475 to reduce the extent of allocation OP2 (Land south-west of Pitmedden) to align with bid site FR007 and adjust the settlement boundary accordingly.

8. Inserting a new penultimate sentence in the third paragraph of the allocation statement for site OP3 (Mill of Allathan) on page 474 to read:

“Provision for active travel is required.”

9. Inserting a fourth paragraph in the allocation statement for site OP3 (Mill of Allathan) on page 474 to read:

“A Flood Risk Assessment will be required. A buffer strip will be required adjacent to the watercourse on the northern boundary of the site, which should be integrated positively into the development.”

Issue 26	Potterton	
Development plan reference:	Proposed LDP, Appendix 7C Formartine, Page 476-480	Reporter: Malcolm Mahony
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>PP0087 Chris Clarkson PP0091 Michael Neilson PP0094 Norah Barnett PP0095 Raymond Barnett PP0096 Ally Haggart PP0101 Peter Kirkbride PP0103 Kevin Williams PP0104 Diane Massie PP0107 Tom and Sheila Powell PP0108 Fiona Adams PP0109 Kenneth Gibson PP0110 Meredith Gibson PP0130 Frank McIntosh PP0131 Roseanne McIntosh PP0132 Andrew Lamb PP0133 Eilidh Haggart PP0134 Steven May PP0141 Scott Masson PP0142 Rachel Masson PP0143 Margaret Anne Porter PP0144 Gordon Burgess PP0151 Louise Watt PP0152 Francis Watt PP0153 Jane Salter PP0154 Anne Mackie PP0157 Ian Cormack PP0160 Louise Watt PP0169 Marjorie Roadnight PP0172 Donna Benton PP0203 Olive Neilson PP0204 Allan Anderson PP0205 Alan McGillivray PP0206 Helen Smith PP0207 Raymond Smith PP0209 Stephen Nicol PP0210 Jennifer Nicol PP0211 Jacqui McGillivray PP0212 Jamie Black PP0214 Maurice Farquharson PP0215 Moira Cormack PP0218 David and Ireina Spencer PP0220 Chris Schenk</p>		

PP0222 Beryl Forbes
PP0227 Mary Junor
PP0228 David Junor
PP0229 John Boota
PP0231 Doranne Dawson
PP0232 Graeme Dawson
PP0233 Lindsay Junor
PP0236 David Stokes
PP0237 Wendy Stokes
PP0238 Colin Morrison
PP0249 Linzi Hetherington
PP0250 Ron Hetherington
PP0255 John Boyd-Gorst
PP0256 David Hayhurst
PP0257 David Hayhurst
PP0258 David Hayhurst
PP0259 David Hayhurst
PP0260 David Hayhurst
PP0261 David Hayhurst
PP0262 David Hayhurst
PP0263 David Hayhurst
PP0264 David Hayhurst
PP0270 Allan Macinnes
PP0272 Scottish Water
PP0273 Wendy Morgan
PP0274 Steven Morgan
PP0278 Fiona McWilliam
PP0279 Craig Thompson
PP0280 Graham Stables
PP0281 Jenny Stables
PP0282 Elizabeth Hayhurst
PP0283 Elizabeth Hayhurst
PP0284 Elizabeth Hayhurst
PP0285 Elizabeth Hayhurst
PP0286 Elizabeth Hayhurst
PP0287 Elizabeth Hayhurst
PP0289 Andrea Byiers
PP0290 Graham Lonie
PP0291 Gordon Byiers
PP0292 Lisa Lonie
PP0294 Philip Darnell
PP0298 Alan Sutherland
PP0299 Gordon and Louise Kennedy
PP0311 Raymond Bilkerdijk
PP0312 Meg Leith
PP0324 Sophie McKen
PP0325 Sophie McKen
PP0336 Peter Whyment
PP0343 Louise Msika
PP0349 Deirdre Paterson
PP0350 Mark Paterson

PP0351 Colin Paterson
PP0356 Christiane Taylor
PP0361 Kerry Robertson
PP0362 Oksana Levicka
PP0363 Denis Chambers
PP0364 Craig and Sophie Pike
PP0365 Bartosz and Maryla Olszewska
PP0366 Margaret Smith
PP0367 Robert Smith
PP0368 Helen Milne
PP0369 David Milne
PP0370 Nicola Norrie
PP0371 Margaret Leal
PP0372 Jean Baxter
PP0373 Margaret Porter
PP0406 Esther McKay
PP0407 Esther McKay
PP0408 Esther McKay
PP0409 Esther McKay
PP0418 Simon Parry
PP0419 Jo Parry
PP0449 Audrey Wright
PP0468 Scott Strachan
PP0471 Wilson Stuart
PP0479 Mairi Duff
PP0480 Peter Garioch
PP0483 Valerie Stables
PP0484 John Stables
PP0487 Ian, Gemma, Naomi and Liam Milne
PP0488 Gemma Milne
PP0489 Winifred Margaret Scott
PP0490 Mary Garioch
PP0491 Jennifer Nicol
PP0505 Liam Parry
PP0508 Paul Butler
PP0509 Paul Butler
PP0510 Paul Butler
PP0511 Paul Butler
PP0512 Paul Butler
PP0513 Paul Butler
PP0514 Paul Butler
PP0518 Diane Massie
PP0519 Margaret Copley
PP0527 Aaron Dobby
PP0528 Kerry Dobby
PP0529 Neil Cook
PP0534 Jodie Lamberty
PP0535 John Lamberty
PP0536 Lynn Lamberty
PP0540 Sean Copley
PP0546 Shona Anderson

PP0547 Shona Anderson
PP0548 Shona Anderson
PP0549 Shona Anderson
PP0550 Shona Anderson
PP0551 Shona Anderson
PP0552 Shona Anderson
PP0559 Caroline Anderson
PP0560 Caroline Anderson
PP0561 Paul Butler
PP0567 Denise Paterson
PP0568 Michael Paterson
PP0569 Lyndsey Gunn
PP0574 Sam McCallum
PP0576 Julie Davison
PP0579 Shiona Annal
PP0581 Laura Mair
PP0582 Jennifer Ann Strachan
PP0583 Kerry Strachan
PP0584 Laura Strachan
PP0585 Scott Donald Strachan
PP0586 S Jenkins
PP0587 I Jenkins
PP0594 Adam Brown
PP0599 Barratt North Scotland
PP0607 The Association for the Protection of Rural Scotland
PP0610 Kathryn Barrett
PP0637 Kevin Yule
PP0638 Richard Barrett
PP0645 Craig Leslie
PP0646 Diane Leslie
PP0647 Erik Leslie
PP0648 Erik Leslie
PP0650 Hilary Foxen
PP0651 Hilary Foxen
PP0652 Hilary Foxen
PP0653 Hilary Foxen
PP0655 Peter Foxen
PP0656 Peter Foxen
PP0657 Peter Foxen
PP0671 Stewart Milne Homes
PP0680 Stewart Milne Homes
PP0695 William Wright
PP0700 Allanah Cowie
PP0701 Daniel Mearns
PP0702 Duncan Rayne
PP0703 Jack Spiers
PP0704 Karen Mckinnon
PP0705 Kieran Lumley
PP0706 Kirsty Mckinnon
PP0707 Louise Paterson
PP0708 Michael Mckinnon

PP0709 Paul Sillars
PP0710 Stephen Marr
PP0711 Tom Spiers
PP0715 Lewis Macleod
PP0721 Grant Paterson
PP0729 Shannon Cryle
PP0730 Ashleigh Milne
PP0744 Andrew Rogers
PP0757 Lynn Macleod
PP0763 Audrey Wright
PP0771 Maureen Pirie
PP0781 Tanneth Parker
PP0788 Audrey Wright
PP0797 Joanna Brownlie
PP0798 Kate Brownlie
PP0799 Stuart Ralston
PP0800 Alexander Parker
PP0801 Fionidi Parker
PP0802 Joanna Parker
PP0805 Lea Milne-Emslie
PP0806 David Wilson
PP0807 Jane Cairns
PP0818 Laura Hay
PP0819 Helen Jones
PP0824 Kenneth Badenoch
PP0829 Brian Corsie
PP0830 Stephen Fletcher
PP0832 Norah Barnett
PP0833 Norah Barnett
PP0841 Paul Mair
PP0845 Robin Taylor
PP0847 Paul Cairns
PP0848 Eva Bohlert
PP0850 Christopher Brown
PP0852 Norma Simpson
PP0853 Doreen Cassell
PP0854 Phylis Mathers
PP0855 Graham Lonie
PP0856 Eric Stanley
PP0857 Jacqueline Taylor
PP0858 James Bruce
PP0859 Marion Bruce
PP0860 Robert Pirie
PP0862 David and Doreen Crawford
PP0864 Ellie Jenkins
PP0870 Gwendolyn Pirie
PP0872 Tanneth Parker
PP0874 Robert Pirie
PP0886 John Hopkins
PP0887 Gwen Pirie
PP0897 Kevin McLaughlan

PP0904 Maureen Pirie
PP0912 Amanda Russell
PP0913 Amanda Russell
PP0914 Andrew Russell
PP0915 Andrew Russell
PP0916 Sandra McLaughlan
PP0917 Patricia Gibbons
PP0919 David Taylor
PP0930 Carol Menlove
PP0932 Jean Hopkins
PP0938 James Spence
PP0939 Keith Spence
PP0958 Rhonda Buchanan
PP0960 Bernard Dunlop
PP0961 David Sutherland
PP0962 Belhelvie Community Council
PP0963 Graeme Massie
PP0964 Graeme Massie
PP0966 Graeme Massie
PP0967 Graeme Massie
PP0968 Graeme Massie
PP0969 Graeme Massie
PP0970 Graeme Massie
PP0971 Graeme Massie
PP0982 Paul and Kelly Buchan
PP0987 Natasha Wyness
PP0989 Michelle Milne
PP0992 Audrey Wright
PP0995 Audrey Wright
PP0999 Paul Butler
PP1002 Jacqueline Nelson
PP1003 Jacqueline Nelson
PP1005 Jog Raj Ghaly
PP1006 Syrus Ghaly
PP1007 Simmi Ghaly
PP1015 Jolene Horne
PP1017 Elizabeth McKessar
PP1018 CHAP Group (Aberdeen) Ltd
PP1042 case CONSULTING Limited
PP1043 case CONSULTING Limited
PP1123 Glen Milne
PP1128 Nicola Wilson
PP1135 Jane Parker
PP1146 Findlay Moore
PP1147 Noah Moore
PP1148 Angus Moore
PP1149 Scott Moore
PP1153 Neil Mathieson
PP1154 Neil Mathieson
PP1155 Neil Mathieson
PP1157 Jack McGregor

PP1158 Judita Katinaite PP1160 Tine Wanning PP1161 Kelsey Forsyth PP1166 Dawn Manders PP1167 Jenni Clarke PP1168 Chloe Matthewson PP1171 Peter Anderson PP1190 Rachel MacLugash PP1219 Scottish Environment Protection Agency PP1242 Jamie Filby PP1243 Paul Butler PP1278 Leslie Spence PP1295 Ian Auchterlonie PP1300 NatureScot PP1303 William Simpson PP1304 Bernard Humphrey PP1305 Doreen Weir PP1324 Alistair Weir PP1325 Rachel Discambe PP1326 Derek and Nancy Matthew PP1327 Peter Garioch PP1328 Leslie Prakash PP1329 Alexander Sim PP1330 Anne Sim PP1332 Brian and Catherine Campbell PP1333 Maggie Thomson PP1334 Alex Shirreffs PP1335 Graeme Thomson PP1336 Sheila Morgan PP1337 William Morgan PP1390 Ellie Rogers PP1395 Dawn Yule PP1397 Raymond and Norah Barnett PP1401 Robert Pirie PP1403 Wendi Rogers	
Provision of the development plan to which the issue relates:	Potterton Settlement Statement
Planning authority's summary of the representation(s):	
<p><u>General</u></p> <p>A representee has commented that Potterton is not part of the Energetica Corridor. No modification sought (PP1155).</p> <p>A number of representees have raised issue with regards to the level of engagement and the engagement/notification process undertaken in terms of the amendment to the green belt and the proposed development sites at Potterton. Representees have raised concerns which included the engagement undertaken by the Council, the bid proposer</p>	

and/or Belhelvie Community Council (PP0087, PP0104, PP0108, PP0109, PP0110, PP0206, PP0207, PP0209, PP0210, PP0212, PP0214, PP0227, PP0228, PP0229, PP0231, PP0232, PP0233, PP0250, PP0270, PP0278, PP0298, PP0356, PP0361, PP0364, PP0365, PP0370, PP0372, PP0373, PP0407, PP0418, PP0419, PP0449, PP0479, PP0505, PP0508, PP0514, PP0518, PP0527, PP0528, PP0546, PP0559, PP0560, PP0586, PP0594, PP0652, PP0695, PP0771, PP0806, PP0824, PP0830, PP0841, PP0850, PP0852, PP0853, PP0854, PP0858, PP0859, PP0860, PP0864, PP0904, PP0912, PP0913, PP0914, PP0915, PP0916, PP0964, PP0970, PP0982, PP0989, PP0995, PP1003, PP1123, PP1135, PP1157, PP1166, PP1167, PP1171, PP1190, PP1243, PP1295, PP1305, PP1326 and PP1397).

The representees have stated that the Main Issues Report (MIR) 2019 contains inaccuracies, specifically within the MIR Vision. It was highlighted that the original settlement of Potterton existed as a shop and four original houses next to it in a row. Manse Road did not exist and as such the original settlement was not located along it. Concerns raised included that this cannot be used to create the settlement's 'sense of place', closer to sites OP1 and OP2 and that this indicated the PLDP's desire to favour that side of the settlement as a central hub allowing for mass development. Concerns were also raised which included an aversion to stating that the settlement has no sense of place or identity, as was suggested by some that it diminishes the experience of living in Potterton whilst marketing the green belt for development. It was highlighted in some instances that the settlement has an active community which the residents take pride in (PP0144, PP0209, PP0210, PP0231, PP0232, PP0273, PP0274, PP0278, PP0336, PP0361, PP0373, PP0527, PP0528, PP0586, PP0594, PP0854, PP0858, PP0859, PP0860, PP0904, PP0913, PP0915, PP1003 and PP1171).

A representee has stated that it is incorrect to state that Manse Road is the main road for the settlement, and that Panmure Road is the main Road (PP0969).

A representee has stated that it is incorrect to state that Potterton has a frequent bus service, as the bus service is not frequent. It was stated that this requires to be removed (PP0969).

A representee has stated that the bid submissions for bid sites FR140 and FR141, received as part of the PLDP's 'Call for Sites', contain inaccurate information regarding the walking distance to the local bus service and the safety implications of active travel (PP0646 and PP0648).

A representee has stated that the bid submissions for bid sites FR140 and FR141, received as part of the PLDP's 'Call for Sites', contain inaccurate information regarding the proximity to Ancient Woodland (PP0647 and PP0648).

A representee has raised concern that the settlement has a lack of public transport provision, which could lead to additional private car use and local road congestion (PP1155).

The representees have sought clarification on the housing requirement, with issues raised such as the impact of the current/future economic context and downturn in the oil industry, that currently there are a substantial number of homes on the market at reduced costs and/or that there is constant halting of phases of new developments (PP0154, PP0206, PP0207, PP0209, PP0210, PP0212, PP0236, PP0237, PP0280, PP0281 and PP1326).

The representees queried Belhelvie Community Council's position that there should not be any development to the west of the settlement due to the link roads at the B999 but had a favoured response for development at the east of the settlement (PP0206, PP0207, PP0209, PP0210 and PP0212).

Belhelvie Community Council have raised concern regarding the addition of approximately 1800 homes in the whole area (including at Belhelvie, Balmedie, Blackdog and Potterton). Concerns related specifically to the pressure that will be put on existing facilities such as Balmedie Primary School, medical and health care facilities, the road infrastructure network and its capacity to cope with the additional traffic and the safety concerns that this level of development would bring, as well as the lack of public transport provision. It was stated that consideration requires to be given to provision of education facilities, health care facilities, upgrades to the road infrastructure and review of existing bus services in the area in light of the proposed developments in the area (PP0962).

Settlement Plan

A representee has requested the removal of the core path as it is located further away from the ancient woodland as is shown on the Settlement Statement map (PP1135).

Vision

Several representees have requested amending paragraph one so that it is like the wording in the Aberdeenshire Local Development Plan 2017 (PP0449, PP0560, PP0610, PP0653, PP0858, PP0859, PP0999 and PP1167). One representee has argued that nothing has changed to justify the removal of the green belt (PP0449, PP0853 and PP0995). Another has stated that this paragraph is inaccurate and does not reflect the character of Potterton or the community's wishes (PP0560, PP0853 and PP0995), and that the previous wording would work to protect the character of the settlement (PP1167). Furthermore, it was stated that the wording dilutes the importance of the Aberdeen green belt (PP0610, PP0832, PP0995 and PP0999). Another representee has stated that the greenbelt should be about protecting the amenity of the village and to conserve its setting (PP0653, PP0832 and PP1295). The representee has included a number of Appendices (RD0153.A and RD0153.B) in their representation which provides further detail to support their position (PP0832).

A representee has requested the removal of the Vision as presented in the PLDP as it contains several incorrect statements and false claims and has requested that the Vision is replaced with amended text which is more in line with previous Local Development Plans. It was stated that reference to the community desire for a new community hall and small business units should be removed as the community have not been consulted on this and that there is no need for business use on green belt designated land (PP0695).

Some representees have requested that 'green belt' should be changed to 'Aberdeen green belt' in the Vision, as it appeared in the LDP 2017 (PP0638, PP0653, PP0832 and PP0999). One representee has argued that the Vision dilutes the protective capacity of the green belt and infers that play parks are sufficient to replace the green belt protected status, and they also note the Reporter's conclusions from the LDP 2017 Examination that supported no change to the green belt (PP0653).

A number of representees have requested that the last sentence of the first paragraph in the Vision is amended to read, "The planning objective for the settlement is to preserve the amenity of the village which shall be achieved through the use of protected designations and the use of the green belt policy." (PP0832 and PP0932).

A representee has sought clarification on the statement within the Vision that reads, "The use of protected land designations and the application of the green belt policy will contribute to preserving the amenity of the settlement" (PP0645 and PP1160), as it was stated that the development of proposed sites at OP1 and OP2 is contradicting this statement (PP1160), and that the Vision does not demonstrate how the proposed sites at OP1 and OP2 will preserve the amenity of the settlement (PP0645).

A number of representees have requested that the words "contribute to" within the last sentence of paragraph one of the Vision are removed and the sentence is changed to, "The planning objective for the settlement is to preserve the amenity of the village, which shall be achieved through the use of protected land designations and through the application of the green belt policy." (PP0638, PP0781, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0853, PP0856, PP0857, PP0860, PP0904, PP1135 and PP1158). It was stated that the current wording dilutes the importance of the Aberdeen green belt (PP0638 and PP1158) and the vision for Potterton being a rural settlement (PP1158).

Several representees have requested the removal of paragraph two on new community facilities, as the residents have not been consulted (PP0514, PP0552, PP0560, PP0610, PP0638, PP0647, PP0652, PP0781, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0850, PP0853, PP0854, PP0855, PP0856, PP0857, PP0858, PP0859, PP0860, PP0904, PP0995, PP1135, PP1153, PP1158, PP1160 and PP1401). Others have stated that there is also no allocation or justification for the small business units (PP0514, PP0552, PP0781, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0824, PP0850, PP0853, PP0854, PP0855, PP0856, PP0857, PP0858, PP0859, PP0860, PP0886, PP0887, PP0904, PP0995, PP1160 and PP1401), no consultation (PP0652), and that the preservation of the green belt and rural area is preferred (PP0853, PP0995 and PP1153).

A number of representees have requested the removal of the word "contemporary" from the third sentence of the first paragraph of the Vision (PP0561, PP0610, PP0638, PP0651, PP0781, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0854, PP0857, PP0858, PP0859, PP0860, PP0904, PP0963, PP0995, PP1135, PP1157, PP1167 and PP1401). It was not considered that this description was accurate as the settlement is a small, rural community surrounded by long established farmland within the green belt (PP0561 and PP1167), and the rural character of the settlement should be protected (PP1157). Contemporary portrays the settlement as a well-placed location for further development, of which the representee stated it is not (PP0561). Another has argued it implies Potterton has no sense of place and a lack of identity and would diminish the experience of living in Potterton, while encouraging development of the surrounding green belt, and they are concerned that a large-scale development would significantly change its character (PP0651). The description does not fit with the current form and will impact the character of the settlement (PP0610 and PP0638). It was also stated that currently only 1 and 1½ level houses are allowed in the settlement due to historic significance and in order to preserve its historical buildings and rural setting (PP0963).

It was stated that the statement “The settlement is largely contemporary in nature” should be removed from the Vision (PP0932).

It was considered that “contemporary” should be replaced with “rural” in the third sentence of the first paragraph of the Vision as the settlement is typically rural, with strict planning criteria for house builds of bungalows or 1½ storey homes to ensure the retention of its rural character. ‘Contemporary’ is stated to be ambiguous in describing the nature of the settlement, as it is rural. It was also requested that the word “large” is removed from the third sentence of the Vision. It was stated that the housing estates in the settlement are not large and are much smaller than the proposed OP1 site (PP1154).

A representee does not consider that the description of the settlement as mid-20th century to be accurate as this does not consider the individual cottages or wooden clad cottages in the settlement (PP0594).

A representee has requested that the word “shop” is inserted into the fifth sentence of the first paragraph of the Vision after “post office”, as a shop serves the settlement (PP1154). A representee also noted that the village consists of 2 large housing estates and is surrounded by green belt and includes a local shop, post office, public house, playing fields, football pitch, tennis court, community hall and a small selection of business units which should be reflected in the vision statement (PP0824).

A representee has requested that the first two sentences of the Vision are removed and replaced with amended text on the SGA and Energetica (PP0599, PP0744, PP1390 and PP1403) that aligns with Appendix 6, which records OP1 and OP2 as contributing to the new allowances for the SGA (PP0599).

A number of representees have commented that the Vision makes it clear that Potterton is outwith the SGA. No modification sought (PP0607, PP0824 and PP0930).

Some representees consider that reference to the Forsyth Hall Men’s Shed should be removed from the first sentence of the second paragraph of the Vision as this does not exist (PP0560, PP0647, PP0648, PP0824, PP0856, PP0858, PP0859, PP0860, PP0886, PP0887, PP0904, PP0932 and PP1401).

A representee has raised concern that there has been no consultation with residents regarding the desire for a new community hall (PP0932).

Flood Risk

The Scottish Environment Protection Agency (SEPA) has requested that the second ‘Flood Risk’ bullet point is removed, and additional text is incorporated into the first bullet point for consistency. Additionally, SEPA has requested that the text stating the requirement for a buffer strip can be removed to avoid repetition, as this is stated within the allocation summary for site OP2 and is not a requirement for site OP1 (RD0214.B) (PP1219).

A number of representees have noted that the text relating to the watercourse should be changed from “a small watercourse” to “a large watercourse” (PP0781, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0850, PP0856, PP0860, PP0904 and PP1135).

A representee has requested that the wording within the ‘Flood Risk’ section is changed to

note that the sites are outwith the settlement boundary and not suitable for development. The Aberdeenshire Flood Risk Assessment states that Category 3 Areas outwith settlements are not suitable for additional development. OP1 and OP2 are outwith the boundary of the settlement of Potterton and should not be built. Additionally, the drainage is poor in the area and the SDP recognises that development should avoid areas of flood risk (PP0763).

Two representees have requested the removal of the 'Flood Risk' section as they relate to sites OP1 and OP2, which should be removed (PP0886 and PP0887).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Scottish Water have requested that the 'Strategic drainage and water supply' bullet point is amended to include an additional sentence after the third sentence that reads, "A Drainage Impact Assessment may be requested." (PP0272).

A representee has sought clarification on the capacity of the pumping station serving Potterton, particularly as there are ongoing issues with drainage and run-off within the settlement (PP0369).

Two representees have requested the removal of the 'Strategic transportation' and 'Strategic drainage and water supply' sections as they relate to sites OP1 and OP2, which should be removed (PP0886 and PP0887).

Site OP1 – Land north of Denview Road

Several representees have expressed support for site OP1 (PP0468, PP0471, PP0529, PP0534, PP0535, PP0536, PP0567, PP0568, PP0569, PP0574, PP0576, PP0579, PP0582, PP0583, PP0584, PP0585, PP0637, PP0700, PP0701, PP0702, PP0703, PP0704, PP0705, PP0706, PP0707, PP0708, PP0709, PP0710, PP0711, PP0715, PP0721, PP0729, PP0730, PP0744, PP0757, PP0818, PP0917, PP0919, PP0938, PP0939, PP0958, PP0960, PP0961, PP1005, PP1006, PP1007, PP1015, PP1017, PP1168, PP1242, PP1278, PP1390, PP1395 and PP1403), but stated that the 172 homes are the maximum permitted (PP0468, PP0471, PP0529, PP0534, PP0535, PP0536, PP0567, PP0568, PP0569, PP0574, PP0576, PP0579, PP0582, PP0583, PP0584, PP0585, PP0637, PP0700, PP0701, PP0702, PP0703, PP0704, PP0705, PP0706, PP0707, PP0708, PP0709, PP0710, PP0711, PP0715, PP0721, PP0729, PP0730, PP0757, PP0818, PP0917, PP0919, PP0938, PP0939, PP0958, PP0960, PP0961, PP1005, PP1006, PP1007, PP1015, PP1017, PP1168, PP1242, PP1278 and PP1395).

They also noted that this site:

- complies with the Aberdeen City and Shire Strategic Development Plan (SDP);
- will increase choice and availability of homes as no allocations have been made for over a decade;
- scored well in the Strategic Environment Assessment (SEA);
- lessens traffic in the settlement, especially the B999;
- was supported by the Community Council at the MIR stage;
- will strengthen the green belt;

- will mitigate impact on existing infrastructure;
- will require a Flood Risk Assessment; and
- will sustain the local shop. No modification sought (PP0468, PP0471, PP0529, PP0534, PP0535, PP0536, PP0567, PP0568, PP0569, PP0574, PP0576, PP0579, PP0582, PP0583, PP0584, PP0585, PP0637, PP0700, PP0701, PP0702, PP0703, PP0704, PP0705, PP0706, PP0707, PP0708, PP0709, PP0710, PP0711, PP0715, PP0721, PP0729, PP0730, PP0744, PP0757, PP0818, PP0917, PP0919, PP0938, PP0939, PP0958, PP0960, PP0961, PP1005, PP1006, PP1007, PP1015, PP1017, PP1168, PP1242, PP1278, PP1390, PP1395 and PP1403).

A representee has expressed support for the requirement for Community Facilities to be included on site OP1. The representee has provided further justification in section 2 of their representation. The representee has included a number of appendices (RD0094.A) in their representation which provides further detail to support their position. No modification sought (PP0599).

SEPA has requested that for site OP1, the second and third sentences are removed from the third paragraph in the allocation summary as there appears to be no watercourse present on this site (see RD0214.B) (PP1219).

NatureScot has requested that the allocation summary for site OP1 includes a requirement for active travel provision. NatureScot acknowledged that the allocation summary already refers to the need for a Transport Assessment, however as it is a large allocation the provision of active travel is also encouraged which will help promote safe and convenient opportunities in line with the PLDP's aims (RD0255.B) (PP1300).

A representee raised concern regarding the impact that the proposed development would have on the wildlife that currently live at site OP1 (PP0238).

A representee has noted that a requirement for a community facility has been included on the site despite it not forming part of the bid. Clarification was sought on the viability of the required community facility on site OP1 (PP0671).

Representees have requested that the first three sentences of the allocation summary for site OP1 are removed and replaced with amended text (PP0599, PP0744, PP1390 and PP1403). It was stated that this amended text would provide reassurance for the owners at Woodside Cottage that the amenity of their property, which is subject to a legal agreement to purchase the land, will be taken into account. The representee has provided further justification in section 2 of their representation. Additionally, it was requested that a fuller description of the site's attributes should be articulated in the allocation summary. The representee has included a number of appendices (RD0094.A) in their representation which provides further detail to support their position (PP0599).

A representee has requested the removal of the Ancient Woodland as a provision for open space, as it is private land which does not belong to the developer (PP0932 and PP1401).

A number of representees have sought the removal of site OP1 from the PLDP. Issues raised included:

- concern of the additional traffic created from the development, and the pressure emanating from this on the local road network (including the AWPR) (PP0222, PP0294, PP0366 and PP0367).

- Road infrastructure is inadequate and will adversely affect existing residents (e.g., narrow country lanes, unsafe junction at Potterton Mill, road widening is not guaranteed up to Manse Road and Den Road junctions, and traffic crossing the B999 to enter Panmure Garden would present an increased traffic hazard) (PP1043).
- Potterton has not been identified within the SGA as it has no direct access onto the AWPR (PP1043).
- Noise pollution from the development and the additional traffic (PP0294).
- Lack of planned provision for additional amenities, such as education facilities and health services (PP0222).
- Disturbance during construction, specifically from the noise and pollution produced from the development (PP0222).
- Proximity of the proposed development to the existing homes at Denview Road (PP0294 and PP0845).
- Loss of privacy to properties along Denview Road from the installation of two footpaths and sought clarity on who would maintain the fences and paths (PP0511 and PP0549).
- Impact on visual amenity and the character of Potterton (PP0845).
- New development would overlook existing properties due to the topography (PP0845).
- Loss of green belt land and impact on Ancient Woodland and wildlife (PP0366 and PP0367).
- Loss of ancient woodland (PP0510 and PP0548).
- The proposed two storey houses will cause a dramatic loss of view from the existing houses and appear very odd compared to single storey homes in the existing parts of Potterton (PP0512, PP0550 and PP0845).
- There are already many massive developments taking place or planned to take place near Potterton, such as at Blackdog and Menie, Balmedie (PP0512 and PP0550).
- Potterton has limited facilities (PP0512 and PP0550).
- Development of this scale and form is not appropriate site as Potterton is in with the SGA (PP0845).
- The possibility of the site being contaminated due to the Western Hatton tip (now closed) having a flare stack to burn off methane gas on the boundary of the site (PP0824).
- The waste water trunk sewer will need to be upgraded and the sewerage pumping facility to Belhelvie could lack capacity (PP1043).

A representee has requested that if site OP1 is retained, the developer must propose better protection for the ancient woodland, which avoids its inclusion in the open space for the development, provides for more distance between the development and the ancient woods, and better protection of the ancient woods themselves from human disturbance (PP0510 and PP0548).

A representee sought clarification as to why the proposed houses were being developed on green belt land (PP0294).

A representee has not only requested the removal of site OP1, but that an alternative allocation is made within the Balmedie Primary School catchment area in the Blackdog to Ellon SGA (PP1043).

Site OP2 – Land north West of Denview Road

Several representees have expressed support for site OP2 (PP0468, PP0471, PP0529, PP0534, PP0535, PP0536, PP0567, PP0568, PP0569, PP0574, PP0576, PP0579, PP0582, PP0583, PP0584, PP0585, PP0637, PP0700, PP0701, PP0702, PP0703, PP0704, PP0705, PP0706, PP0707, PP0708, PP0709, PP0710, PP0711, PP0715, PP0721, PP0729, PP0730, PP0744, PP0757, PP0818, PP0917, PP0919, PP0938, PP0939, PP0958, PP0960, PP0961, PP1005, PP1006, PP1007, PP1015, PP1017, PP1168, PP1242, PP1278, PP1390, PP1395 and PP1403), but stated that the 61 homes are the maximum permitted and the development provides connection to the footpath to the south of the site that links Kirkhill Gardens (Middleton of Potterton) with the Stead Inn on Manse Road (PP0468, PP0471, PP0529, PP0534, PP0535, PP0536, PP0567, PP0568, PP0569, PP0574, PP0576, PP0579, PP0582, PP0583, PP0584, PP0585, PP0637, PP0700, PP0701, PP0702, PP0703, PP0704, PP0705, PP0706, PP0707, PP0708, PP0709, PP0710, PP0711, PP0715, PP0721, PP0729, PP0730, PP0757, PP0818, PP0917, PP0919, PP0938, PP0939, PP0958, PP0960, PP0961, PP1005, PP1006, PP1007, PP1015, PP1017, PP1168, PP1242, PP1278, PP1390, PP1395 and PP1403). They also noted that this site:

- complies with the Aberdeen City and Shire Strategic Development Plan (SDP);
- it will increase choice and availability of homes as no allocations have been made for over a decade;
- scored well in the Strategic Environment Assessment (SEA);
- lessens traffic in the settlement, especially the B999;
- was supported by the Community Council at the MIR stage;
- will strengthen the green belt;
- will mitigate impact on existing infrastructure;
- will require a Flood Risk Assessment; and
- will sustain the local shop. No modification sought. (PP0468, PP0471, PP0529, PP0534, PP0535, PP0536, PP0567, PP0568, PP0569, PP0574, PP0576, PP0579, PP0582, PP0583, PP0584, PP0585, PP0637, PP0700, PP0701, PP0702, PP0703, PP0704, PP0705, PP0706, PP0707, PP0708, PP0709, PP0710, PP0711, PP0715, PP0721, PP0729, PP0730, PP0744, PP0757, PP0818, PP0917, PP0919, PP0938, PP0939, PP0958, PP0960, PP0961, PP1005, PP1006, PP1007, PP1015, PP1017, PP1168, PP1242, PP1278, PP1390, PP1395 and PP1403).

A representee has expressed support for site OP2, stating that it has the potential to link the two disparate poles of the settlement. No modification sought. The representee has included a number of Appendices (RD0094.A) in their representation which provides further detail to support their position (PP0599).

SEPA has confirmed that they have no further flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (see RD0214.B). No modification sought (PP1219).

NatureScot has requested that the allocation summary for site OP2 includes a requirement for active travel provision. NatureScot acknowledge that the allocation summary already refers to the need for a Transport Assessment, however as it is a relatively large allocation the provision of active travel is also encouraged which will help promote safe and convenient opportunities in line with the PLDP's aims (RD0255.B)

(PP1300).

Representees have sought the addition of text to the end of the third sentence regarding the existing footpath between Kirkhill Gardens and the Stead Inn (PP0599, PP0744, PP1390 and PP1403). It was stated that the existing gravel path is well used and should be integrated into the open space and upgraded to retain and increase its suitability for pedestrians and cyclists. Further justification is provided in Section 2 of the representee's submission. Additionally, it was requested that a fuller description of the site's attributes should be articulated in the allocation summary. The representee has included a number of Appendices (RD0094.A) in their representation which provides further detail to support their position (PP0599).

A representee has requested the removal of site OP2 and the identification of an alternative allocation within the Balmedie Primary School catchment area in the Blackdog to Ellon SGA. They argued the site is inappropriate as Potterton has not been within the SGA as it has no direct access onto the AWPR. Road infrastructure is inadequate and will adversely affect existing residents (e.g., narrow country lane, unsafe junction at Potterton Mill, two access are required onto Manse Road, which will need to be widened, and traffic crossing the B999 to enter Panmure Garden would present an increased traffic hazard). The waste water trunk sewer will need to be upgraded and the sewerage pumping facility to Belhelvie could lack capacity (PP1042).

Site OP1 – Land north of Denview Road and Site OP2 – Land north West of Denview Road

A representee has expressed support for site OP1 and site OP2. The representee has included a number of Appendices (RD0094.A) in their representation which provides further detail to support their position. It was noted that:

- the sites reflect the existing housing patterns and are logical extensions to the settlement;
- the sites will help provide open space and will account for wider landscape impacts, biodiversity impact, drainage and historical features as part of the masterplan/planning application process;
- the sites provide opportunities to rationalise traffic bearing roads;
- the sites will work towards achieving the aims of the Energetica Corridor;
- the site's proximity to the AWPR allowing for strategic accessibility;
- the sites will have minimal impact on the green belt;
- the sites provide much-needed growth at the settlement, are strategic and would not impact on large strategic sites in the AHMA;
- the developments will increase choice and availability of homes;
- resultant increased footfall for existing retail and services;
- the Community Council has shown support for the development at this location;
- any site-specific issues/constraints on the sites can be addressed through careful masterplanning as well as engagement;
- education capacity is being considered and provision will be provided;
- upgrades to local infrastructure are being considered and will not constrain delivery of the sites. No modification sought. Further justification is provided in Section 2 of the representee's submission (PP0599).

A representee has stated that the only positive coming out of the proposed developments

are that it would help improve public transport to Aberdeen City. No modification sought (PP0103).

Belhelvie Community Council have stated that they have no substantive objections to proposed sites OP1 and OP2. However, they have acknowledged that there is some objection to the extension of the settlement. It was stated that the Community Council have made attempts to gain a wider view regarding the objections, however, have had no responses other than concern about the volume of homes, the size of the development and the impact on the settlement. No modification sought (PP0962).

A representee has queried whether a decision has already been taken on the inclusion of the proposed site OP1 and site OP2 in the PLDP (PP0586).

A representee has sought clarification on the future capacity of Bridge of Don Academy for additional pupils arising from the proposed developments, as sites OP1 and OP2 do not indicate provision for additional secondary school provision (PP0104).

Two representees have stated that the proposed housing will require a new primary school to be built due to current capacity issues and has sought clarification on the funding of a new school (PP0270 and PP1337) and its location (PP0270).

A representee has sought clarification on whether there would be sufficient water a sewage infrastructure to accommodate additional housing, or whether updates would be required and queries whether this would cause disruptions within the village (PP0104).

A representee has sought clarification on whether the proposed developments will impact the current low crime rates within the settlement (PP0142).

A representee has sought clarification on whether additional policing requirements have been considered due to the increase in population resulting from the developments (PP0229).

A representee has stated that if the development goes ahead, additional trees should be planted in order to retain the rural character and compensate for the loss of view (PP0151).

A representee has sought the inclusion of suitable shrubs, trees and grassy areas at sites OP1 and OP2 on the basis of aesthetics and visual appeal (PP0152).

A representee has sought clarification on whether a new village hall will be incorporated onto the proposed site and has queried what the size of the village hall would be and whether it would be large enough for an indoor bowling facility. It was stated that the indoor bowling facility has been pushed out of the old community centre due to additional nursery school hours (PP0151).

A representee has sought the incorporation of a suitable community centre at sites OP1 and OP2 on the basis of public wellbeing and also to allow the old school building on Langseat Road to be used solely as a nursery (PP0152).

A representee has requested that archaeological remains at the proposed sites require to be protected for historic reasons (PP0151).

A representee has sought the incorporation of footpaths and pavements along both sides of Manse Road running between site OP1 and site OP2 on the basis of ensuring pedestrian safety (PP0152).

A representee has sought clarification on whether the existing roads within the settlement are in such a condition to support the additional traffic produced from the proposed development (PP0172).

A representee has stated that in order to ensure a minimum loss of privacy, the proposed homes must not have windows overlooking any existing properties and that consideration should be given to making the border a green space given the loss of green space the settlement will be faced with (PP0238).

A representee has sought clarification on who will assume the costs of necessary infrastructure enhancements to support the proposed developments (PP0270).

A representee has sought clarification on whether developers would be required to contribute to facilities for community and sports (to be located at Ellon), recreation, waste and recycling and health care facilities (to be located at Balmedie), and if not has queried who will contribute to these facilities (PP0647).

A representee has sought clarification on whether a Flood Risk Assessment will be undertaken for the proposed developments as there was uncertainty regarding this in the PLDP (PP0648).

A representee has sought clarification on whether a Transport Assessment will be undertaken for the proposed developments as there was uncertainty regarding this in the PLDP (PP0648).

Concerns were raised that there has been a lack of consideration for self-build ecological housing which would be of higher aesthetic and sustainability value than the proposed developments (PP270).

A representee has stated that consideration should be given to developing at Balmedie rather than Potterton as there is an abundance of land at Balmedie and construction of access to the AWPR would be easier (PP0484).

A representee has requested that an additional 'Contamination' heading is included in the settlement statement which highlights that the sites are constrained due to contamination (PP0992).

A representee has raised concern that the green belt appears to be narrow in the north of Potterton and has requested that the PLDP considers extending the green belt to the north towards Belhelvie (PP0607).

A representee has expressed concern about access to a site, but they have not specified which one (PP1337).

A representee has objected to sites OP1 and OP2, but has requested the allocation summaries are amended to remove reference to it is enhancing biodiversity, as it will have negative effects (e.g. Forvie Sands) and the words "should be in keeping with other

nearby residential development” and, “should provide connectivity to the existing settlement”, as they are remote from Potterton and its local amenities. In addition, the allocation summary for OP1 should remove reference to Ancient Woodland as it is under separate ownership (PP1135).

A representee has requested that wording in the allocation summary of sites OP1 and OP2 to change “should” to “will be connected” in relation to connectivity with the settlement to strengthen the wording in the allocation summary (PP1295).

A representee has requested that wording in the allocation summary of sites OP1 and OP2 should be amended to remove the word “logical” from the allocation summary when considering the housing extension and replace with a more natural word such as “possible” as this has more neutral connotations (PP1295).

A number of representees have sought the removal of site OP1 and site OP2, however have stated that if the sites are not removed, they should be restricted so that only a small number of homes are developed on the sites and/or that there should be a reduction in development sites (PP0256, PP0257, PP0258, PP0259, PP0260, PP0261, PP0262, PP0263, PP0264, PP0282, PP0283, PP0284, PP0285, PP0286, PP0287, PP0289, PP0291 and PP0292).

A representee has requested reducing the scale of development or changing them to a mixed use. They argue the proposed scale would change Potterton’s character. There are insufficient facilities to support the developments. Roads are too small and there is no cycle infrastructure. They also requested new facilities should be highlighted in the LDP (PP0343).

A representee has requested the removal of proposed sites OP1 and OP2 and sought the reinstatement of the green belt at Potterton, however has considered that the sites have the potential for inclusion within a future Local Development Plan should their identified concerns be resolved (PP0645, PP0646, PP0647, PP0648).

A number of representees have objected to site OP1 and site OP2 (PP0087, PP0091, PP0094, PP0095, PP0096, PP0101, PP0103, PP0104, PP0107, PP0108, PP0109, PP0110, PP0130, PP0131, PP0132, PP0133, PP0134, PP0141, PP0142, PP0143, PP0144, PP0151, PP0153, PP0154, PP0157, PP0160, PP0169, PP0172, PP0203, PP0204, PP0205, PP0206, PP0207, PP0209, PP0210, PP0211, PP0212, PP0214, PP0215, PP0218, PP0220, PP0227, PP0228, PP0229, PP0231, PP0232, PP0233, PP0236, PP0237, PP0238, PP0249, PP0250, PP0255, PP0256, PP0257, PP0258, PP0259, PP0260, PP0261, PP0262, PP0263, PP0264, PP0270, PP0273, PP0274, PP0278, PP0279, PP0280, PP0281, PP0282, PP0283, PP0284, PP0285, PP0286, PP0287, PP0289, PP0290, PP0291, PP0292, PP0298, PP0299, PP0311, PP0312, PP0324, PP0325, PP0336, PP0349, PP0350, PP0351, PP0356, PP0361, PP0362, PP0363, PP0365, PP0368, PP0369, PP0370, PP0371, PP0372, PP0373, PP0406, PP0407, PP0408, PP0409, PP0418, PP0419, PP0449, PP0479, PP0480, PP0483, PP0484, PP0487, PP0488, PP0489, PP0505, PP0508, PP0518, PP0519, PP0527, PP0528, PP0540, PP0546, PP0561, PP0581, PP0586, PP0587, PP0594, PP0607, PP0610, PP0638, PP0645, PP0646, PP0647, PP0648, PP0650, PP0655, PP0671, PP0680, PP0695, PP0771, PP0781, PP0788, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0805, PP0806, PP0807, PP0819, PP0829, PP0830, PP0833, PP0841, PP0847, PP0848, PP0850, PP0852, PP0853, PP0854, PP0856, PP0857,

PP0858, PP0859, PP0860, PP0862, PP0864, PP0870, PP0872, PP0874, PP0886, PP0887, PP0897, PP0904, PP0912, PP0913, PP0914, PP0915, PP0916, PP0930, PP0932, PP0964, PP0966, PP0967, PP0968, PP0971, PP0982, PP0987, PP0989, PP0992, PP1002, PP1003, PP1123, PP1128, PP1135, PP1146, PP1147, PP1148, PP1149, PP1157, PP1160, PP1161, PP1166, PP1167, PP1171, PP1190, PP1243, PP1295, PP1303, PP1304, PP1305, PP1324, PP1325, PP1326, PP1327, PP1328, PP1329, PP1330, PP1332, PP1333, PP1334, PP1335, PP1336, PP1397 and PP1401). Some of the representees have included appendices (RD0008.A, RD0154.A, RD0250.A and RD0258.A) in their representations which provide further detail to support their position (PP0107, PP0833 and PP1295 and PP1304).

The representees have raised the following concerns and issues regarding proposed sites OP1 and OP2:

- Representees considered that the settlement of Potterton should not be altered and should remain as it is at present (PP0154, PP0160, PP0169, PP0204, PP0205, PP0211, PP0236, PP0237, PP0806).
- A number of respondents have sought clarity as to why this Plan differs from the LDP 2017, which sought to protect Potterton's amenity by maintaining the green belt and that there was no strategic need for new homes, when nothing has changed (PP0449, PP0527 and PP0528).
- A significant number of representees were concerned with regards to the impact on the local community, with concerns including that the sites would bring no benefits to the community, that they do not reflect the community's aspirations, and/or that the community were not aware of the proposed development prior to publication of the Proposed Plan (PP0087, PP0094, PP0095, PP0104, PP0108, PP0109, PP0110, PP0130, PP0131, PP0134, PP0154, PP0157, PP0172, PP0206, PP0207, PP0209, PP0210, PP0212, PP0227, PP0228, PP0231, PP0232, PP0233, PP0236, PP0237, PP0273, PP0274, PP0278, PP0289, PP0290, PP0291, PP0298, PP0324, PP0336, PP0356, PP0361, PP0363, PP0365, PP0369, PP0373, PP0407, PP0449, PP0479, PP0480, PP0527, PP0559, PP0586, PP0594, PP0610, PP0638, PP0647, PP0650, PP0805, PP0806, PP0830, PP0841, PP0850, PP0854, PP0858, PP0859, PP0860, PP0862, PP0864, PP0904, PP0912, PP0914, PP0916, PP0964, PP0982, PP0989, PP1003, PP1128, PP1146, PP1147, PP1148, PP1149, PP1160, PP1161, PP1166, PP1167, PP1171, PP1190, PP1243, PP1304, PP1326, PP1330, PP1333 and PP1336).
- A representee has also noted concern regarding the lack of transparency as to the inclusion of the OP1 and OP2 sites in the plan (PP1243).
- A significant number of representees raised concern with the scale of the proposed development, with concerns relating to matters such as overdevelopment (particularly in the current political and economic context), the density of the sites, an increased population and/or concerns of the potential for future incremental development including the development of additional reserved/future sites. It was stated in some instances that the scale of this increase is not justifiable when other sites are available. Furthermore, concerns raised included that it has not been demonstrated that the developments are small scale as required by SPP, nor do they accord with the examples of small-scale development stipulated in Policy R1

(PP0087, PP0101, PP0103, PP0108, PP0130, PP0131, PP0144, PP0153, PP0154, PP0172, PP0203, PP0204, PP0205, PP0206, PP0207, PP0209, PP0210, PP0211, PP0212, PP0214, PP0215, PP0227, PP0228, PP0229, PP0231, PP0232, PP0233, PP0237, PP0249, PP0250, PP0255, PP0257, PP0258, PP0270, PP0273, PP0274, PP0278, PP0279, PP0282, PP0286, PP0289, PP0291, PP0292, PP0299, PP0312, PP0324, PP0356, PP0361, PP0365, PP0370, PP0373, PP0406, PP0409, PP0418, PP0419, PP0480, PP0484, PP0487, PP0488, PP0505, PP0528, PP0559, PP0586, PP0594, PP0607, PP0610, PP0638, PP0645, PP0647, PP0650, PP0671, PP0680, PP0806, PP0854, PP0858, PP0859, PP0860, PP0864, PP0886, PP0887, PP0897, PP0904, PP0912, PP0913, PP0914, PP0916, PP0932, PP0987, PP1135, PP1146, PP1147, PP1148, PP1149, PP1157, PP1158, PP1160, PP1161, PP1166, PP1171, PP1305, PP1326, PP1333, PP1334, PP1335, PP1336 and PP1401).

- Representees have raised an issue of a sufficient/excessive housing land supply. Concerns related to matters such as current vacant properties and a substantial number of properties currently for sale and a lack of market, demand and/or need for the proposed housing development (particularly as a result of a decline in the oil industry/prices, economic downturn, loss of jobs, political context, Covid-19, ongoing expansion of nearby settlements and/or developments already in the pipeline at bid sites FR037A and FR104). Issues raised also included that there already exists a sufficient number of homes at affordable prices in the settlement of which many have not been able to sell, and the Housing Land Audit (HLA) 2019 shows there is a supply of 7.2 years available, well in excess of the 5-year requirement. It was also raised in some instances that the developments conflict with the HLA 2019 which shows no completions for Potterton from 2020-2030. Concerns also included the devaluation of existing properties and/or the impact on those trying to sell existing homes in the area. Issues raised also included concerns that the PLDP has not accounted for the impacts of Covid-19, and that housing land supply reports (Housing Land Audit 2019) are outdated as they relate to before Covid-19 and the drop in oil price. Further to this, concerns such as the non-delivery of approved housing developments were raised, highlighting the lack of need/demand for the sites, or reserved sites. Additionally, issues relating to the sites being constrained and not meeting the criteria for effective land was noted (PP0087, PP0094, PP0095, PP0096, PP0108, PP0109, PP0110, PP0130, PP0131, PP0144, PP0154, PP0157, PP0172, PP0206, PP0207, PP0209, PP0210, PP0212, PP0220, PP0231, PP0232, PP0236, PP0237, PP0238, PP0256, PP0257, PP0270, PP0278, PP0279, PP0280, PP0285, PP0298, PP0312, PP0336, PP0356, PP0361, PP0362, PP0364, PP0365, PP0368, PP0370, PP0373, PP0407, PP0409, PP0449, PP0527, PP0528, PP0586, PP0587, PP0594, PP0610, PP0638, PP0647, PP0648, PP0650, PP0695, PP0781, PP0788, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0805, PP0848, PP0850, PP0853, PP0854, PP0856, PP0857, PP0858, PP0859, PP0860, PP0862, PP0864, PP0886, PP0887, PP0904, PP0912, PP0913, PP0914, PP0915, PP0932, PP0982, PP1002, PP1003, PP1146, PP1147, PP1148, PP1149, PP1158, PP1161, PP1166, PP1167, PP1171, PP1190, PP1303, PP1304, PP1326, PP1327, PP1328, PP1333, PP1335 and PP1401).
- Representees have raised concerns that Potterton is outwith the Strategic Growth Area (SGA), and at the time of the 2016 Examination Report, Potterton was excluded from the Strategic Growth Area and concerns raised included that since this time nothing has changed to permit such growth in the area or to justify the removal of the green belt. Additionally, concerns raised included that the scale of

development being proposed is associated with an SGA, however the PLDP advises that the settlement is outwith the SGA. Additionally, concerns raised included that Potterton is not part of the Energetica Corridor, but that the sites have been allocated to promote the Energetica Corridor which is incorrect. Further to this, issues which include that it does not make sense to allocate housing land at Potterton to promote Energetica as there is no employment land allocations within the settlement have been raised, as well as the proposed sites not promoting the vision of Energetica. Additionally, concerns raised included that the sites are not in line with the SDP's spatial strategy as the development does not benefit a wider quality of life, meet the needs of the local community or are not well connected to employment opportunities – leading to a negative impact on local road networks of which the SDP states should be avoided. It has been raised in some instances that at the previous LDP, the Council stated that Potterton was not suitable for allocations due to infrastructure constraints, which the representees stated still exist (PP0231, PP0232, PP0278, PP0356, PP0361, PP0373, PP0418, PP0419, PP0491, PP0505, PP0518, PP0586, PP0594, PP0671, PP0695, PP0781, PP0788, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0850, PP0852, PP0853, PP0854, PP0856, PP0860, PP0874, PP0886, PP0887, PP0904, PP0913, PP0915, PP0930, PP0932, PP1135, PP1160, PP1167, PP1190 and PP1401).

- A representee has stated that a number of fundamental constraints exist to the development of these sites (PP0680).
- A representee has raised concern that a substantial number of assessments and investigations still require to be undertaken for the proposed developments and as such consultees have not had sight of important information which is integral to the decision making process for these development (PP0648).
- Representees were concerned with regards to the impact on the local landscape, with concerns relating to the impact on character, setting and identity of the settlement and risk of suburbanisation, coalescence and/or sprawl also highlighted. It was also suggested that sites P1 and P3 could be undermined. In addition, concerns such as the proposed housing lacking in character, the level of design quality and no account for vernacular traditions were raised, as well as the impact from development on the character of Milton of Potterton. Concerns raised also included that controls on the design of new housing in the settlement should be in place (in line with the SDP 2014) and that the housing should be low energy. It is argued that Milton of Potterton has its own unique character and sense of place, and site OP1 will swamp Woodside Cottage, affecting its sense of place and character. It was also highlighted in some instances that Potterton is a Landscape Character Area. Issues raised also included concerns regarding the assessment undertaken including within the SEA on the effect of the proposed sites on the Potterton landscape (PP0087, PP0101, PP0103, PP0104, PP0107, PP0108, PP0109, PP0110, PP0130, PP0131, PP0132, PP0133, PP0144, PP0153, PP0154, PP0157, PP0160, PP0169, PP0172, PP0203, PP0204, PP0205, PP0206, PP0207, PP0209, PP0210, PP0211, PP0212, PP0214, PP0215, PP0227, PP0228, PP0229, PP0231, PP0232, PP0233, PP0236, PP0237, PP0255, PP0258, PP0279, PP0282, PP0283, PP0284, PP0285, PP0286, PP0287, PP0289, PP0291, PP0298, PP0299, PP0312, PP0324, PP0336, PP0349, PP0351, PP0361, PP0362, PP0368, PP0369, PP0370, PP0371, PP0373, PP0407, PP0418, PP0419, PP0449, PP0480, PP0483, PP0488, PP0505, PP0518, PP0519, PP0527, PP0540, PP0559, PP0561, PP0586,

PP0594, PP0607, PP0610, PP0638, PP0645, PP0648, PP0650, PP0781, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0806, PP0807, PP0847, PP0856, PP0858, PP0859, PP0860, PP0870, PP0886, PP0887, PP0897, PP0904, PP0912, PP0914, PP0916, PP0930, PP0932, PP1002, PP1135, PP1146, PP1147, PP1148, PP1149, PP1157, PP1160, PP1171, PP1303, PP1326, PP1328, PP1330, PP1332 and PP1401).

- A representee highlighted that bid site FR120 was refused on the basis of unacceptable impact on the landscape, that it had inappropriate scale and siting, would contribute to urban sprawl in the green belt and cause road network capacity issues. These issues are all relevant to site OP1 and site OP2 and as such should also be refused on these grounds (PP0966). Two representees argue the assessment of bid site FR120 (not preferred) and FR140 and FR141, which were preferred, are inconsistent and contradictory, as the latter sites have more constraints (e.g. flood risk, ancient woodland, green belt land loss, and landscape impact) (PP0886 and PP0887).
- Concerns also related to the settlement becoming a commuter town even more so than at present, rather than a centre of sustainable development (PP0270 and PP0671). It was stated that within the current economic and political context (PP0270), the proposals do not work to promote sustainable mixed communities (PP0270 and PP0671) and will promote car-based journeys (PP0671, PP0680). Any benefits in terms of housing mix and ecological benefits are overstated and alternative sustainable sites within the scale of the settlement are available (PP0671).
- A significant number of representees raised concern regarding the loss of green belt land, with concerns raised such as alternative sites being available that are not green belt designated/are more suitable such as brownfield sites. Additionally, concerns also included that there is no justification or need for the loss of green belt land, which has implications for its long-term integrity; the sites constitute as ribbon development as it is not close to Potterton and is development along a road; that its development will set an unacceptable precedent; that the proposed development and the loss of the green belt is not in line with Scottish Planning Policy (SPP), the green belt policy (including Policy R1), regulations and/or with the community's desires. Suggested alternative locations for development included areas such as at Blackdog, Bridge of Don or Aberdeen City. Concerns such as that a consultative case has not been made for developing the green belt were also raised, as well as concern of the loss of its function as a 'green lung', its function to help mitigate climate change, and/or the loss of its function to provide recreational/wellbeing benefits and supporting biodiversity. Issues raised also included concerns that the amendment to the green belt boundary to account for the sites was not a "minor change" as stated within the Issues and Actions Papers, and that the amendment has gone ahead prior to the proposed green belt review and without sufficient engagement and notification. Furthermore, it was raised in some instances that the proposed development of the green belt does not align with the MIR 2019 preferred or alternative option with regards to the amendments to the green belt boundary. Concerns were also raised such as that the development of the green belt land is contrary to Potterton's planning objectives as stated in the MIR 2019 and is contrary to the 2016 Examination Report which recommended the green belt boundary was to be preserved, with some representees stating that there is no

justification to depart from this recommendation and/or that nothing has changed in recent years to justify the removal of the green belt. Additionally, some representees have highlighted that the importance of the green belt has been highlighted elsewhere by the Council, and a consistent approach is required in this instance also (PP0091, PP0094, PP0095, PP0096, PP0101, PP0103, PP0104, PP0107, PP0108, PP0109, PP0110, PP0132, PP0141, PP0142, PP0143, PP0144, PP0151, PP0153, PP0157, PP0169, PP0172, PP0203, PP0204, PP0205, PP0206, PP0207, PP0209, PP0210, PP0211, PP0212, PP0214, PP0215, PP0220, PP0227, PP0228, PP0229, PP0231, PP0232, PP0233, PP0236, PP0237, PP0249, PP0250, PP0255, PP0256, PP0270, PP0273, PP0274, PP0278, PP0279, PP0280, PP0281, PP0282, PP0283, PP0284, PP0285, PP0286, PP0287, PP0289, PP0290, PP0291, PP0292, PP0298, PP0299, PP0311, PP0312, PP0324, PP0336, PP0356, PP0361, PP0362, PP0364, PP0365, PP0368, PP0369, PP0370, PP0371, PP0372, PP0373, PP0409, PP0418, PP0419, PP0449, PP0479, PP0480, PP0483, PP0484, PP0487, PP0488, PP0490, PP0491, PP0505, PP0508, PP0518, PP0519, PP0527, PP0528, PP0540, PP0546, PP0559, PP0561, PP0586, PP0587, PP0594, PP0607, PP0610, PP0638, PP0645, PP0646, PP0647, PP0648, PP0650, PP0695, PP0771, PP0781, PP0788, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0805, PP0806, PP0807, PP0819, PP0824, PP0829, PP0830, PP0847, PP0850, PP0852, PP0853, PP0854, PP0856, PP0857, PP0858, PP0859, PP0860, PP0862, PP0870, PP0872, PP0874, PP0886, PP0887, PP0897, PP0904, PP0912, PP0913, PP0914, PP0915, PP0916, PP0930, PP0932, PP0966, PP0982, PP0987, PP0989, PP1002, PP1003, PP1123, PP1128, PP1135, PP1146, PP1147, PP1148, PP1149, PP1157, PP1158, PP1160, PP1161, PP1166, PP1167, PP1171, PP1190, PP1243, PP1303, PP1304, PP1305, PP1324, PP1326, PP1328, PP1329, PP1332, PP1333, PP1334, PP1335, PP1336, PP1397 and PP1401).

- Representees have raised concerns regarding environmental impacts from the development and/or its construction and associated works. Specific concerns such as the impact on wildlife, protected species, woodland/Ancient Woodland (including its use as proposed open space and/or that the Ancient Woodland is private land), grazing/prime agricultural farmland, the Green Network, the green belt, green space and/or local path networks have been raised (with the resultant loss of outdoor recreational opportunities and impact on wellbeing also raised in some instances). Issues including no consideration for the creation of allotments or active travel routes on the green belt were raised. Concerns such as the omission of biodiversity information in the SEA relating to the proximity and impact of the proposed sites to qualifying sites and species has also been raised, as well as additional demand on drainage, water and/or waste facilities leading to environmental contamination. Concerns raised also included that there was no evidence of environmental enhancements provided by the proposed developments, and that there has been insufficient demonstration that the Ancient Woodland will be protected and enhanced as required by SPP and it was highlighted that at the MIR 2019 stage, the Woodland Trust stated that they would not support the site allocations (PP0094, PP0095, PP0104, PP0107, PP0108, PP0109, PP0110, PP0141, PP0142, PP0144, PP0151, PP0153, PP0154, PP0157, PP0169, PP0172, PP0204, PP0205, PP0206, PP0207, PP0209, PP0210, PP0211, PP0212, PP0214, PP0215, PP0227, PP0228, PP0231, PP0232, PP0233, PP0236, PP0237, PP0238, PP0258, PP0261, PP0263, PP0270, PP0273, PP0274, PP0278, PP0279, PP0286, PP0287, PP0291, PP0292, PP0299, PP0311, PP0349, PP0351, PP0356, PP0361, PP0362, PP0369, PP0373, PP0409, PP0418, PP0419, PP0449, PP0479, PP0483,

PP0484, PP0487, PP0488, PP0505, PP0519, PP0527, PP0528, PP0559, PP0581, PP0594, PP0638, PP0646, PP0647, PP0648, PP0671, PP0680, PP0695, PP0781, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0806, PP0819, PP0830, PP0848, PP0850, PP0853, PP0854, PP0856, PP0857, PP0858, PP0859, PP0860, PP0872, PP0886, PP0887, PP0904, PP0912, PP0913, PP0914, PP0915, PP0916, PP0930, PP0982, PP0989, PP1002, PP1003, PP1123, PP1128, PP1135, PP1146, PP1147, PP1148, PP1149, PP1157, PP1160, PP1161, PP1166, PP1167, PP1171, PP1190, PP1303, PP1326, PP1328, PP1329, PP1330, PP1333, PP1334 and PP1401).

- Representees have highlighted that there are unique historical and archaeological interests at the sites/within proximity of the sites. Issues raised included that the sites have indications of a system of ploughing used in the Middle Ages preserved due to its use as grazing land and/or that there are archaeological remains at/near the sites requiring protection for historical reasons, such as cairns and standing stones, Woodside Cottage (a vernacular building) and Potterton House Designed Landscape (PP0144, PP0151, PP0206, PP0207, PP0209, PP0210, PP0212, PP0231, PP0232, PP0278, PP0361, PP0373, PP0418, PP0419, PP0505, PP0513, PP0551, PP0638, PP0854, PP0858, PP0859, PP0862, PP0886, PP0887, PP0912, PP0914, PP1166, PP1167, PP1171 and PP1190).
- A significant number of representees raised concern relating to the pressure of development on existing local infrastructure, services, facilities and amenities. Particular issues such as concerns of provision of further services, facilities or amenities, the capacity/condition of education facilities (including the extension of education facilities and/or provision of new education facilities), health care provision, water supply, lack of public transport provision (thus increasing car use), impact on local retail (including concerns of retail expansion within the settlement) and/or provision of support facilities, community facilities, recreational facilities and/or facilities for young people were raised. All of the sports and recreational facilities should be retained at least to the current standard whilst considering more. In relation to water supply and impact assessment should be required. Additionally, matters raised included concerns of waste water capacity for the development at Potterton, there are no planned upgrades by Scottish Water (e.g. to upgrade the pumping station at Potterton), as well as the wider south Formartine area including proposed allocated developments at Belhelvie, Balmedie and Newburgh. Also, Scottish Water note that new connections can only be permitted once it is established that there is no existing flood risk to existing residents or assets. With regards to education capacity, concerns such as increasing the school capacity/provision for additional education facilities prior to the approval of the sites within the catchment area were raised, with concerns regarding the impact on children's health and wellbeing raised. Additionally, concerns were raised such as that appropriate infrastructure, services and amenities should be provided in advance/at the outset of projects, rather than at the end or as a provision with no commitment of funds to deliver them. Concerns raised also included that the 2016 Examination Report stated that the threat to the long-term viability of existing services would not be an adequate basis for permitting large-scale growth and that there has been no change since this time to justify the allocation of these sites. Issues raised also included concern that the proposed developments do not demonstrate that the necessary infrastructure investment will be provided for education or drainage in line with SPP, and that the impact on drainage remains to be fully assessed and that there was insufficient demonstration provided that

developers would be required to contribute to additional education capacity. Furthermore, issues raised also included that insufficient demonstration had been provided to show that SPP policy principle 29 would be met as there was uncertainty regarding whether developers would be required to contribute towards education capacity and uncertainty as to how the Council would deliver the necessary infrastructure required by SPP (PP0087, PP0094, PP0095, PP0101, PP0103, PP0104, PP0107, PP0108, PP0109, PP0110, PP0130, PP0131, PP0132, PP0141, PP0142, PP0144, PP0153, PP0154, PP0157, PP0172, PP0203, PP0206, PP0207, PP0209, PP0210, PP0212, PP0215, PP0218, PP0220, PP0227, PP0228, PP0229, PP0231, PP0232, PP0233, PP0236, PP0237, PP0238, PP0249, PP0255, PP0259, PP0260, PP0261, PP0263, PP0264, PP0270, PP0273, PP0274, PP0278, PP0279, PP0280, PP0281, PP0284, PP0286, PP0290, PP0298, PP0299, PP0336, PP0349, PP0350, PP0356, PP0361, PP0362, PP0364, PP0368, PP0369, PP0370, PP0371, PP0372, PP0373, PP0406, PP0418, PP0419, PP0449, PP0479, PP0480, PP0491, PP0505, PP0519, PP0527, PP0528, PP0540, PP0559, PP0581, PP0586, PP0587, PP0594, PP0607, PP0610, PP0638, PP0646, PP0647, PP0648, PP0650, PP0655, PP0657, PP0695, PP0771, PP0788, PP0806, PP0807, PP0824, PP0829, PP0833, PP0847, PP0848, PP0852, PP0853, PP0854, PP0858, PP0859, PP0860, PP0862, PP0864, PP0886, PP0887, PP0904, PP0912, PP0914, PP0916, PP0930, PP0932, PP0967, PP0968, PP0982, PP0987, PP0989, PP1002, PP1123, PP1128, PP1135, PP1146, PP1147, PP1148, PP1149, PP1157, PP1160, PP1161, PP1166, PP1167, PP1171, PP1190, PP1295, PP1304, PP1305, PP1324, PP1325, PP1326, PP1327, PP1328, PP1329, PP1330, PP1332, PP1333, PP1334, PP1335, PP1336, PP1397 and PP1401).

- There was significant concern raised relating to the pressure of development and additional traffic on the local road network (including the AWPR). The AWPR was meant to be a transport corridor not a development corridor. Particular issues such as the current condition of local roads, the delivery of required road improvements, access and egress points for the sites, safety concerns for road users (including impact on active travel), no direct bus links to employment centres and Balmedie, increased traffic/congestion, disturbance from additional traffic and construction traffic, suitability of the road for HGVs, and/or increased car use and carbon emissions/construction contaminants and their impact in terms of climate change and the Council's policy on this were raised. Concerns regarding required additional road maintenance were also raised in some instances. In addition, issues such as concern of the adequacy of the traffic risk assessments within the PLDP were raised as well as the adequacy and accuracy of a Transportation Report completed for bid sites FR140 and FR141 (proposed OP1 and OP2) as part of the developer's MIR response were also raised, including the omission of information relating to quality of the bus services. Issues raised also included concern that the proposed developments do not demonstrate that the necessary infrastructure investment will be provided for transportation in line with SPP, and that the impact on transport remains to be fully assessed. Furthermore, concerns also included that the proposed developments failed to deliver on numerous National Planning Framework (NPF) 3 plans and strategies for environment, climate change and transport, including failure to provide low carbon enhancements due to increased car use, failure to support decarbonisation of transport and a failure to promote active travel (including safe active travel provision and attractive public transport as stipulated in the SDP Vision/Spatial Strategy). Concern also included that the proposed sites are not in line with Policy P1.5 as only at a time

where a Transport Assessment has been undertaken can the Council determine that the sites conform with Policy P1.5 and to inform the Regional Transport Strategy. Issues raised also included concerns regarding the assessment undertaken including the Development Planning and Management Transport Appraisal Guidance (DPMTAG) as the report makes no reference to the proposed developments at Potterton (PP0094, PP0095, PP0101, PP0103, PP0107, PP0108, PP0109, PP0110, PP0130, PP0131, PP0132, PP0141, PP0142, PP0144, PP0157, PP0169, PP0172, PP0203, PP0204, PP0206, PP0207, PP0209, PP0210, PP0212, PP0214, PP0215, PP0218, PP0220, PP0227, PP0228, PP0229, PP0231, PP0232, PP0233, PP0236, PP0237, PP0238, PP0249, PP0259, PP0260, PP0263, PP0270, PP0273, PP0274, PP0278, PP0279, PP0280, PP0282, PP0283, PP0284, PP0285, PP0286, PP0287, PP0289, PP0290, PP0291, PP0292, PP0298, PP0299, PP0312, PP0325, PP0336, PP0349, PP0350, PP0351, PP0356, PP0361, PP0362, PP0363, PP0364, PP0367, PP0368, PP0369, PP0370, PP0371, PP0372, PP0373, PP0408, PP0418, PP0419, PP0449, PP0479, PP0480, PP0483, PP0484, PP0487, PP0488, PP0489, PP0490, PP0505, PP0509, PP0519, PP0527, PP0528, PP0540, PP0547, PP0559, PP0581, PP0586, PP0594, PP0607, PP0610, PP0638, PP0646, PP0647, PP0648, PP0656, PP0671, PP0695, PP0771, PP0781, PP0788, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0806, PP0807, PP0819, PP0824, PP0829, PP0830, PP0841, PP0847, PP0848, PP0850, PP0852, PP0853, PP0854, PP0856, PP0857, PP0858, PP0859, PP0860, PP0862, PP0886, PP0887, PP0897, PP0904, PP0912, PP0914, PP0916, PP0930, PP0932, PP0968, PP0982, PP0987, PP0989, PP1002, PP1123, PP1128, PP1135, PP1146, PP1147, PP1148, PP1149, PP1157, PP1158, PP1160, PP1161, PP1166, PP1167, PP1171, PP1190, PP1303, PP1304, PP1305, PP1324, PP1325, PP1326, PP1327, PP1328, PP1329, PP1330, PP1332, PP1333, PP1334, PP1335, PP1336 and PP1401).

- A significant number of representees expressed concern that the development would impact on amenity. Particular issues such as the development causing disruption during the construction phase (including impact on health and wellbeing), increased pollution (including environmental and noise), the sites having an impact on privacy and/or the development resulting in a loss of view were raised. Concerns such as that the development would be contrary to the planning objective to preserve the amenity of the settlement were also raised (PP0103, PP0132, PP0134, PP0141, PP0142, PP0153, PP0172, PP0203, PP0204, PP0205, PP0227, PP0228, PP0233, PP0236, PP0238, PP0258, PP0263, PP0270, PP0273, PP0274, PP0279, PP0282, PP0287, PP0290, PP0292, PP0299, PP0312, PP0363, PP0371, PP0409, PP0449, PP0479, PP0483, PP0484, PP0487, PP0488, PP0581, PP0586, PP0594, PP0638, PP0819, PP0847, PP0848, PP0860, PP0870, PP0904, PP0916, PP0982, PP1128, PP1135, PP1146, PP1147, PP1148, PP1149, PP1161, PP1326, PP1332 and PP1401).
- Representees have raised concerns such as that the proposed sites are at risk of flooding from surface water and/or that flood risk requires to be considered in relation to the development as the sites sit within a SEPA Flood Risk Area, that alternative areas should be considered that are not at risk of flooding and/or that the flood risk should preclude the sites' development. Concerns were also raised that surrounding development/properties would be at a risk of flooding if the sites were developed, of flooding on local roads, and/or contamination of Potterton/Millden Burn as the treatment works cannot cope during heavy rain/is not fit for purpose. It was also highlighted in some instance that Potterton has a high

water table. Concerns including that stipulation in the SDP highlights that new developments should not be identified on flood risk sites was also raised. Issues raised also included concerns regarding drainage within the settlement and/or localised impact on watercourses during development. With regards to drainage, concerns raised included that the sites were located on impermeable bedrock adding to poor drainage on the sites (PP0094, PP0095, PP0144, PP0206, PP0207, PP0209, PP0210, PP0212, PP0227, PP0228, PP0231, PP0232, PP0233, PP0238, PP0249, PP0262, PP0263, PP0270, PP0273, PP0274, PP0278, PP0280, PP0287, PP0356, PP0361, PP0364, PP0369, PP0370, PP0372, PP0373, PP0418, PP0419, PP0449, PP0479, PP0487, PP0488, PP0505, PP0527, PP0528, PP0581, PP0586, PP0594, PP0607, PP0610, PP0638, PP0655, PP0695, PP0788, PP0824, PP0833, PP0848, PP0850, PP0852, PP0853, PP0854, PP0856, PP0858, PP0859, PP0860, PP0886, PP0887, PP0897, PP0904, PP0912, PP0914, PP0916, PP0932, PP0967, PP0971, PP0987, PP1002, PP1135, PP1146, PP1147, PP1148, PP1149, PP1157, PP1160, PP1166, PP1171, PP1303, PP1326, PP1330, PP1335 and PP1401).

- Representees have raised concern regarding the impact the proposed development would have on **crime** rate in the settlement and/or the feeling of safety and security of living in a rural community (PP0094, PP0095, PP0103, PP0107, PP0141, PP0172, PP0204, PP0227, PP0228, PP0233, PP0279, PP0407, PP0916, PP0982, PP1157 and PP1161).
- Representees have raised concern that the sites would adversely impact the local economy (PP0087). Additionally, it has been stated that the proposals would not enhance the rural economy (PP0586).
- Representees have highlighted issues including a discrepancy of 53 homes from the site plan in the submitted bid (indicating 180 homes) and the Proposed Plan - which states 233 homes for sites OP1 and OP2 (PP0094, PP0095, PP0214 and PP0356).
- Representees have also requested that elements of the OP1 and OP2 allocation summaries are removed including references to the developments being in keeping with other residential properties, reference to the core path that is in proximity to the sites and the comment about providing connectivity to the existing settlement (PP0781, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0850, PP0856 and PP0857). Additionally, it is requested that the word “logical” is removed from the allocation summary when considering the housing extension and replaced with a more natural word such as “possible” and that the text relating to connections with the rest of the settlement should be strengthened to “will be connected” (PP1295).
- The proposed sites are too close to Wester Hatton landfill site, with concerns raised such as the site emitting methane gas, making it dangerous to build homes there (PP0449, PP0695, PP0860, PP0886, PP0887, PP0904, PP0932, PP0992 and PP1401).
- Representees have noted that the site could be contaminated (PP0695, PP0788, PP0853, PP0886, PP0887 and PP0992), as highlighted in the Bid Site Assessment of bid sites FR140 and FR141 (PP0695, PP0886, PP0887 and PP0992). Potterton Burn failed its chemical test/was contaminated. Therefore, site OP1 and OP2 will exacerbate this issue (PP0886 and PP0887). Another representee notes that there

should be a new heading within the settlement statement for contamination as the OP1 and OP2 are constrained due to contamination and are therefore unsuitable for development (PP0992).

- The Developer Bid Site forms omits a possible legal right of way at Woodside Cottage Water/Water Well, which has a water pipe running through it (PP0886 and PP0887).

Non-Allocated Site – Bid Site FR037A – Land at Gourdieburn and Non-Allocated Site – Bid Site FR037B – Land at Gourdieburn

A representee has requested that bid site FR037A is allocated in the PLDP for 45 homes and bid site FR037B is allocated in the PLDP for 90 homes, as alternative sites to site OP1 and site OP2. It was stated that these sites provide an appropriate scale of development proportionate to the existing settlement, of which there is a need in Potterton and could be delivered in the short-term. It was stated that the sites would sustain the local services, deliver a range of house types, affordable homes and provide homes for younger generations. The sites have the benefit of a masterplan and have the opportunity to be developed independently or brought forward together via a masterplan. The sites are in close proximity to amenities, employment areas, public transport services and have no built structures or trees. FR037B has a number of mature trees surround the site, but the trees are intended to be retained to contribute to the character of the site. There are no constraints on the sites as there is limited flood risk, limited impact on ancient woodland and wildlife, and opportunity to provide strong landscape boundaries. It was highlighted that the location of the sites at the core of the village provides opportunities to enhance the village setting and deliver a green corridor. It was noted that the sites were deemed suitable by Officers, were reserved in the MIR and Draft PLDP and were deemed suitable for residential development during the LDP 2016 Examination). The representee has included Appendices (RD0109.A and RD0109.B) in their representation which provide further detail to support their position (PP0680).

Non-Allocated Site – Bid Site FR037A – Land at Gourdieburn and Non-Allocated Site - Bid Site FR104 – Land South of Laingseat Road

A number of representees have objected to sites that were supported in the Main Issues Report (MIR) as preferred or reserved sites, specifically bid site FR037A and bid site FR104. Representees echo concerns raised in respect of OP1 and OP2 (PP0236, PP0237, PP0270, PP0279 and PP0349). Some representees raised concerns with their scale affecting the character of Potterton, the road network and facilities are insufficient, increased traffic, impact on crime rates, disruption to the community, property de-valuation, impact on wildlife and/or impact on the green space as well as the green belt for which a consultative case has not been made for its development (PP0270, PP0279, PP0349, PP0350 and PP0351).

Non-Allocated Site – Bid Site FR105 – Land East of Manse Road and Non-Allocated Site - Bid Site FR106 – Land East of B999 and North of Potterton

Two representees have objected to MIR bid sites FR105 for 100 homes and FR106 for 100 homes, stating that this land should remain as green belt (PP0480 and PP0490). Concern has been raised that Potterton has limited access to the main transport routes, as well as limited infrastructure and services to service these sites, the scale of these sites

would be out of character with the settlement, and the benefits of the sites are likely to be minimal (PP0480). Another is concerned with road and pedestrian safety, as road and pedestrian access is proposed onto the single track B999 with no pavements. They added that the planning objective for Potterton is to preserve the amenity of the settlement, which would be through use of the green belt policy (PP0490).

Non-Allocated Site – Bid Sites FR120 – Land North and South of Gourdie Park (Site A) and Bid Site – FR121 – Land North of Gourdie Park (Site B), and Bid Site FR122 – Land North of Gourdie Park (Site C)

A representee has requested the allocation of bid sites FR120, FR121 and FR122 for mixed use and housing for the following reasons:

- They are better located than sites OP1 and OP2 as they avoid ancient woodland and surfacing water flooding, promotes sustainable mixed communities, have less negative impact on local road network, create better cohesion with Potterton.
- They will help to contribute to the overall sense of place in the community.
- They would preserve the amenity of the settlement.
- They would provide local employment needs.
- They would support community facilities and services, as per the vision statement.
- They would create a sustainable and cohesive growth plan for the settlement.
- They received support in the MIR in terms of material benefits.
- They would help to create a formal core to the settlements.
- They will not impact on the landscape setting of Potterton due to its landform, woodland and topography.
- They sit within and not outwith the SGA and their accessibility to Aberdeen makes these sites well located to deliver shortfalls in larger allocations.
- There is a wider need for additional housing in the AHMA and new allocations, as the HLA 2019 states 23% of sites are constrained, which is supported in paragraph 5.4 in the PLDP and Table 1 in Appendix 1 that shows a 432 shortfall. The representee has included Appendices (RD0188.A, RD0188.B and RD0188.C) in their representation which provide further detail to support their position (PP1018).

Modifications sought by those submitting representations:

General

Modify the PLDP to undertake further engagement regarding site OP1 and site OP2 and amendment made to the green belt at Potterton (PP0087, PP0104, PP0108, PP0109, PP0110, PP0206, PP0207, PP0209, PP0210, PP0212, PP0214, PP0227, PP0228, PP0229, PP0231, PP0232, PP0233, PP0250, PP0270, PP0278, PP0298, PP0356, PP0361, PP0364, PP0365, PP0370, PP0372, PP0373, PP0407, PP0418, PP0419, PP0449, PP0479, PP0505, PP0508, PP0518, PP0527, PP0528, PP0546, PP0559, PP0586, PP0594, PP0695, PP0771, PP0806, PP0824, PP0830, PP0841, PP0854, PP0858, PP0859, PP0860, PP0864, PP0904, PP0912, PP0913, PP0914, PP0915, PP0916, PP0964, PP0970, PP0982, PP0995, PP1123, PP1157, PP1166, PP1167, PP1171, PP1243, PP1295, PP1305, PP1326 and PP1397).

Modify the PLDP to amend the MIR 2019 Vision to correct the inaccurate statement that the village was originally located along Manse Road and correct statements that state that the settlement has no sense of place and a lack of identity (PP0144, PP0209, PP0210, PP0231, PP0232, PP0273, PP0274, PP0278, PP0336, PP0373, PP0586, PP0594,

PP0854, PP0860, PP0904, PP0913, PP0915 and PP1171).

Modify the PLDP to address the incorrect statement that Manse Road is the main road for the settlement, and state that Panmure Road is the main road (PP0969).

Modify the PLDP to remove the incorrect statement that Potterton has a frequent bus service (PP0969).

Modify the PLDP to correct the inaccurate information regarding the walking distance to the local bus service and the safety implications of active travel as contained within bid submissions for bid sites FR140 and FR141 (PP0646 and PP0648).

Modify the PLDP to undertake a review of the public transport provision within the settlement (PP1155).

Modify the PLDP to correct the inaccurate information regarding the proximity to Ancient Woodland as contained within bid submissions for bid sites FR140 and FR141 (PP0647 and PP0648).

Modify the PLDP to provide clarification on the housing requirement (PP0154, PP0206, PP0207, PP0209, PP0210, PP0212, PP0236, PP0237, PP0280, PP0281, PP0860, PP0904 and PP1326).

Modify the PLDP to provide clarification on Belhelvie Community Council's position on development to the west and to the east of the settlement (PP0206, PP0207, PP0209, PP0210 and PP0212).

Modify the PLDP to undertake a review of the facilities, services and infrastructure serving the area (PP0962).

Settlement Plan

Modify the PLDP to remove the core path (PP1135).

Vision

Modify the PLDP to amend paragraph one from: "Potterton is a small settlement located within the Aberdeen green belt. It is outwith the Aberdeen to Peterhead Strategic Growth Area. The settlement is largely contemporary in nature, with two large 20th century housing estates forming the majority of the housing. A traditional granite church and large areas of green space form the centre of the settlement and remain key to the settlement's sense of place. The settlement has a limited number of services, although it has a local post office and community hall. The use of protected land designations and the application of the green belt policy will contribute to preserving the amenity of the settlement." to read, "Potterton is a small village set in gently rolling farmland and located in the Aberdeen Housing Market and the Aberdeen Green Belt. Potterton is outwith the Aberdeen to Peterhead Strategic Growth Area. The village is dominated by two large housing estates, one comprising wooden bungalows and the other simple mid-20th century bungalows. A small number of traditional granite style cottages are located along the Main Street, along with a traditional granite church and manse house. All housing is 1 – 1 ½ story. The current settlement is surrounded by green belt, while a large protected

area, including playing fields is located within the settlement. The settlement has a limited number of services typical of a small community, including a local shop/post office, a community hall, a pub, a football pitch, tennis court and pavilion, play parks, a seasonal strawberry farm and business units located in the west of the settlement.” (PP0449, PP0560, PP0610, PP0695, PP0858, PP0859, PP0999 and PP1167).

Modify the PLDP to replace the current vision, as it contains several inaccuracies with the following: “Potterton is a small village set in gently rolling farmland and located in the Aberdeen Housing Market and the Aberdeen Green Belt. Potterton is outwith the Aberdeen to Peterhead Strategic Growth Area. The village is dominated by two large housing areas, one comprising wooden bungalows and the other simple mid 20th century bungalows. A small number of traditional granite style cottages are located along the main street, along with a traditional granite church and manse house. All housing is 1-1/2 story. The village is surrounded by green belt, while a large protected area, including playing fields, is located within the settlement. The village has a limited number of services typical of a small community, including a pub, a community hall, a shop/Post Office, and business units located in the west of the settlement. The planning objective is to preserve the amenity of the village.” (PP0853, PP0856 and PP0995).

Modify the PLDP to amend the first sentence of the first paragraph of the Vision to refer to the ‘Aberdeen Greenbelt’ (PP0638, PP0650, PP0832).

Modify the PLDP to amend the first paragraph from “Greenbelt is contributing to reserving the village amenity with internal features providing protection.”, to read, “Greenbelt protecting the amenity of the village and settlement to conserve the setting” (PP0653 and PP0832).

Modify the PLDP so that the last sentence of the first paragraph in the Vision is amended to read, “The planning objective for the settlement is to preserve the amenity of the village which shall be achieved through the use of protected designations and the use of the Green Belt policy” (PP0832 and PP0932).

Modify the PLDP to provide clarification on the statement within the Vision that reads, “The use of protected land designations and the application of the green belt policy will contribute to preserving the amenity of the settlement” (PP0645 and PP1160).

Modify the PLDP to amend the last sentence of the first paragraph of the vision to remove “contribute to” so that it reads, “The planning objective for the settlement is to preserve the amenity of the village, which shall be achieved through the use of protected land designations and through the application of the greenbelt policy” (PP0638, PP0781, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0860, PP0904, PP1135, PP1158 and PP1401).

Modify the PLDP to remove paragraph two: “The community have a desire for a new community hall in the settlement to supplement the Forsyth Hall Men’s Shed. Likewise, the Community Council identified a preference for small business units near to the existing business land.” (PP0514, PP0552, PP0560, PP0610, PP0638, PP0652, PP0860, PP0904 and PP1153).

Modify the PLDP to amend the third sentence of the first paragraph to remove reference to the settlement being “contemporary” (PP0561, PP0610, PP0638, PP0651, PP0781, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0854, PP0857, PP0860,

PP0904, PP0963, PP1135, PP1157 and PP1167).

Modify the PLDP to amend the third sentence of the first paragraph to remove the statement “The settlement is largely contemporary in nature” (PP0932 and PP1401).

Modify the PLDP to amend the third sentence of the first paragraph to replace the word ‘contemporary’ with ‘rural’, and remove the word ‘large’, so the sentence reads, “The settlement is largely rural in nature, with two 20th century housing estates forming the majority of housing” (PP1154).

Modify the PLDP to amend the Vision to correct the inaccuracies that describe Potterton as a predominantly mid-20th century development settlement (PP0594).

Modify the PLDP to amend the fifth sentence of the first paragraph of the Vision to insert the word ‘shop’, to read, “The settlement has a limited number of services, although it has a local post office, shop and community hall” (PP1154).

Modify the PLDP to ensure that the vision notes that “The village consists of 2 large housing estates and is surrounded by green belt and includes a local shop, post office, public house, playing fields, football pitch, tennis court, community hall and a small selection of business units” (PP0824).

Modify the PLDP to amend the Vision to remove the first two sentences, “Potterton is a small settlement located within the Aberdeen green belt. It is outwith the Aberdeen to Peterhead Strategic Growth Area.” and replace with, “Potterton is a small settlement inset within the Aberdeen green belt and the Aberdeen to Peterhead Strategic Growth Area, as well as the Energetica Corridor.” (PP0599, PP0744, PP1390 and PP1403).

Modify the PLDP to remove reference to the community hall and business units in the vision (PP0781, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0850, PP0854, PP0855, PP0856, PP0857, PP1135, PP1158 and PP1160).

Modify the PLDP to remove reference to the community hall in the Vision (PP0647).

Modify the PLDP to remove reference to business units in the vision (PP0886, PP0887 and PP1401).

Modify the PLDP to remove reference to the Forsyth Hall Men’s Shed in the Vision (PP0560, PP0647, PP0648, PP0824, PP0856, PP0858, PP0859, PP0860, PP0886, PP0887, PP0904, PP0932 and PP1401).

Modify the PLDP to provide clarification on engagement undertaken on the desire for a new community hall within the settlement (PP0932).

Flood Risk

Modify the PLDP to remove the second bullet point from the ‘Flood Risk’ section and incorporate some of the text into the first bullet point to read: “Parts of OP1 and OP2...adjacent to the sites. There are also large areas of surface water flooding on both sites. Flood Risk Assessments will be required” (see RD0214.B) (PP1219).

Modify the PLDP to make reference to 'a large watercourse' instead of 'a small watercourse' (PP0781, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0856, PP0860 and PP0904).

Modify the PLDP to note under the 'Flood Risk' section that "OP1 and OP2 lie within SEPA's 1 in 200 year flood risk area and are located outwith the boundary of the settlement of Potterton. Therefore these areas are not suitable for development (PP0763).

Modify the PLDP to remove the 'Flood Risk' section (PP0886 and PP0887).

Services and Infrastructure

Modify the PLDP to amend the 'Strategic drainage and water supply' bullet point to add an additional sentence, after the third sentence that reads: "A Drainage Impact Assessment may be requested" (PP0272).

Modify the PLDP to provide clarification on the capacity of the pumping station serving Potterton (PP0369).

Modify the PLDP to remove the strategic transportation and strategic drainage and water supply sections (PP0886 and PP0887).

Site OP1 – Land north of Denview Road

Modify the PLDP to amend the allocation summary for site OP1 to state the 172 homes is the maximum permitted (PP0468, PP0471, PP0529, PP0534, PP0535, PP0536, PP0567, PP0568, PP0569, PP0574, PP0576, PP0579, PP0582, PP0583, PP0584, PP0585, PP0637, PP0700, PP0701, PP0702, PP0703, PP0704, PP0705, PP0706, PP0707, PP0708, PP0709, PP0710, PP0711, PP0715, PP0721, PP0729, PP0730, PP0757, PP0818, PP0917, PP0919, PP0938, PP0939, PP0958, PP0960, PP0961, PP1005, PP1006, PP1007, PP1015, PP1017, PP1168, PP1242, PP1278 and PP1395).

Modify the PLDP to amend the allocation summary for site OP1 to remove the text: "A buffer strip will be required adjacent to the watercourse on the western boundary of the site which should be integrated positively into the development. Enhancement of this straightened watercourse through re-naturalisation and removal of any redundant features will require to be investigated" (see RD0214.B) (PP1219).

Modify the PLDP to amend the allocation summary for site OP1 to include the text: "Provision for active travel is required" after the final sentence in the second paragraph (PP1300).

Modify the PLDP to provide clarification on the impact that the development will have on the wildlife at site OP1 (PP0238).

Modify the PLDP to provide clarification on the viability of the required community facility on site OP1 (PP0671).

Modify the PLDP to remove the first three sentences of the first paragraph from the allocation summary for site OP1 and replace with: "This is a new allocation. The site is a

logical extension to the northeast of the settlement and is located close to local businesses, public transport and existing footpaths. A Masterplan will be required for the delivery of the site which should leave a landscaped buffer around Woodside Cottage.” (PP0599, PP0744, PP1390 and PP1403).

Modify the PLDP to amend the allocation summary for site OP1 to include a fuller description of the site’s attributes and potential (PP0599).

Modify the PLDP to remove the Ancient Woodland as a provision for open space from the allocation summary for site OP1 (PP0932 and PP1401).

Modify the PLDP to remove site OP1 (PP0222, PP0294, PP0366, PP0367, PP0510, PP0512, PP0513, PP0548, PP0550, PP0551, PP0824 and PP0845).

Modify the PLDP to amend the allocation summary of site OP1 to clarify who would maintain the fences and two paths next to properties along Denview Road (PP0511, PP0549).

Modify the PLDP to amend the allocation summary of site OP1 to require the developer to provide a buffer between the development and the ancient woodland and ensure their protection from human disturbance (PP0510 and PP0548).

Modify the PLDP to exclude the ancient woodland from the allocation (PP0510 and PP0548).

Modify the PLDP to provide clarification as to the justification for the proposed development being located in the green belt (PP0294).

Modify the PLDP to remove site OP1 and identify an alternative site with the Balmedie Primary School Catchment area in the SGA (PP1043).

Site OP2 – Land north West of Denview Road

Modify the PLDP to amend the allocation summary for site OP2 to state the 61 homes are the maximum permitted (PP0468, PP0471, PP0529, PP0534, PP0535, PP0536, PP0567, PP0568, PP0569, PP0574, PP0576, PP0579, PP0582, PP0583, PP0584, PP0585, PP0637, PP0700, PP0701, PP0702, PP0703, PP0704, PP0705, PP0706, PP0707, PP0708, PP0709, PP0710, PP0711, PP0715, PP0721, PP0729, PP0730, PP0757, PP0818, PP0917, PP0919, PP0938, PP0939, PP0958, PP0960, PP0961, PP1005, PP1006, PP1007, PP1015, PP1017, PP1168, PP1242, PP1278 and PP1395).

Modify the PLDP to amend the allocation summary for site OP2 to state that the development provides connection to the footpath to the south of the site that links Kirkhill Gardens (Middleton of Potterton) with the Stead Inn on Manse Road (PP0468, PP0471, PP0529, PP0534, PP0535, PP0536, PP0567, PP0568, PP0569, PP0574, PP0576, PP0579, PP0582, PP0583, PP0584, PP0585, PP0637, PP0700, PP0701, PP0702, PP0703, PP0704, PP0705, PP0706, PP0707, PP0708, PP0709, PP0710, PP0711, PP0715, PP0721, PP0729, PP0730, PP0757, PP0818, PP0917, PP0919, PP0938, PP0939, PP0958, PP0960, PP0961, PP1005, PP1006, PP1007, PP1015, PP1017, PP1168, PP1242, PP1278 and PP1395).

Modify the PLDP to amend the allocation summary for site OP2 to include the text: “Provision for active travel is required” after the final sentence in the second paragraph (PP1300).

Modify the PLDP to amend the allocation summary for site OP2 to add text to the end of the third sentence of the first paragraph to read: “A Masterplan will be required for the delivery of the site, which should incorporate and enhance the existing footpath between Kirkhill Gardens and The Stead Inn.” (PP0599, PP0744, PP1390 and PP1403).

Modify the PLDP to amend the allocation summary for site OP2 to include a fuller description of the site’s attributes and potential (PP0599).

Modify the PLDP to remove site OP2 and identify an alternative site with the Balmedie Primary School Catchment area in the SGA (PP1042).

Site OP1 – Land north of Denview Road and Site OP2 – Land north West of Denview Road

Modify the PLDP to provide clarification on whether a decision has already been taken on the inclusion of site OP1 and site OP2 in the PLDP (PP0586).

Modify the PLDP to provide clarification on the future capacity of Bridge of Don Academy for additional pupils arising from the proposed developments at sites OP1 and OP2 (PP0104).

Modify the PLDP to provide clarification of provision of a new primary school within Potterton and its funding arrangement (PP0270 and PP1337) and proposed location (PP0270).

Modify the PLDP to provide clarification on whether there would be sufficient water and sewage infrastructure to accommodate additional housing for sites OP1 and OP2 (PP0104).

Modify the PLDP to provide clarification on the impact that the proposed sites would have on the current crime rate within the settlement (PP0141).

Modify the PLDP to provide clarification on whether additional policing will be required as a result of the increased population from the development (PP0229).

Modify the PLDP to include a requirement at sites OP1 and OP2 for additional trees to be planted in the surrounding area (PP0151).

Modify the PLDP to include a requirement for suitable shrubs, trees, and grassy areas at sites OP1 and OP2 (PP0152).

Modify the PLDP to provide clarification on the delivery and size of a new village hall on site OP1 and OP2 (PP0151).

Modify the PLDP to include a requirement for a suitable community centre at sites OP1 and OP2 (PP0152).

Modify the PLDP to ensure that the archaeological remains at sites OP1 and OP2 are protected (PP0151).

Modify the PLDP to include a requirement for suitable footpaths and pavements along both sides of Main Road running between sites OP1 and OP2 (PP0152).

Modify the PLDP to provide clarification on the current condition of the local road network and whether it would be able to support the proposed development at sites OP1 and OP2 (PP0172).

Modify the PLDP to amend the allocation summary for site OP1 and site OP2 to state that the proposed homes must not have windows overlooking properties and that consideration should be given to making the border a green space (PP0238).

Modify the PLDP to provide clarification on funding/contributions towards infrastructure enhancements to support the developments (PP0270).

Modify the PLDP to provide clarification on funding/contributions towards community, sports, recreation, waste and recycling and health care facilities (PP0647).

Modify the PLDP to provide clarification on whether a Flood Risk Assessment would be undertaken for site OP1 and site OP2 (PP0648).

Modify the PLDP to provide clarification on whether a Transport Assessment would be undertaken for site OP1 and site OP2 (PP0648).

Modify the PLDP to consider self-build ecological housing on site OP1 and site OP2 (PP0270).

Modify the PLDP to direct development to Balmedie rather than Potterton (PP0484).

Modify the PLDP to add a new section to note that OP1 and OP2 are contaminated: "Areas OP1 and OP2 are constrained as contaminated as recorded in the Cadcorp GIS database. Therefore the sites are unsuitable for development" (PP0992).

Modify the PLDP to consider extending the green belt to the north of Potterton towards Belhelvie (PP0607).

Modify the PLDP to ensure access into the site (not specified) is appropriate (PP1337).

Modify the PLDP to amend the allocation summary of site OP1 to remove from the third sentence of paragraph one, "and incorporated into the open space provision as well as the open space enhancing biodiversity." (PP1135).

Modify the PLDP to amend the allocation summary of site OP1 to remove the fourth sentence of paragraph one, "The site should provide connectivity to the existing settlement." (PP1135).

Modify the PLDP to amend the allocation summary of site OP1 to remove the last sentence of paragraph one, "The housing design and layout should be in keeping with other nearby residential development." (PP1135).

Modify the PLDP to amend the allocation summary of site OP2 to remove the fourth sentence of paragraph one, “The site should deliver biodiversity enhancement through the open space provision and should provide connectivity to the existing settlement.” (PP1135).

Modify the PLDP to amend the allocation summary of site OP2 to remove the last sentence of paragraph one, “The housing design and layout should be in keeping with other nearby residential development.” (PP1135).

Modify the PLDP to amend the allocation summary of sites OP1 and OP2 to change “should” to “will be connected” in relation to connectivity with the settlement (PP1295).

Modify the PLDP to amend the allocation summary for sites OP1 and OP2 to remove the word “logical” from the allocation summary when considering the housing extension and replace with a more natural word such as “possible” (PP1295).

Modify the PLDP to amend site OP1 and site OP2 to restrict development on the sites to only small number of homes (PP0256, PP0257, PP0258, PP0259, PP0260, PP0261, PP0262, PP0263, PP0264, PP0282, PP0283, PP0284, PP0285, PP0286, PP0287, PP0289 and PP0291).

Modify the PLDP to reduce the amount of development sites within the settlement (PP0292).

Modify the PLDP to reduce the scale of site OP1 and OP2 or change them to mixed use to include any new facilities (PP0343).

Modify the PLDP to remove site OP1 and OP2 but consider the potential for their inclusion within future Local Development Plans should all concerns be resolved (PP0645, PP0646, PP0647 and PP0648).

Modify the PLDP to remove site OP1 and site OP2 (PP0087, PP0091, PP0094, PP0095, PP0096, PP0101, PP0103, PP0104, PP0108, PP0109, PP0110, PP0130, PP0131, PP0132, PP0133, PP0134, PP0141, PP0142, PP0143, PP0144, PP0151, PP0153, PP0154, PP0157, PP0160, PP0169, PP0172, PP0203, PP0204, PP0205, PP0206, PP0207, PP0209, PP0210, PP0211, PP0212, PP0214, PP0215, PP0218, PP0220, PP0227, PP0228, PP0229, PP0231, PP0232, PP0233, PP0236, PP0237, PP0238, PP0249, PP0250, PP0255, PP0256, PP0257, PP0258, PP0259, PP0260, PP0261, PP0262, PP0263, PP0264, PP0270, PP0273, PP0274, PP0278, PP0279, PP0280, PP0281, PP0282, PP0283, PP0284, PP0285, PP0286, PP0287, PP0289, PP0290, PP0291, PP0292, PP0298, PP0299, PP0311, PP0312, PP0324, PP0325, PP0336, PP0349, PP0350, PP0351, PP0356, PP0361, PP0362, PP0363, PP0364, PP0365, PP0368, PP0369, PP0370, PP0371, PP0372, PP0373, PP0406, PP0407, PP0408, PP0409, PP0418, PP0419, PP0449, PP0479, PP0480, PP0483, PP0484, PP0487, PP0488, PP0489, PP0490, PP0491, PP0505, PP0508, PP0509, PP0518, PP0519, PP0527, PP0528, PP0540, PP0546, PP0547, PP0561, PP0581, PP0586, PP0587, PP0594, PP0607, PP0610, PP0638, PP0645, PP0646, PP0647, PP0648, PP0650, PP0655, PP0656, PP0657, PP0671, PP0680, PP0695, PP0771, PP0781, PP0788, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0805, PP0806, PP0807, PP0819, PP0824, PP0829, PP0830, PP0833, PP0841, PP0847, PP0848, PP0850,

PP0852, PP0853, PP0854, PP0856, PP0857, PP0858, PP0859, PP0860, PP0862, PP0864, PP0870, PP0872, PP0874, PP0886, PP0887, PP0897, PP0904, PP0912, PP0913, PP0914, PP0915, PP0916, PP0930, PP0932, PP0964, PP0966, PP0967, PP0968, PP0971, PP0982, PP0987, PP0989, PP0992, PP1003, PP1123, PP1128, PP1135, PP1146, PP1147, PP1148, PP1149, PP1157, PP1158, PP1160, PP1166, PP1167, PP1171, PP1190, PP1243, PP1295, PP1303, PP1304, PP1305, PP1324, PP1325, PP1326, PP1327, PP1328, PP1329, PP1330, PP1332, PP1333, PP1334, PP1335, PP1336, PP1397 and PP1401).

Modify the PLDP to reinstate the green belt designation at the location of site OP1 and site OP2 (PP0091, PP0094, PP0095, PP0096, PP0101, PP0103, PP0104, PP0107, PP0108, PP0109, PP0110, PP0132, PP0141, PP0142, PP0143, PP0144, PP0151, PP0153, PP0157, PP0169, PP0172, PP0203, PP0204, PP0205, PP0206, PP0207, PP0209, PP0210, PP0211, PP0212, PP0214, PP0215, PP0220, PP0227, PP0228, PP0229, PP0231, PP0232, PP0233, PP0236, PP0237, PP0249, PP0250, PP0255, PP0256, PP0270, PP0273, PP0274, PP0278, PP0279, PP0280, PP0281, PP0282, PP0283, PP0284, PP0285, PP0286, PP0287, PP0289, PP0290, PP0291, PP0292, PP0298, PP0299, PP0311, PP0312, PP0324, PP0336, PP0356, PP0361, PP0362, PP0364, PP0365, PP0368, PP0369, PP0370, PP0371, PP0372, PP0373, PP0409, PP0418, PP0419, PP0449, PP0479, PP0480, PP0483, PP0484, PP0487, PP0488, PP0490, PP0491, PP0505, PP0508, PP0518, PP0519, PP0527, PP0528, PP0540, PP0546, PP0559, PP0561, PP0586, PP0587, PP0594, PP0607, PP0610, PP0638, PP0645, PP0646, PP0647, PP0648, PP0650, PP0695, PP0771, PP0781, PP0788, PP0797, PP0798, PP0799, PP0800, PP0801, PP0802, PP0805, PP0806, PP0807, PP0819, PP0824, PP0829, PP0830, PP0847, PP0850, PP0852, PP0853, PP0854, PP0856, PP0857, PP0858, PP0859, PP0860, PP0862, PP0870, PP0872, PP0874, PP0886, PP0887, PP0897, PP0904, PP0912, PP0913, PP0914, PP0915, PP0916, PP0930, PP0932, PP0966, PP0982, PP0987, PP0989, PP1002, PP1003, PP1123, PP1128, PP1135, PP1146, PP1147, PP1148, PP1149, PP1157, PP1158, PP1160, PP1161, PP1166, PP1167, PP1171, PP1190, PP1243, PP1303, PP1304, PP1305, PP1324, PP1326, PP1328, PP1329, PP1332, PP1333, PP1334, PP1335, PP1336, PP1397 and PP1401).

Non-Allocated Site – Bid Site FR037A – Land at Gourdieburn and Non-Allocated Site – Bid Site FR037B – Land At Gourdieburn

Modify the PLDP to allocate bid site FR037A for 45 homes and bid site FR037B for 90 homes (PP0680).

Non-Allocated Site – Bid Site FR037A – Land at Gourdieburn and Non-Allocated Site - Bid Site FR104 – Land South of Laingseat Road

Modify the PLDP to remove bid site FR037A and bid site FR104 (PP0236, PP0237, PP0270 and PP0349).

Non-Allocated Site – Bid Site FR105 – Land East of Manse Road and Non-Allocated Site - Bid Site FR106 – Land East of B999 and North of Potterton

Modify the PLDP to remove bid site FR105 and bid site FR106 (PP0480 and PP0490).

Non-Allocated Site – Bid Sites FR120 – Land North and South of Gourdie Park (Site A)

and Bid Site – FR121 – Land North of Gourdie Park (Site B), and Bid Site FR122 – Land North of Gourdie Park (Site C)

Modify the PLDP to allocate bid sites FR120, FR121 and FR122 for mixed use and housing development (PP1018).

Summary of responses (including reasons) by planning authority:

General

The Council notes the representee’s comment that Potterton is not part of the Energetica Corridor. However, Map 17 in the Aberdeenshire Local Development Plan – Supplementary Guidance – Energetica published with the LDP 2017 clearly shows that Potterton is within the Energetica Corridor (AD0034.I, page 20). Please see Schedule 4 – Issue 2 – Section 5 The Spatial Strategy for further discussion on this matter. No change is required.

Comments raised regarding engagement are noted, however these matters have been addressed in drawing up the Conformity with Participation Statement in which it is considered that the Council’s engagement and notification process has been in line with statutory requirements. The conduct of the Community Council in engaging with the community for which it represents is considered to be a separate matter and in terms of the Plan-making process, the Council have engaged with Community Councils as a statutory consultee, including Belhevie Community Council from the outset. With regard to the proposed OP1 and OP2 sites, statutory pre-application consultation will be required by any applicant in bringing the site forward. Please see Report of Conformity with Participation Statement – Full Report for further discussion on this matter. No change is required.

The comments raised regarding the inaccuracies contained within the MIR Vision are noted. However, the Vision within the Potterton Settlement Statement (AD0041.F, page 476), makes no reference to the original settlement being located along Manse Road, this is stated in the MIR only (AD0038.D, page 83) and it is not considered that this description has been used to allow for a central hub allowing for mass development. Furthermore, it is not stated that the settlement has no sense of place or identity – rather the MIR has described the character of the settlement and the key elements contributing to its’ identity and settlement. No change is required.

The Council notes the concerns raised that Potterton does not have a frequent bus service and has a lack of public transport provision, but this has not been stated within the settlement statement for Potterton. However, the Council notes that within the allocation summary for site OP1 and site OP2, there is a requirement for public transport infrastructure, and as such public transport provision would be considered in more detail at the planning application stage. No change is required.

Concerns raised regarding the inaccuracies within the bid submissions for bid site FR140 and FR141 (OP1 and OP2) are acknowledged. However, the bid submissions are completed and submitted by the bid proposer (AD0120 and AD0121), and the Council has no remit over what is included in the bid submissions. Each allocation made in the Plan has however been through multiple assessments including the Strategic Flood Risk Assessment (SFRA), Strategic Environmental Assessment (SEA), Development Planning

and Management Transport Appraisal Guidance (DPMTAG), and the Habitats regulations Appraisal (HRA) to ensure the most appropriate sites are allocated for development. No change is required.

The proposed allocations are considered suitable for the settlement as they are of an appropriate scale and location and provide an appropriate level of growth related to local needs and allow for a strategic planned approach to the settlement. Further detail on the housing land requirement is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations.

The Council have no control over the position taken by Belhelvie Community Council at the MIR stage or the at the Proposed Plan stage of the Plan-making process. It is noted that the Community Council showed support for bid sites FR140 (excluding the eastmost parcel of land) and bid site FR141B and indicated that bid site FR141A and bid site FR104 should be reviewed at the mid-term review (AD0118, page 2). No change is required.

The concerns regarding infrastructure provision raised by Belhelvie Community Council are noted. During the preparation of the Plan and through the site assessment process, the requirements for infrastructure were looked at and subsequently the 'Services and Infrastructure' section of the Settlement Statements were populated. This section highlights what, if any, obligations are required for the different forms of development as a result of the allocated sites being delivered. Developer Obligations are sought towards the provision of the necessary infrastructure. They must fairly and reasonably relate in scale to the proposed development and are needed to make the proposed development acceptable in planning terms, all in line with the policy tests contained in Planning Circular 3/2012 (AD0002). No change is required.

Settlement Plan

Core Paths are not provided for through the LDP process but through a separate statutory process as part of producing a Core Paths Plan. The core path that has been included on the settlement map shows the correct location of the core path at this location as indicated in the Council's Core Paths Plan Maps (AD0186). No change is required.

Vision

The Council notes the requests from representees to amend the settlement statement Vision, for reasons which included that it was not considered to be accurate, does not reflect the character of the settlement or the community's wishes, dilutes the importance of the green belt and of protecting the amenity of the settlement. However, the settlement statement Vision has been produced in consultation with the Community Council through the MIR pre-engagement stage (AD0144.B, pages 3-4). The role of the Community Council is to represent the community. As such, through this process it is considered that the Vision is representative of the community's views and aspirations for the settlement. The concerns raised that the wording in the Vision does not work to protect the character, amenity and setting of the settlement and that it dilutes the green belt's importance is noted. However, the Vision states that "The use of protected land designations and the application of the green belt policy will contribute to preserving the amenity of the settlement" (AD0041.F, page 476). This statement is considered to appropriately work to protect the amenity of the settlement – through highlighting both the protected land designations and the green belt policy. Whilst the previous LDP (LDP 2017) stated this in

the context of it being the planning objective for the settlement, it is not considered that this requires to be stated within the Vision in the PLDP. As stated above, the Vision has been finalised in consultation with the Community Council and as such the statement on the preference for small business units near to the existing business land is considered appropriate. No change is required.

It is not considered necessary to amend “green belt” to “Aberdeen green belt” in the Vision. Whilst the Reporter did not consider that changes to the green belt were necessary at the previous LDP Examination, the proposed sites OP1 and OP2 at Potterton are considered to be suitable for the settlement at this time as they are of an appropriate scale and location and provide an appropriate level of growth related to local needs and allow for a strategic planned approach to the settlement. As a result of this, the green belt boundary has been amended in line with the recommendations in the Issues and Actions Papers relating to Issue 7 Shaping Development in the Countryside, Policy R1 Special Rural Areas, that minor changes to the green belt boundary were to be made to account for any new allocations arising from Settlement Issues and Actions papers, where required (AD0040.D, page 63). No change is required.

The Council notes the concern raised that proposed sites OP1 and OP2 contradict the statement in the Vision that reads, “The use of protected land designations and the application of the green belt policy will contribute to preserving the amenity of the settlement”. However, the purpose of the green belt is not to prevent development but ensure development is directed to the most appropriate locations, to protect the character, landscape setting and identity of settlements and to provide access to open space (AD0012, paragraph 49). It is not considered appropriate to demonstrate within the Vision how the proposed sites will preserve the amenity of the settlement. The sites are considered to be a logical extension to the settlement. No change is required.

It is not considered appropriate to remove the word “contemporary” from the Vision, or to replace it with “rural”. Most of the housing within the settlement is not considered to be traditional as such, and “contemporary” is considered an appropriate description of the settlement itself, even if much of the surrounding area is farmland. It is not considered that the Vision, or the use of “contemporary” implies that the settlement has no sense of place, a lack of identity or encourages development - rather it is deemed that the Vision portrays an accurate depiction of the settlement, including its’ form and character. Furthermore, “large” is considered appropriate to describe the housing estates as major housing developments include 50 or more homes, and both housing estates in Potterton include in excess of 50 homes. The descriptor of 20th century housing estates is also considered to be an accurate description within the Vision. No change is required.

The Council note the representee’s request to include “shop” as one of the services within the settlement. The Council confirms that it intends to address the representee’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

However, the representee’s request to include reference to further services within the Vision are not supported as it is considered that an appropriate level of information regarding services and facilities is already included within the Vision. No change is required.

Comments noting that the Vision makes it clear that Potterton is outwith the SGA are

noted. However, requests to remove the first two sentences of the Vision to be replaced with amended text on the SGA and Energetica are not supported. The current built up extent of Potterton is not included within the SGA, and in drawing up the PLDP, the boundary of the SGA was not amended, however given the location of the proposed OP1 and OP2 sites within the SGA, these sites have been listed in Appendix 6 as contributing to the SGA allowances (AD0041.C, Table 2). No change is required.

Potterton is located within the Energetica Corridor as noted above. If the Reporter is minded to make an amendment, then the Council recommend that the Vision is amended to add an additional sentence in the first paragraph, following the second sentence which reads, "Potterton is within the Energetica Corridor and as such will play an important role in providing housing and employment opportunities in line with the Energetica vision which will contribute to transforming the area into a high quality lifestyle, leisure, and global business location.", to ensure consistency with settlement statements for other settlements within the Energetica Corridor.

Requests to remove reference to the Forsyth Hall Men's Shed as it does not exist are noted. The Council confirms that it intends to address the representee's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

As stated above, the settlement statement Vision has been produced in consultation with the Community Council through the MIR pre-engagement stage at which it was indicated that there was a preference for a Community Hall (AD0144.B, pages 3-4).

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not agree with the request to amend reference from "small watercourse" to "large watercourse" in the first bullet point of the 'Flood Risk' section. SEPA have not requested any amendment to the description of the watercourse in the 'Flood Risk' section in their response to the PLDP. As such, it is not considered that this change would be appropriate. No change is required.

The Council does not agree with the requested amendment to wording within the 'Flood Risk' section to note that sites OP1 and OP2 are outwith the settlement boundary and not suitable for development. As a consequence of the allocation of the proposed sites, the settlement boundary has been amended to include the sites within the boundary of the settlement. It is noted within the 'Flood Risk' section that Flood Risk Assessments will be required for the development of the sites, this will be further dealt with at the planning application stage. SEPA has also not objected to the principle of the sites. As such, it is not considered that these sites are unsuitable for development and issues pertaining to flood risk and drainage will be considered in more detail at the planning application stage. No change is required.

The request to remove the 'Flood Risk' section is noted, however the Council does not agree with the requested modification as the sites are proposed allocations within the PLDP and the 'Flood Risk' section contains important information regarding flood risk on the sites. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address Scottish Water's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

As is stated in the 'Strategic drainage and water supply' section of the settlement statement, "There is insufficient capacity at Balmedie Waste Water Treatment Works to treat all sites allocated at Balmedie, Belhelvie, Newburgh and Potterton. Network investigations may be required by new developments in Potterton. A growth project will be initiated once development meets Scottish Water's five growth criteria". Scottish Water has not requested amendment to this text, apart from an additional sentence stating that a Drainage Impact Assessment may be requested. As such, it is considered that this text is up to date at the time of writing and provides clarification on the capacity of the WWTW serving Potterton. Drainage is not considered to be a constraint to development within the settlement, and as is stated within the allocation summary, early engagement with Scottish Water is encouraged, to ensure any issues are resolved early on in the development process. No change is required.

The request to remove the 'Strategic transportation' and 'Strategic drainage and water supply section' is noted, however the Council does not agree with the requested modification as the sites are proposed allocations within the PLDP. Further to this, other proposals for new development may also be submitted for sites within and adjacent to the settlement outwith proposed sites OP1 and OP2. These will require to be appropriately assessed by the Council, in accordance with the relevant policies of the PLDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Site OP1 Land north of Denview Road

Support for the proposed OP1 site is noted. The request to state that 172 homes are the maximum permitted on the site is also noted however is not considered appropriate. As this is a proposed new site that sits within the Aberdeen Housing Market Area, a standard density of 25 homes per hectare has been applied to reach the allocation of 172 homes. In line with Policy H1 Housing Land (AD0041.A, page 41), the number quoted are indicative and at such time that a planning application is submitted for the site, the layout, siting and design may mean that a higher or indeed lower number of dwellings may come forward. The application of a standard density in the Aberdeen Housing Market is intended to provide a degree of certainty for communities on the scale of development that could reasonably be achieved on a site. Further detail on this is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations. No change is required.

Support for the requirement for community facilities to be included on proposed site OP1 is noted. No change is required.

The Council confirms that it intends to address SEPA's comments regarding the allocation summary for site OP1 through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot's comments regarding active travel provision within the allocation summary for site OP1 through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The representee's concerns regarding the impact the site would have on wildlife is noted. However, any potential impact on wildlife on the site would be dealt with at the planning application stage, and any planning application submitted on site would require to be in line with Policy E1 Natural Heritage (AD0041.A, pages 57-58). No change is required.

As stated in the settlement statement Vision, the community have a desire for a new community hall. As such, it was considered that bid site FR140 (proposed site OP1) could accommodate provision of a site for new community facilities as the site is well connected to the rest of the settlement, with a good footpath network (AD0040.D, page 87). No change is required.

The amendments to the allocation text are not supported. The amenity of any neighbouring properties will be accounted for at a planning application stage with proposals being assessed against relevant policies within the Plan. As such, it is not considered that this requires to be stated within the allocation summary. It is also considered that the allocation text contains a sufficient and appropriate amount of information regarding the proposed site and thus a fuller description is not required to be articulated in the allocation summary. No change is required.

Concern regarding land ownership issues in relation to the Ancient Woodland are noted. However, this matter would be addressed as the site comes forward for development in discussion with the Council's Development Management Team. The Council's Delivery Team would also be able to facilitate any discussions required between parties and work with them to bring the site forward. No change is required.

The Council does not support the removal of site OP1. A number of concerns have been noted with regards to infrastructure, including road infrastructure, school provision, WWTW provision, health care and local services. These are all covered under 'Services and Infrastructure'; which notes what Developer Obligations are required as a result of a development being delivered. These requirements would also be discussed again between the Council's Developer Obligations Team, the developer and any relevant stakeholder upon submission of a planning application. It is therefore not considered to be a barrier to development. Additionally, any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan. It is also noted that the allocation summary states that a Drainage Impact Assessment will be required for the site (AD0041.F, page 478). Concerns relating to pollution during and post construction are noted, however this is something that can be managed through a Construction Management Plan (CTMP) which is also looked at when a planning application is submitted. Maintenance of fencing and pathways post completion is not a matter for the PLDP but may be considered as part of any planning application assessment. No change is required.

The concerns raised relating to the impact on the visual amenity and the character of Potterton are noted. However, it is considered that the site is a logical extension of the settlement, and as stated within the allocation summary the housing design and layout should be in keeping with other nearby residential development (AD0041.F, page 478).

Additionally, the layout, siting and design of the site would be required to demonstrate the six qualities of successful places in line with Policy P1 Layout, Siting and Design (AD0041.A, page 47). This would be assessed at the masterplan/planning application stage. The concerns relating to loss of view are noted, however this is not a material planning consideration. No change is required.

Concerns raised regarding Potterton's status within the SGA are noted, as are the issues raised that the settlement has no direct access onto the AWPR is noted. A decision was taken by the Formartine Area Committee historically that Potterton should be specifically excluded from the SGA. However, with improvements to the A90 and the Aberdeen Western Peripheral Route completion, connectivity along the Aberdeen to Peterhead SGA has evolved since this decision and since the time of the 2016 Examination Report. The proposed allocations of site OP1 and site OP2 at Potterton are thus considered to be of an appropriate scale and in an appropriate location. The SGA has not been amended to include additional settlements, but sites allocated still fall within this area. Please see Schedule 4 – Issue 2 – Section 5 The Spatial Strategy for further discussion on this matter. The existing settlement boundary of Potterton is, by road, 2,220m from the A90/AWPR junction. As stated within the allocation summary for site OP1, access onto the C Class Road located to the northeast of the site should be considered. This C Class Road provides access to the Blackdog Junction onto the AWPR. As stated under the 'Strategic transportation' section of the settlement statement, a route assessment of the B999 corridor to Bridge of Don and the C-classified corridor which runs to the northeast of the settlement to the Blackdog Junction, including the AWPR roundabout, should be provided to determine potential improvement works required to accommodate the overall expansion of Potterton. No change is required.

The concerns regarding the loss of green belt land are noted. It is stated in the recommendations in the Issues and Actions Papers relating to Issue 7 Shaping Development in the Countryside, Policy R1 Special Rural Areas, that minor changes to the green belt boundary were to be made to account for any new allocations arising from Settlement Issues and Actions papers, where required (AD0040.D, page 63). In light of this, as it was recommended that FR140 and FR141A (OP1) and FR141B (OP2) both be allocated in the Proposed Local Development Plan in the settlement Issues and Actions Papers, the green belt boundary has been amended to account for these new allocations. The purpose of the green belt is not to prevent development but ensure development is directed to the most appropriate locations, to protect the character, landscape setting and identity of settlements and to provide access to open space (AD0012, paragraph 49). It is maintained that the site is an appropriate extension to Potterton and as discussed above, it is not considered that the proposed site will have an impact on the character of the settlement. Further to this, there is a requirement within the allocation summary for open space provision, which includes preserving and incorporating the Ancient Woodland into the open space as well as enhancing biodiversity. It is considered that whilst the allocation of this site does result in a loss of green belt land, it allows for a strategic and planned approach for the development of a settlement within the green belt. No change is required.

Concerns regarding the possibility of contamination of the site are noted, however this was assessed at the bid site assessment stage of the Plan-making process and is not considered to be a major constraint to the development of the site. If the site was considered to have potential contamination issues, the matter would be for further discussion at such a time that detailed proposals come forward for the proposed

development and the risk would be managed through Policy P4 Hazardous and Potentially Polluting Development and Contaminated Land of the Plan (AD0041.A, pages 50-51). No change is required.

The Plan has a presumption in favour of retaining woodland on development sites in line with Policy PR1 Protecting Important Resources (AD0041.A, page 75). As is stated within the allocation summary, the Ancient Woodland at the east of the site should be preserved, and its incorporation into the open space provision allows for the enhancement of biodiversity on the site. No change is required.

It is not considered that an alternative allocation should be made within the Balmedie Primary School catchment area within the Blackdog to Ellon SGA. The proposed allocation is located within the SGA. Additionally, is considered to be suitable for the settlement as it is of an appropriate scale and location and provides an appropriate level of growth related to local needs, whilst allowing for a strategic planned approach to the settlement. Further detail on the housing land requirement is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations.

In light of the above, the Council does not support the removal of site OP1. No change is required.

Site OP2 – Land north West of Denview Road

Support for the proposed OP2 site is noted. The request to state that 61 homes are the maximum permitted on the site is also noted however is not considered appropriate. As this is a proposed new site that sits within the Aberdeen Housing Market Area, a standard density of 25 homes per hectare has been applied to reach the allocation of 172 homes. In line with Policy H1 Housing Land (AD0041.A, page 41), the numbers quoted are indicative and at such time that a planning application is submitted for the site, the layout, siting and design may mean that a higher or indeed lower number of dwellings may come forward. The application of a standard density in the Aberdeen Housing Market is intended to provide a degree of certainty for communities on the scale of development that could reasonably be achieved on a site. Further detail on this is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations. The request that the development provides connection to the footpath to the south of the site is noted. However, active travel provision will be considered in more detail at the masterplanning and subsequent planning application stage. Specifically, Policy P1 Layout, Siting and Design states that development design will only be approved that demonstrate the six qualities of successful places, one of which requires developments to be well connected (AD0041.A, page 48). No change is required.

Comments supporting the site due to its potential to link the two disparate poles of the settlement are noted. No change is required.

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NatureScot's comments regarding active travel provision within the allocation summary for site OP2 through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

As noted above, active travel provision will be considered in more detail at the masterplanning and subsequent planning application stage. Specifically, Policy P1 Layout, Siting and Design states that development design will only be approved that demonstrate the six qualities of successful places, one of which requires developments to be well connected (AD0041.A, page 48). With regards to the request that a fuller description of the site's attributes should be articulated in the allocation summary, the Council does not support this request. It is considered that the allocation summary contains a sufficient and appropriate amount of information, and the amount of information contained within the allocation summary is consistent with other allocation summaries throughout the PLDP. No change is required.

The Council does not support the removal of site OP2. Bid site FR141b was identified as a site with future for potential development post 2031 in the MIR and was not preferred for immediate development (AD0038.D, page 85). However, on consideration at the Special Meeting of Formartine Area Committee, the Committee recommended that this site was allocated in the PLDP (AD0141, page 14). It is not considered that an alternative allocation should be made within the Balmedie Primary School catchment area within the Blackdog to Ellon SGA. The proposed allocation is located within the SGA. Additionally, it is considered to be suitable for the settlement as it is of an appropriate scale and location and provides an appropriate level of growth related to local needs, whilst allowing for a strategic planned approach to the settlement. Further detail on the housing land requirement is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations. No change is required.

Concerns raised regarding Potterton's status within the SGA are noted, as are the issues raised that the settlement has no direct access onto the AWPR is noted. A decision was taken by the Formartine Area Committee historically that Potterton should be specifically excluded from the SGA. However, with improvements to the A90 and the Aberdeen Western Peripheral Route completion, connectivity along the Aberdeen to Peterhead SGA has evolved since this decision and since the time of the 2016 Examination Report. As such, the proposed allocations of site OP1 and site OP2 at Potterton are considered to be of an appropriate scale and in an appropriate location. The SGA has not been amended to include additional settlements, but sites allocated still fall within this area. Please see Schedule 4 – Issue 2 – Section 5 The Spatial Strategy for further discussion on this matter. The existing settlement boundary of Potterton is, by road, 2,220m from the A90/AWPR junction. As stated within the allocation summary for site OP2, access onto the unclassified Manse Road should be considered jointly with OP1. Manse Road adjoins the C Class Road at the north of the settlement which provides access to the Blackdog Junction onto the AWPR. As stated under the 'Strategic transportation' section of the settlement statement, a route assessment of the B999 corridor to Bridge of Don and the C-classified corridor which runs to the northeast of the settlement to the Blackdog Junction, including the AWPR roundabout, should be provided to determine potential improvement works required to accommodate the overall expansion of Potterton.

A number of concerns have been noted with regards to infrastructure, including road infrastructure and WWTW provision. These are covered under 'Services and Infrastructure'; which notes what Developer Obligations are required as a result of a development being delivered. These requirements would also be discussed again between the Council's Developer Obligations Team, the developer and any relevant stakeholder upon submission of a planning application. It is therefore not considered to be a barrier to development. No change is required.

Site OP1 – Land north of Denview Road and Site OP2 – Land north West of Denview Road

The Council notes the support expressed for the allocation of the proposed OP1 and OP2 sites. No change is required.

The representee's comments regarding improved public transport to Aberdeen City as a positive result of the proposed development are noted. No change is required.

The comments from Belhelvie Community Council stating that they have no substantive objections to the proposed sites but acknowledge that there is some objection to the extension of the settlement are noted. Additionally, the Community Council's comments regarding their attempts made at engagement are also noted, however the way in which the Community Council engages with its citizens is covered under the Community Council Scheme of Establishment or the Community Council Code of Conduct and is not a matter for the PLDP. No change is required.

Site OP1 and site OP2 are proposed allocations within the PLDP. Site OP1 (bid site FR140 and FR141a) was considered to be an Officer's preference within the MIR 2019 (AD0038.D, page 84), and was recommended to be allocated as an opportunity site for 172 homes and community facilities within the PLDP (AD0040.D, pages 87 and 88). Site OP2 (bid site FR141b) was identified as a site with future for potential development post 2031 in the MIR, however, was not preferred for immediate development (AD0038.D, page 85). However, on consideration at the Special Meeting of Formartine Area Committee, the Committee recommended that the sites (FR140, FR141a and FR141b) were to be allocated in the PLDP (AD0141, page 14). This was subsequently approved at Full Council (AD0104, pages 14 and 15), and therefore the allocation of site OP1 for 172 homes and community facilities and site OP2 for 61 homes forms the settled view of the Council. No change is required.

With regards to concerns regarding education capacity and facilities, contributions are sought towards the provision of the necessary infrastructure, including primary education. Contributions within the LDP must fairly and reasonably relate in scale to the proposed development and be needed to make the proposed development acceptable in planning terms, in line with the policy tests contained in Planning Circular 3/2012 (AD0002). These tests have been carried out when looking through what is required for each of the sites allocated within the LDP. It is worth noting that Policy RD2 Developer Obligations notes that a review will be undertaken of the need for and scale of any contribution in the light of circumstances at the time the planning application is made (AD0041.A, page 92). This will ensure that relevant contributions can be taken to allow for the necessary solution to be implemented. It is noted that Bridge of Don Academy is not forecasted to go over capacity within the next 4 years (AD0095, page 7). As highlighted by a representee, the settlement statement does not indicate requirements for additional secondary school capacity, however the settlement statement has been developed in consultation with the Council's Learning Estates Team and is deemed appropriate. No change is required.

As is stated in the 'Strategic drainage and water supply' section of the settlement statement, "There is insufficient capacity at Balmedie Waste Water Treatment Works to treat all sites allocated at Balmedie, Belhelvie, Newburgh and Potterton. Network investigations may be required by new developments in Potterton. A growth project will be

initiated once development meets Scottish Water's five growth criteria". Scottish Water has not requested amendment to this text, apart from an additional sentence stating that a Drainage Impact Assessment may be requested. As such, it is considered that this text is up to date at the time of writing and provides clarification on the capacity of the WWTW serving Potterton. Drainage is not considered to be a constraint to development within the settlement, and as is stated within the allocation summary, early engagement with Scottish Water is encouraged, to ensure any issues are resolved early on in the development process. No change is required.

The impact on crime rates and additional policing requirements are not a matter considered to be within the remit of the PLDP. No change is required.

The provision of trees, shrubs and grassy areas would be dealt with at the planning application stage when determining the type and provision of open space and landscaping at the sites, in line with Policy P2 Open Space and Access in New Development (AD0041.A, page 49). No change is required.

The OP1 site has been allocated for 172 homes and community facilities, and as such it would be expected that community facilities would be delivered on the site. The specific detail of the community facilities would be determined at the masterplanning/planning application stage. No change is required.

We note the representees concerns that archaeological remains at proposed sites OP1 and OP2 should be protected. However, any impact from the proposed allocations on historic sites was considered through the site assessment stage of the Plan-making process. No change is required.

The provision of footway extensions and active travel routes will be fully considered at the planning application stage. No change is required.

Concerns raised regarding the condition of current road infrastructure are noted. Infrastructure provision is covered under 'Services and Infrastructure'; which notes what Developer Obligations are required as a result of a development being delivered which includes transportation infrastructure. No change is required.

The concern raised regarding the loss of privacy for existing properties near the site is noted, however this would be fully considered at the planning application stage to ensure there is no loss of amenity for nearby properties. Furthermore, as stated within the allocation summaries for proposed sites OP1 and OP2, open space provision is required. No change is required.

Developer Obligations are sought towards the provision of contributions for specific and necessary infrastructure and services that are necessary to make the development acceptable in planning terms for all users. They must fairly and reasonably relate in scale to the proposed development and are needed to address any impact created by the development thus making the proposed development acceptable in planning terms, in accordance with the 5 policy tests contained in Planning Circular 3/2012 (AD0002). With regards to the clarification sought on contributions towards community, sports, recreation, health care and waste and recycling facilities, these are all covered under 'Services and Infrastructure'; which notes what Developer Obligations are required as a result of a development being delivered. These requirements would also be discussed again

between the Council's Developer Obligations Team, the developer and any relevant stakeholder upon submission of a planning application. No change is required.

As stated within the allocation summaries for proposed sites OP1 and OP2, a Flood Risk Assessment will be required to be undertaken as surface water affects a large part of both sites. Further detail on this would come forwards at the planning application stage of the development. No change is required.

As stated within the allocation summaries for proposed sites OP1 and OP2, a Transport Assessment will be required to be undertaken for both sites taking all the settlement allocations into account to determine wider area impacts and accessibility infrastructure requirements associated with the overall expansion of Potterton. Further detail on this would be available at the planning application stage of the development. No change is required.

We note the representee's concern regarding lack of consideration for self-build housing, however the PLDP contains policies that allow for self-build properties, in addition many sites identified in the PLDP would be suitable for bringing forward as self-build. No change is required.

The representee's assertion that consideration should be given to development at Balmedie rather than at Potterton is noted. However, Balmedie has already three strategic allocations for development, whilst Potterton currently has no housing land allocations in the current LDP 2017. The proposed sites at Potterton are considered to be in an appropriate location and of an appropriate scale to allow for a strategic planned approach to the settlement. No change is required.

It is not considered that a new heading within the settlement statement for contamination is appropriate. The addition of a bullet point relating to contamination would not be consistent with other settlement statements, and any issues pertaining to contamination would be addressed at a planning application stage. No change is required.

As is stated in the recommendations in the Issues and Actions Papers relating to Issue 7 Shaping Development in the Countryside, Policy R1 Special Rural Areas, minor changes to the green belt boundary were to be made to account for any new allocations arising from Settlement Issues and Actions papers, where required. It was also stated that commitment should be given to reviewing the green belt in 2022 to inform a mid-term review of the LDP. As such, the representee's request for consideration to extending the green belt to the north towards Belhelvie is premature at this stage of the Plan-making process and would be better considered at such time that a review of the green belt is undertaken. As stated within the Issues and Actions Papers, the review would include public consultation (AD0040.D, page 63). No change is required.

The Council notes the concern raised regarding access to either site OP1 or site OP2. As stated within the allocation summary for both proposed sites, two access points will be required for each site. Access for site OP1 onto the unclassified Manse Road should be considered jointly with site OP2, and access onto the C Class road located to the northeast of the site should be considered. The access arrangements would be further considered through the masterplan and subsequent planning application stage, with proposals being assessed against the relevant policies within the Plan. No change is required.

It is considered reasonable and appropriate to leave the allocation text as it stands. This means that at a time when a masterplan comes forward on the site, all of the issues identified within the allocation summary can be discussed. Removing the issues noted by the representee such as biodiversity enhancements, housing design and connectivity would potentially pre-empt any discussion with the appropriate Service when a masterplan came forward on the site. Further to this, it is not considered appropriate to remove reference to Ancient Woodland. Any matter regarding ownership would be addressed as the site comes forward for development in discussion with the Council's Development Management Team. The Council's Delivery Team would also be able to facilitate any discussions required between parties and work with them to bring the site forward. Additionally, it is not considered appropriate to change the wording from "should" to "will be connected" with regards to connectivity, and the description that the site is a logical extension is considered appropriate. No change is required.

The Council does not support the removal of site OP1 or site OP2 and does not support the reduction in scale of the sites or the change of the sites to mixed use development. The sites are considered to be of an appropriate use and scale, and in an appropriate location and the OP1 site is allocated for housing and community facilities. Furthermore, as these are proposed new sites that sit within the Aberdeen Housing Market Area, a standard density of 25 homes per hectare has been applied to reach the allocation of 172 homes and 61 homes. In line with Policy H1 Housing Land (AD0041.A, page 41), the numbers quoted are indicative and at such time that a planning application is submitted for the site, the layout, siting and design may mean that a higher or indeed lower number of dwellings may come forward. The application of a standard density in the Aberdeen Housing Market is intended to provide a degree of certainty for communities on the scale of development that could reasonably be achieved on a site. Further detail on this is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations. No change is required.

The Council notes the concerns raised by the representees that the settlement should not be altered from the previous LDP. Whilst it was considered at the previous Local Development Plan Examination (AD0036, pages 465-466) that there had not been a change in circumstance from the LDP 2012 to the LDP 2017 to justify a differing approach from that taken in the LDP 2012 which had an absence of allocations, it is considered that the allocations of the proposed sites at Potterton present an appropriate extension to Potterton at this time as the proposed housing will meet local housing needs during the Proposed Plan period. Whilst it is acknowledged that the opening of the AWPR is not necessarily a trigger to permit the expansion of Potterton, the proximity of the sites to the transport corridor allows for improved connectivity to surrounding settlements as well as improved access to the east side of the settlement without bringing excessive traffic through the settlement. The settlement's proximity to Aberdeen City also means the allocations are well-located and appropriate for development. No change is required.

Concerns regarding the impact on the local community and perceptions that the sites would bring no benefit to the local community are noted. We note that the OP1 site includes provision for community facilities, these facilities would not be exclusively for the use of the occupants of the proposed housing. As such, any community facilities coming forward would be considered an asset available for the wider community. With regards to the concerns raised that the proposed sites do not reflect the community's aspirations and that there had been a lack of transparency, notification and information provided regarding the proposed development for local residents, engagement activities have been

undertaken in line with the relevant statutory requirements as set out in the Participation Statement see Report of Conformity with Participation Statement – Full Report for further discussion on this matter. This includes, but was not limited to, sending out neighbour notification letters to those properties within 20m of proposed development within the PLDP. No change is required.

The Council notes the concerns raised regarding the scale of the proposed developments. As these are proposed new sites that sit within the Aberdeen Housing Market Area, a standard density of 25 homes per hectare has been applied to reach the allocation of 172 homes on site OP1 and 61 homes on site OP2. The scale of the proposed sites is therefore considered appropriate. The concern regarding potential for incremental development is noted, however future opportunity sites (or strategic reserve for housing) are not included within the PLDP as detailed within Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations. As the green belt boundary has been amended to exclude the proposed OP1 and OP2 sites, it is not considered that the sites are required to be small-scale as stipulated by SPP or Policy R1 of the PLDP. The sites are considered to be of an appropriate scale for the settlement at this time and allow for a strategic planned approach to the settlement. No change is required.

Concerns regarding the supply and demand for housing in the settlement are noted. The proposed allocations are considered suitable for the settlement as they are of an appropriate scale and location and provide an appropriate level of growth related to local needs. Further detail on this is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations. It is noted that concern was raised that there was no need for the proposed developments as there are developments already in the pipeline at bid sites FR037A and FR104. However, these sites have not been allocated for development – please see the section “Non-Allocated Site – Bid Site FR037A – Land at Gourdieburn and Non-Allocated Site - Bid Site FR104 – Land South of Laingseat Road” below for further discussion on the non-allocation of these bid sites. The Council notes the issue raised that there exists a sufficient number of homes at affordable prices within the settlement. However, in line with Policy H2 Affordable Housing, it is still expected that the proposed sites will contribute towards affordable housing (AD0041.A, page 42). The Housing Land Audit only considers sites which are already part of the established supply, not those that are being considered to be added to that sum – please see Schedule 4 – Issue 2 – Section 5 The Spatial Strategy for further discussion on this matter. The devaluation of existing properties and the impact on properties currently on the market are not material planning considerations and do not fall under the remit of the PLDP. The PLDP was prepared prior to the Covid-19 pandemic. The PLDP is based on the HLA 2019 on the basis that it reflected the most up to date information available at the time of preparation. Whilst constraints on the sites have been highlighted by representees, it is not considered that any potential constraints on these sites cannot be resolved and as such are not a barrier to developing the sites. No change is required.

Concerns raised regarding Potterton’s status within the SGA are noted. A decision was taken by the Formartine Area Committee historically that Potterton should be specifically excluded from the SGA. However, with improvements to the A90 and the Aberdeen Western Peripheral Route completion, connectivity along the Aberdeen to Peterhead SGA has evolved since this decision and since the time of the 2016 Examination Report which justifies the proposed allocations of site OP1 and site OP2 at Potterton. The SGA has not

been amended to include additional settlements, but sites allocated still fall within this area. The Council can appreciate there may be merit to a review of the settlements within the SGA and whether Potterton will contribute to this, but the Council do not believe this is a matter that will be resolved at this stage of the process. Should the strategic allocations in Potterton be approved, and come forward for development, then the settlement could reasonably be considered to be part of the SGA in a future Plan. Please see Schedule 4 – Issue 2 – Section 5 The Spatial Strategy for further discussion on this matter. The Council notes the comments that Potterton is not part of the Energetica Corridor. However, Map 17 in the Aberdeenshire Local Development Plan – Supplementary Guidance – Energetica published with the LDP 2017 clearly shows that Potterton is within the Energetica Corridor (AD0034.I, page 20). The Council acknowledges that there are currently no employment land allocations within the settlement, however there are a number of business premises on the B999 and given the scale of business development proposed at Blackdog and the scale of housing land allocations required to be identified to 2032, the proposed allocations at Potterton are considered to be appropriate. Please see Schedule 4 – Issue 2 – Section 5 The Spatial Strategy for further discussion on this matter. With regards to concerns that the sites are not in line with the SDP's spatial strategy, the PLDP has been prepared to be consistent with the SDP, this is discussed further in Schedule 4 – Issue 2 – Section 5 The Spatial Strategy. No change is required.

The Council notes the issue raised that infrastructure constraints still exist within the settlement, making Potterton unsuitable for allocations. However, the additional development proposed for the settlement provides a mechanism for these constraints to be resolved and the required improvements are all covered under 'Services and Infrastructure'; which notes what Developer Obligations are required as a result of a development being delivered. No change is required.

The Council notes the concern raised that a number of assessments and investigations still require to be undertaken for the proposed developments. Each allocation made in the Plan has however been through multiple assessments including the Strategic Flood Risk Assessment (SFRA), Strategic Environmental Assessment (SEA), Development Planning and Management Transport Appraisal Guidance (DPMTAG), and the Habitats regulations Appraisal (HRA) to ensure the most appropriate sites are allocated for development. Further assessments including, but not limited to Flood Risk Assessments, Drainage Impact Assessments or Transport Assessments will be undertaken at the planning application stage at which time they will be assessed by the relevant consultees. No change is required.

The Council notes the representees' concerns regarding the impact the proposed sites would have on the landscape, character and setting of Potterton. However, it is considered that the sites are an appropriate extension to Potterton, offering a natural extension to the settlement for residential development. In offering a natural extension to the settlement, it is not considered that the sites will have an impact of sprawl, and while this was highlighted in the MIR 2019 for bid site FR120, this was because bid site FR120 would impact the sense of openness which defines the land to the west of Potterton. Proposed sites OP1 and OP2 are not considered to have this same effect and are in a sense delineated by the C Class Road which runs to the north east of the settlement. There remains a sufficient distance between the proposed sites and Milton of Potterton to negate any concerns of coalescence, suburbanisation or impact on the character of Milton of Potterton. Furthermore, it is not considered that site P1 or site P3 will be undermined by the development of the proposed OP1 and OP2 sites. As is stated within the allocation

summaries for both OP1 and OP2, the housing design and layout should be in keeping with other nearby residential development and specific issues relating to housing design will be considered through the masterplanning and planning application process of which the proposed housing will require, to be in line with Policy P1 Layout, Siting and Design and will also require to demonstrate the six qualities of successful places (AD0041.A, pages 48-49). Furthermore, the proposed development would also require to be in line with Policy C1 using resources in Buildings, which requires all developments to be designed to reduce carbon-dioxide emissions and reduce energy costs (AD0041.A, page 81). The Council notes the concern that the proposed development would have on Woodside Cottage, however, any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan. It is noted that some representees highlighted that Potterton is located within a Landscape Character Area, however, Potterton is not included within Appendix 13 Aberdeenshire Special Landscape Areas of the PLDP and as discussed above it is not considered that the proposed sites would have a significant impact on the landscape setting. It is also considered that appropriate assessment has been undertaken of the sites within the SEA in terms of landscape impact. No change is required.

Bid site FR120 was not identified as a preferred option within the MIR 2019. Whilst the representees consider that site OP1 and site OP2 should be refused on the same grounds that bid site FR120 was dismissed, the Council does not agree with this assertion. The key difference between FR120 and sites OP1 and OP2 is the location of FR120 to the west of the settlement. The western part of the settlement is defined by a sense of openness which would be lost if FR120 were to be developed, and as such it was considered that there would be significant landscape impact. Further to this, the scale of FR120 is considerably larger than the proposed sites OP1 and OP2, and due to the sensitivity of the landscape at the western part of the settlement, it was considered that the scale and siting of the proposal was inappropriate and would cause significant sprawl (AD0038.D, pages 86-87). On the other hand, as discussed above, the landscape impact of the proposed OP1 and OP2 sites is not deemed to be significant. Furthermore, it was considered that placing development to the west of the B999 would divide the settlement, with the potential for road and pedestrian issues (AD0040.D, page 87). It is noted that the proposed OP1 and OP2 sites have constraints on the sites, however it is not considered that the constraints cannot be resolved and are not deemed a barrier to delivering the sites. No change is required.

Concerns raised regarding the settlement becoming a commuter town and the proposals not working to promote sustainable mixed communities are noted. Whilst there are no employment land allocations within Potterton, there is an industrial site located at the south of the settlement and employment opportunities exist on the B999, as well as business development proposed at Blackdog. The settlement is located on a bus route, and public transport infrastructure is required as part of the proposed sites. Furthermore, 'working from home' proposals are also encouraged under Policy P3 Infill Development within Settlements and Householder Developments (including home and work proposals) (AD0041.A, page 50). No change is required.

The concerns regarding the loss of green belt land are noted. It is stated in the recommendations in the Issues and Actions Papers relating to Issue 7 Shaping Development in the Countryside, Policy R1 Special Rural Areas, that minor changes to the green belt boundary were to be made to account for any new allocations arising from

Settlement Issues and Actions papers, where required (AD0040.D, page 63). In light of this, as it was recommended that FR140 and FR141A (OP1) and FR141B (OP2) both be allocated in the Proposed Local Development Plan in the settlement Issues and Actions Papers, the green belt boundary has been amended to account for these new allocations. The purpose of the green belt is not to prevent development but ensure development is directed to the most appropriate locations, to protect the character, landscape setting and identity of settlements and to provide access to open space (AD0012, paragraph 49). It is maintained that the sites are an appropriate extension to Potterton and as discussed above, it is not considered that the proposed site will have an impact on the character of the settlement. Further to this, there is a requirement within the allocation summaries for open space provision, which includes preserving and incorporating the Ancient Woodland into the open space as well as enhancing biodiversity. It is considered that whilst the allocation of these sites does result in a loss of green belt land, it allows for a strategic and planned approach for the development of a settlement within the green belt. We note representees have suggested alternative sites, however insufficient detail has been given to the exact location of alternative sites and what assessment has been made of these sites to determine their appropriateness for development. Locations suggested such as Blackdog already have an opportunity site identified and Bridge of Don and Aberdeen City lie outwith the LDP area. The sites are not considered to be ribbon development; they abut the settlement. Furthermore, the proposed sites are located at the edge of the green belt, and it is not considered that the loss of the green belt at this location will adversely impact the integrity of the green belt designation. With regards to concern that the development of the green belt does not align with the MIR, the MIR is a discussion document intended to front load effective engagement in the Plan-making process. The MIR is not a draft version of the Plan and concentrates on key changes that have occurred since the previous Plan. The MIR is required to identify preferred options and consider reasonable alternatives where these are available (AD0002, para 65-69). Furthermore, the Reporter's recommendations pertaining to earlier examinations of LDPs are not considered to be set in perpetuity. No change is required.

The Council notes the concerns regarding the environmental impacts emanating from the development of the sites, however many of the concerns regarding environmental impacts were considered through the site assessment stage of the Plan-making process. In addition, any impact on wildlife, protected species, woodland and Ancient Woodland would be addressed at a planning application stage with proposals being assessed against the relevant policies within the Plan. It is also worth noting that the allocation summary for site OP1 requires the Ancient Woodland on the site to be preserved and incorporated into the open space provision, and both sites OP1 and OP2 require the open space to enhance biodiversity. Specific details in terms of environmental enhancements and protection of the Ancient Woodland would be addressed at a planning application stage. Furthermore, the provision and type of open space on the sites will be considered at the planning application stage, including whether provision for allotments will be made on the open space. Whilst the sites may currently be used as grazing land, the sites are not identified as being located on Prime Agricultural Land, nor are they within the current Green Network. We note comments raised regarding the omission of biodiversity information in the SEA. However, the assessment of each site has been consistently applied. The SEA shows that all the Potterton allocations and bid sites will have an overall positive or neutral effect post-mitigation. Comments raised in relation to the SEA will be considered under the SEA consultation in the Post-Adoption Statement. The concern regarding the loss of green space and local path networks are noted, however the proposed sites are required to have an adequate amount of open space provision as well as active travel provision.

No change is required.

The concerns highlighting that there are unique historical and archaeological interests at/within proximity to the sites are noted. Any impact from the proposed allocations on historic sites was considered through the site assessment stage of the Plan-making process. Furthermore, no concerns have been raised from Historic Environment Scotland with regard to impact on historic sites/remains or on the Potterton Designed Landscape. Any impact on nearby properties will be considered at the planning application stage. No change is required.

A number of concerns have been noted with regards to infrastructure, including road infrastructure, access, school provision, WWTW provision, water supply, public transport provision, health care and local services and facilities (including community and recreational). These are all covered under 'Services and Infrastructure'; which notes what Developer Obligations are required as a result of a development being delivered. These requirements would also be discussed again between the Council's Developer Obligations Team, the developer and any relevant stakeholder upon submission of a planning application. It is therefore not considered to be a barrier to development. It is also noted that the allocation summary states that a Drainage Impact Assessment will be required for the site (AD0041.F, page 478). With regards to specific concerns regarding waste water capacity at Potterton, as is stated in the 'Strategic drainage and water supply' section of the settlement statement, "There is insufficient capacity at Balmedie Waste Water Treatment Works to treat all sites allocated at Balmedie, Belhelvie, Newburgh and Potterton. Network investigations may be required by new developments in Potterton. A growth project will be initiated once development meets Scottish Water's five growth criteria". Scottish Water has not requested amendment to this text, apart from an additional sentence stating that a Drainage Impact Assessment may be requested. As such, it is considered that this text is up to date at the time of writing and provides clarification on the capacity of the WWTW serving Potterton. Drainage is not considered to be a constraint to development within the settlement, and as is stated within the allocation summary, early engagement with Scottish Water is encouraged, to ensure any issues are resolved early on in the development process. With regards to concerns regarding provision of infrastructure at the start or prior to the start of development projects, infrastructure requirements from sites are addressed at an early stage in negotiation with prospective developers. Legal agreements such as a Section 75 will be put in place where required to mitigate any potential impact from developments. The Council notes the concern raises regarding the viability of existing services not being a basis for permitting large scale development, however at the current time additional development is a mechanism allowing for infrastructure constraints to be resolved – see Schedule 4 Issue 2: Section 5 – Spatial Strategy for further discussion on this. Concerns raised that the proposed developments do not demonstrate necessary infrastructure investment in line with SPP are noted, however the PLDP has been prepared in accordance with SPP. No change is required.

The concern noting that the AWPR was not intended to become a development corridor is noted. However, the proposed sites are considered to be appropriate due to the sites' location in proximity to Aberdeen City, and the connectivity that the completion of the AWPR provides. As is stated within the allocation summaries for sites OP1 and OP2, a Transport Assessment taking all the settlement allocations into account is required to determine wider area impacts and accessibility infrastructure requirements. This will require to be in line with the relevant policies within the Plan. Furthermore, it is also stated

that public transport infrastructure will be required (AD0041.F, pages 478-479). Additionally, measures including air quality have been looked at through the site assessment process and although car dependency may have been a negative, there are other aspects of the developments which will have scored positively making for a balanced decision. Maintenance of road infrastructure post completion is not a matter for the PLDP. Traffic risk assessments will be undertaken at the planning applications stage. The Transportation Report completed as part of the developer's MIR Response (AD0154) is not within the Council's remit, and any inadequacies or inaccuracies contained therein are outwith the Council's control, however, as noted above a Transport Impact Assessment will be required to be undertaken for the sites at the planning application stage. The Plan has been prepared in accordance with the SDP, SPP as well as NPF 3 and is considered to be in line with these policy documents. Concerns related to the content of the DPMTAG are noted. However, the DPMTAG focusses on key settlements and principal sites and the main transport corridors. No change is required.

Any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan. However, loss of view is not considered to be a material planning consideration. Concerns relating to pollution during and post construction are noted, however this is something that can be managed through a Construction Management Plan (CTMP) which is also looked at when a planning application is submitted. No change is required.

The concerns regarding flood risk on the site are noted. It is noted within the 'Flood Risk' section that Flood Risk Assessments will be required for the development of the sites – this will be further dealt with at the planning application stage. SEPA has also not objected to the principle of the sites. As such, it is not considered that these sites are unsuitable for development and issues pertaining to flood risk and drainage will be considered in more detail at the planning application stage. No change is required.

The impact on crime rates and additional policing requirements are not matters considered to be within the remit of the PLDP. No change is required.

The concerns relating to the impact on the local/rural economy are noted. However, it is not considered that Potterton is an agricultural community and it is not considered that the proposed housing would adversely impact the economy of Potterton. No change is required.

The Council notes the concern raised regarding the discrepancy between the site plan in the submitted bid and the number of homes allocated in the PLDP. As these are proposed new sites that sit within the Aberdeen Housing Market Area, a standard density of 25 homes per hectare has been applied to reach the allocation of 172 homes on site OP1 and 61 homes on site OP2. In line with Policy H1 Housing Land (AD0041.A, page 41), the number quoted are indicative and at such time that a planning application is submitted for the sites, the layout, siting and design may mean that a higher or indeed lower number of dwellings may come forward. The application of a standard density in the Aberdeen Housing Market is intended to provide a degree of certainty for communities on the scale of development that could reasonably be achieved on a site. Further detail on this is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations. No change is required.

It is considered reasonable and appropriate to leave the allocation text as it stands. This

means that at a time when a masterplan comes forward on the site, all of the issues identified within the allocation summary can be discussed. Removing the issues noted by the representee such as housing design, core paths and connectivity would potentially pre-empt any discussion with the appropriate Service when a masterplan came forward on the site. Further to this, it is not considered appropriate to replace the word “logical” with “possible”, and the text relating to connectivity with the rest of the settlement is not considered to require strengthening. No change is required.

The Council notes the concerns raised regarding the proximity of the sites to Wester Hatton landfill site and the concerns that the sites could be contaminated. The Wester Hatton landfill site is no longer in use. Issues pertaining to contaminated land were assessed at the bid assessment stage of the Plan-making process, and whilst it was identified that the sites could be on potential contaminated land it is not considered that this presents a significant constraint to development. If the sites were considered to have potential contamination issues, the matter would be for further discussion at such a time that detailed proposals come forward for the proposed development and the risk would be managed through Policy P4 Hazardous and Potentially Polluting Development and Contaminated Land of the Plan (AD0041.A, pages 50-51). It is not considered that a new heading within the settlement statement for contamination is appropriate. The addition of a bullet point relating to contamination would not be consistent with other settlement statements, and as discussed above any issues pertaining to this matter would be addressed at a planning application stage. No change is required.

The concern highlighting that the Developer Bid Site form omits a possible legal right of Way is noted, however any impact from the proposed allocations on right of ways was considered through the site assessment stage of the Plan-making process. No change is required.

Non-Allocated Site – Bid Site FR037A – Land at Gourdieburn and Non-Allocated Site – Bid Site FR037B – Land at Gourdieburn

The Council does not support allocating bid site FR037A for 45 homes or bid site FR037B for 90 homes, as alternative sites to OP1 and OP2. Bid site FR037A was not identified as a preferred option within the MIR (AD0038.D, page 86). As stated within the Issues and Actions Papers (AD0040.D, page 86), development of this site would have an adverse impact on the open character and approach to the settlement from the south and this view is maintained. Bid site FR037B was identified as a possible future opportunity site within the MIR (AD0038.D, page 85). However, as stated in the Issues and Actions Papers (AD0040.D, page 86), development of this site could have a detrimental impact on the character of the Manse and Church buildings from the southern approach to Potterton on the B999, and this view is maintained. As discussed under ‘Site OP1 – Land north of Denview Road and Site OP2 – Land north West of Denview Road’, it is considered that proposed sites OP1 and OP2 should not be removed and are suitable sites for development at this time. As such, it is not considered that bid sites FR037A and FR037B would be appropriate alternative allocated sites. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site FR037A – Land at Gourdieburn and Non-Allocated Site - Bid

Site FR104 – Land South of Laingseat Road

Objections to bid sites FR037A and bid site FR104 are noted. Bid site FR037A for 45 homes was not identified as a preferred option within the MIR (AD0038.D, page 86). As stated within the Issues and Actions Papers (AD0040.D, page 86), development of this site would have an adverse impact on the open character and approach to the settlement from the south and this view is maintained and as such the site has not been allocated for development. Bid site FR104 for 100 homes and community facilities was identified as a possible future opportunity site within the MIR (AD0038.D, page 84). Although there was merit seen in the site for long term future development (AD0040.D, page 86), future opportunity sites have not been taken forward into the PLDP and as such this site has not been allocated within the Plan. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site FR105 – Land East of Manse Road and Non-Allocated Site - Bid Site FR106 – Land East of B999 and North of Potterton

Objections to bid sites FR105 and bid site FR106 are noted. Bid site FR105 for 100 homes, employment land and a school site was not identified as a preferred option within the MIR and was considered to be unsuitable for development due to access constraints, a lack of open space provision and viability of the proposed uses on the site (AD0038.D, page 86). This view is maintained and as such the site has not been allocated for development. Bid site FR106 for 100 homes and business land was not identified as a preferred option within the MIR. It was considered that the site was not well connected to the settlement and required pedestrian access would involve significant land raising and the site's prominence would require significant landscaping (AD0038.D, page 86). This view is maintained and as such the site has not been allocated for development. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Sites FR120 – Land North and South of Gourdie Park (Site A) and Bid Site – FR121 – Land North of Gourdie Park (Site B), and Bid Site FR122 – Land North of Gourdie Park (Site C)

The Council does not support the allocation of bid site FR120, bid site FR121 and bid site FR122 for mixed use development and housing. None of these bid sites were identified as preferred options within the MIR (AD0038.D, pages 86-87). As stated within the Issues and Actions Papers (AD0040.D, page 87), the majority of the settlement is located on the east of the B999. Placing development to the west of the B999 would divide the settlement with the potential for road and pedestrian safety issues and the B999 should continue to function as a road that passes by Potterton and not through it, retaining Panmure Gardens as the main road through the settlement. Other more suitable sites at proposed site OP1 and proposed site OP2 better reflect the built form of the settlement and retain cohesion. This view is maintained and as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of

deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to the settlement statement matters covered in Issue 26. However, where such matters arise from representations made to the proposed plan, they require to be considered in the examination. I therefore address these as appropriate below.

General

3. The status of Potterton within the Energetica Corridor is to be found in the adopted local development plan at Map 17 of the supplementary guidance on Energetica. Regarding the council's engagement with communities, we have concluded that it has consulted on the proposed plan and involved the public in the way it said it would in its participation statement and therefore has met statutory requirements. The conduct of the community council and the content of the main issues report are not matters for this examination.

4. The vision statement for Potterton refers to its limited number of services and the need for additional public transport infrastructure to serve the settlement is acknowledged in the allocation summaries for sites OP1 (land north of Denview Road) and OP2 (land north-west of Denview Road).

5. Concerns regarding inaccuracies within bid statements, the position taken by Belhelvie Community Council on the location of development and criticisms of its public engagement on the proposed plan are outside the scope of this examination, which is limited to the proposed local development plan.

6. The scale of additional housing is discussed under sites OP1 and OP2 below.

7. Belhelvie Community Council is concerned that approximately 1,800 homes are proposed to be built in the area of Belhelvie, Balmedie, Blackdog and Potterton, putting pressure on Balmedie Primary School, medical and health care facilities, the road network and the inadequate public transport provision. It seeks either the extension of the school or construction of a new primary school in the parish, improved medical facilities, upgrades to the road infrastructure and full review of existing bus services. A local resident also argues that additional housing in Potterton would lead to additional private car use and local road congestion because of the infrequent bus services.

8. The Services and Infrastructure section of the settlement statement for Potterton sets out requirements including: a route assessment to determine potential improvement

works, contributions towards additional primary school capacity and contributions towards additional capacity at medical facilities. The developer contributions would be sought through legal obligations in accordance with the council's policies and guidance. The allocation summaries for sites OP1 and OP2 indicate that public transport infrastructure is required and that it should be considered jointly for the sites.

9. No modifications are required.

Settlement plan

10. Core paths are the subject of a separate statutory process as part of producing a Core Paths Plan. No modification is required.

Vision

11. With respect to representations seeking rewording of the vision statement, Aberdeenshire Council produced the vision statement for Potterton in consultation with the community council, whose role it is to represent the community. It makes reference to key aspects of the settlement and key policies applying to it, as well as aspirations expressed by the community council. This examination is tasked with ensuring that the proposed plan is appropriate and sufficient and I am satisfied that the statement meets those tests.

12. The amendment to the green belt boundary to the north of Potterton to allow for housing allocations at sites OP1 (Land north of Denview Road) and OP2 (Land north-west of Denview Road) from the green belt for housing development is contested in several representations.

13. Scottish Planning Policy states that planning authorities, in developing their spatial strategies, should identify the most sustainable locations for longer-term development and, where necessary, review the boundaries of any green belt.

14. As the current green belt circles tightly around the settlement, the proposed plan removes green belt status from roughly 10 hectares of farmland on the northern edge of the built up area to accommodate housing allocations on sites OP1 and OP2. This has been done without a comprehensive review of green belt boundaries because the council states that its resources did not allow for this to take place, prior to publication of the proposed plan. Its Issues and Actions Paper therefore recommended that, in preparing the plan, very minor changes to the green belt boundary should be made to account for any recommendations arising in the paper for amendments to settlement boundaries. The change of boundary at Potterton has been made on that basis.

15. As the council points out, the purpose of green belts is not to prevent development but to ensure development is directed to appropriate locations. Scottish Planning Policy indicates that green belts are intended to support the spatial strategy in three specified ways. Taking these in turn, for the reasons set out below in my examination of sites OP1 and OP2, I am satisfied that they represent an appropriate location for new housing and, by providing for community facilities and affordable housing, they would support regeneration.

16. The sites have the potential to improve the village edge by landscaping and using a

woodland backdrop; the land for development comprises undulating grazing fields without significant landscape or biodiversity merit (other than a triangle of ancient woodland, which would be retained), and, with appropriate attention to detail, could protect and provide access to open space. The surrounding landform, vegetation and existing built development contain this location from wider views.

17. I note that the more sensitive area of green belt to the south of Potterton, which separates it from Aberdeen, would not be affected. There would be incremental change to the green belt, but this would take place in a planned way. Whilst it is not ideal for a green belt boundary to be changed without a comprehensive review process, I consider that this limited amendment is justified and in accordance with Scottish Planning Policy guidelines.

18. The request for an extension of the green belt towards Belhelvie would be a matter for consideration in any subsequent comprehensive review of the green belt and not for this examination.

Flood Risk

19. The Scottish Environment Protection Agency's (SEPA) requests the removal of the second "Flood Risk" bullet point, additional text under the first bullet point, and the removal of text requiring a buffer strip. These are agreed to, in the interest of consistency and to avoid repetition. I recommend a modification accordingly.

20. I am satisfied that SEPA's description of a "small watercourse" in the first bullet point under "Flood Risk" is accurate and requires no change.

21. Sites OP1 and OP2 would sit within the settlement boundary, as amended. SEPA has assessed the allocated sites in relation to flood risk and raised no objection in principle. It would not be appropriate to indicate that these sites were unsuitable for development on the grounds of flood risk. As I do not recommend the deletion of the OP1 and OP2 allocations, there is no justification to remove the "Flood Risk" section.

Services and Infrastructure

22. I agree that a drainage impact assessment should be added as a possible requirement in the Services and Infrastructure section of the settlement statement.

23. With respect to the water treatment works serving Potterton, Scottish Water has indicated that it will initiate a growth project once development meets its criteria, and therefore any drainage constraint to development can be overcome. No change is required.

24. As I do not recommend the deletion of the OP1 and OP2 allocations, there is no justification for removing the Strategic Transportation or the Strategic Drainage and Water Supply sections in the settlement statement. No change is required.

Site OP1 – Land north of Denview Road and site OP2 – Land north-west of Denview Road

25. Site OP1 is a new allocation for 172 homes and community facilities on the north-

eastern edge of the village, comprising open farmland and a triangular area of woodland. The Den Road marks part of the north-eastern boundary of the site. Site OP2 is a new allocation for 61 homes on the northern edge of the village. It comprises an agricultural field located immediately to the west of site OP1 and separated from it by Manse Road. The proposed plan removes these sites from the green belt and extends the settlement boundary to include them.

26. A number of representations claim that new allocations in Potterton are unnecessary because nothing has changed in recent years. However, a new strategic development plan was approved in August 2020. This requires land sufficient for 3,065 homes to be identified in the Aberdeen Housing Market Area (which includes Potterton) for the period up to 2032. In practical terms, recent years have seen access to the strategic road network improved substantially with upgrading of the A90, completion of the Aberdeen Western Peripheral Route (AWPR) and construction of a grade-separated interchange between those two roads, including a link via the Den Road into Potterton. These improvements enable Potterton to capitalise on its proximity to Aberdeen, to industrial developments around Dyce and to the Strategic Growth Area (SGA) corridor, as well as on its position within the Energetica corridor. I am therefore satisfied that the new allocations are justified.

27. Other representations refer to massive developments being planned or underway in nearby settlements as rendering new housing allocations at Potterton unnecessary. However, the same reasoning applies and the council has identified the sites at Potterton to contribute to the “allowance” required by the strategic development plan.

28. It is argued that the OP1 and OP2 allocations should be deleted and replaced by an alternative allocation within the Balmedie Primary School catchment area in order to meet the strategic allowance in the SGA. In Issue 2, we have concluded that the proposed allocations in Potterton do not lie within the Aberdeen to Peterhead SGA, as the council has argued. However, the position taken by the strategic development plan is to provide guidance that allocations within each housing market area should be focussed on SGAs rather than to set any specific target. In practical terms, the housing allocations at Potterton would be provided in a location, which now possesses attributes equivalent to those of settlements within the SGA. I also note that the council, in its schedule 4 response, contemplates including Potterton within the SGA in a future plan.

29. Some representations maintain that the allocations in Potterton would need to comply with policy R1 (Special Rural Areas), which specifies opportunities for small-scale development in the green belt and would therefore disqualify OP1 and OP2. However, because the proposed plan amends the green belt to exclude the relevant land, policy R1 does not apply to the new allocations.

30. Several representations challenge the scale of development proposed for Potterton, including on the basis that it exceeds local needs. Indeed, I note that, in the Issues and Actions Paper, officers advised that with the allocation of site OP1, Potterton would have enough land for local housing needs during the plan period without the allocation of site OP2. However, the Formartine Area Committee decided to add site OP2 to the allocations, apparently after taking into account evidence regarding delivery periods (see below).

31. I consider that this matter needs to be understood in context. I am informed that no

housing allocations have been made in the village for over a decade and during that period its population has declined, with consequent loss of support for local services and facilities. On the other hand, the accessibility of the village has changed significantly in recent years following completion of the AWPR and upgrades to the A90. The Den Road to the north of site OP1 now links directly to the junction of those two roads at a distance of roughly two kilometres, giving easy access to the city and to towns and villages nearby. Whilst Potterton does not lie within a Strategic Growth Area, it is included in the Energetica Corridor and, as stated in paragraph 5.14 of the proposed plan, is one of a number of settlements where smaller developments have been added to promote that designation. Whilst the village has a number of local facilities at present, the addition of new housing and community facilities has the potential to improve the viability of those facilities, and to provide support for others such as the recently approved retail units at the rear of the Stead Inn. The community council has no substantive objections, subject to measures being taken with respect to school provision, medical provision, road infrastructure and bus services. Although recognising that this issue has divided local opinion (with substantial numbers of representations on both sides), I am satisfied that the proposed scale of growth is justified.

32. OP1 and OP2 are proposals of medium size and are not subject to major or intractable constraints. Moreover, it is evident from the number of bid site proposals in Potterton that this is an area of considerable interest to housebuilders. Consequently, the two sites offer the prospect of early delivery to help meet housing need.

33. With regard to the location of the allocations, they would help to create a compact built form and to link the east and west areas of the village. They would be located close to the recently approved retail units adjacent to the Stead Inn and to planned community facilities on site OP1, as well as to other existing facilities in the village. The resulting scale of development should help to improve the viability of these facilities as well as the necessary infrastructure improvements, including to public transport services.

34. The landscape setting of the sites is defined by rising landform to the west, north and east of the allocated land together with the presence of woodland to the north-east. These would have the effect of containing views of any development to the more immediate surroundings. The area around Potterton does not fall within a Special Landscape Area, which involves an assessment of merit, (it is included in a Landscape Character Area but this is simply a description of landscape characteristics with no reference to merit). Concern is expressed at potential harm to the visual amenity and character of the village. However, I consider that development of the sites would offer opportunities for landscaping and internal pedestrian linkages, which could improve those aspects. These would be considered at masterplan and planning application stages, in relation to the relevant policies of the plan.

35. The proposed allocations would result in a compact urban form rather than the sprawl which is alleged. This and the presence of green belt designation on all sides of the village would prevent coalescence with other settlements. Intervening distance, landform and vegetation would protect Mill of Potterton from coalescence or impact on its character. The proposed pattern of development cannot be characterised as ribbon development, as this describes a band of development one property deep lining a road which extends into open countryside.

36. It is contended that additional housing allocations are not needed to meet housing

supply needs because the housing land audit 2019 indicates a supply of land sufficient for 7.2 years, which is well in excess of the five year requirement. This is a matter which we address in Issue 5, to which reference should be made. Furthermore, maintaining a five year effective supply is only part of the overall consideration of housing need. Table 3 in the strategic development plan sets out the housing allowances which require to be met through the allocation of sites in this local development plan.

37. Whilst it is correct that the audit shows no completions for Potterton between 2020 and 2030, the audit only includes sites which are part of the established supply, and not sites which are being considered to be added to the supply. Therefore the proposed allocations do not show up in the future completions columns. As to the contention that the audit takes no account of the impact of the Covid-19 pandemic, the implications of the pandemic on the proposed plan are considered in our conclusions on Issue 002 (The Spatial Strategy), to which reference should be made.

38. It is argued that sites OP1 and OP2 do not satisfy the definition of effective housing land in respect of five criteria in Planning Advice Note 2/2010. Firstly, with respect to ownership, site OP1 includes a parcel of ancient woodland which is stated to be outwith the ownership or control of Barratt, the prospective developer. Barratt would therefore be unable to incorporate the woodland into the open space provision, as required in the allocation statement. Secondly, it is maintained that neither site is free from physical constraints in that they are both subject to flood risk. Thirdly, the council has confirmed that the sites are potentially contaminated, and the Interim Environmental Report for the Main Issues Report indicates that the Potterton Burn adjacent to Milton of Potterton and through Potterton House grounds has tested as contaminated. Fourthly, in relation to marketability, the strength and stability of the housing market in Aberdeenshire is questioned given the impacts of the Covid-19 pandemic, Brexit and over-reliance on oil and gas in the local economy.

39. Last, the representation identifies several infrastructure constraints. The local road network is stated to be in poor condition and lacking capacity, whilst public transport provision is poor. In the Issues and Actions Paper, SEPA recommended that all development be restricted until implementation of the Scottish Water Growth Project, for which there is no firm date. The Balmedie school is forecast to be over capacity by 2024. No medical facilities would result from the allocated sites.

40. Taking the above points in turn, I have been provided with no evidence as to the ownership of the woodland or that the owner is unwilling to release that area to form part of the development. Moreover, Barratt's submission indicates that the woodland would be "safeguarded and integrated within the masterplanning of the site to ensure it remains a key asset to the location". The physical constraints criterion in Planning Advice Note 2/2010 allows that where there is solid commitment to removing the constraint in time to allow development timeously, or the market is strong enough to fund the remedial work required, the site can be regarded as effective. In this case, based on documentation from Barratt, I consider that there is sufficient commitment to remove the flood risk constraint, including by use of sustainable urban drainage systems. The potential of contamination was assessed at site bid stage as not being a major constraint to development of the site, any risk being capable of management through policy P4 (Hazardous and Potentially Polluting Development and Contaminated Land). The argument on marketability is not particular to Potterton and, considering the proximity of the village to the city and to other sources of employment, together with the number of site

bids around the village, claims for its marketability are credible. Improvements to transport infrastructure, including roads and public transport, would be required as determined by a Transport Assessment, taking all the settlement allocations into account. I have no grounds to assume that this would be inadequate or unfeasible.

41. Whilst it is argued that there are already sufficient affordable homes available in the settlement, that claim is not supported by evidence, including to show that there would continue to be sufficient affordable homes throughout the plan period. Moreover, that position does not accord with the assessment of the Aberdeen and Shire Housing Need and Demand Assessment 2017, as discussed in Issue 006 (Shaping Homes and Housing).

42. The proposed plan contains policies which allow for self-build housing and for ecological housing, and some sites within the plan would be suitable for those types of provision.

43. Some representations point to examples of homes in various locations failing to sell over months or years and questioning the need for new allocations. However, the proposed plan is required to allocate sufficient housing land for the full plan period up to 2032 to satisfy the “allowances” set out in the strategic development plan. Over that time, the housing market can be expected to experience changes in demand, but the local development plan must take a longer view.

44. There are concerns that the proposed allocations would bring no benefits to the local community. However, the provision of community facilities as part of the allocation at site OP1 would be for the benefit of all Potterton residents. The 25% provision of affordable housing on each site could help local households on lower incomes. The new housing may require improvements to the local road network, to the benefit of the wider village community. Reversing the recent population decline should increase custom at local facilities, improving their viability. Indeed, the recently approved application for retail units at the Stead Inn cited potential development at sites OP1 and OP2 in its support. Improved links between the Kirkhill and Denvie areas should help to integrate the east and west areas of the village. Furthermore, there is the potential for new landscape planting to improve biodiversity by comparison with that of agricultural fields. Improving the viability of existing services is considered a benefit of new development, rather than a justification for it.

45. There is no evidence that the proposed housing would harm the local/rural economy, as claimed, and the likelihood is that new residents would bring extra custom to local businesses. Housebuilding itself is likely to benefit the local economy by investment and providing jobs.

46. Concerns have been expressed regarding impacts on the local road network from expansion at Potterton. I note that, in its concept masterplan, Barratt North Scotland proposes alterations to the network, including a through road between Manse Road and the Den Road, thereby avoiding a sharp turn at the junction further north on Manse Road. As stated in the strategic transportation section of the settlement statement, road impacts would require to be addressed as part of a route assessment covering the B999 corridor to Bridge of Don and the C-class road corridor north-east of the site to the AWPR junction, which would identify potential improvement works. The location of this site would make it less likely that the traffic generated would go through the village to use the B999. Moreover, for traffic from other parts of the village, it would have the potential for

easy access to the AWPR.

47. Some representations identify shortcomings in the present road network and bus services. However, a Transport Assessment would be required for both sites at planning application stage to determine impacts on the wider area and infrastructure requirements. Road infrastructure provision is covered under the services and infrastructure section of the settlement statement and would be the subject of developer contributions for upgrades, as necessary. It is maintained that increased traffic generated by the development would limit active travel by making roads too unsafe to use. This view does not take account of potential improvements to road safety incorporated into any network improvements or the requirement for active travel provision, which I am recommending.

48. The Development Planning and Management Transport Appraisal Guidance report makes no reference to developments at Potterton because it focusses on key settlements, principal sites and the main transport corridors. Potterton was not selected as a key settlement for that purpose.

49. As surface water affects a large part of both sites, a Flood Risk Assessment would be required, including for any necessary remediation. I note that SEPA has assessed both sites and requested changes to the allocation summaries, but has not objected to the principle of development on the sites. The flood protection measures proposed for site OP1 are criticised for focussing on the site and not on nearby property, notably Woodside Cottage. However, the analysis of the bid document, at Table 1, identified that development of site OP1 offered the opportunity of flood risk alleviation.

50. Scottish Water has been consulted with regard to wastewater treatment and has indicated that a growth project would be initiated once development meets its five growth criteria. It has requested additional text in the strategic drainage and water supply section of the proposed plan to indicate that a drainage impact assessment might be required to address drainage issues. These matters do not therefore represent barriers to development.

51. The fact that the settlement statement does not indicate a requirement for additional secondary school capacity has been questioned. In its schedule 4 response, the council has indicated that the Bridge of Don Academy is not anticipated to go over capacity within the forecast period to 2026. This matter has been assessed by the council's Learning Estates Team, which is satisfied that no requirement is needed in the statement. Nonetheless, policy RD2 (Developer Contributions) states that the need for any contributions will be reviewed at the time of each planning application. This could include contributions towards secondary school provision, if justified.

52. There are no employment land allocations in Potterton itself. However, the presence of significant allocations at Blackdog and easy access to other employment land to the south mean that new housing at Potterton would contribute to the Energetica vision.

53. I do not accept claims that the allocation sites fail to align with the spatial strategy of the strategic development plan. As I have concluded above, they would have the potential to enhance quality of life, help meet the needs of the local community and be well connected to employment opportunities.

54. Transferring Potterton's housing allocations to Balmedie would add to the three

existing strategic allocations in Balmedie and result in an unbalanced provision. Reduction in the scale of the sites or change to mixed use would not be necessary or justified, as such changes would remove or dilute the benefits of the existing allocations as set out above.

55. I consider that the settlement statement is sufficient without specific reference to contamination and that its inclusion would not be consistent with other settlement statements. References in the allocation summaries to biodiversity, housing design, core paths, connectivity and ancient woodland should be retained, in order to inform necessary discussions at masterplan and planning application stages. The amount of detail provided in the allocation summary regarding the gravel path link between Kirkhill Gardens and the Stead Inn, and on the site's merits are sufficient for the purposes of the local development plan. A more detailed description of the masterplan requirements for Woodside Cottage is requested to reassure the owners of the cottage that the amenity of the cottage would be taken into account in any development. However, this is a matter which can be addressed in the masterplan, as can the amenity of other residential properties abutting the site. A request for 61 homes to be set as a maximum capacity on site OP2 would be inconsistent with the rest of the proposed plan, which provides indicative capacity figures on all sites and leaves details of numbers to development proposal stage. I agree with the council that sufficient detail of the site's attributes has been provided in the site allocation summary.

56. With regard to concern that Potterton would become a commuter settlement, a small amount of employment is available within the village, major business development is proposed at Blackdog, a bus route serves the village, and public transport infrastructure is required as part of any development on the two sites. Moreover, working from home is encouraged under policy P3 (Infill Developments within Settlements and Householder Developments (including home and work proposals)) in the proposed plan.

57. With regard to concerns over increased car use and carbon emissions affecting climate change, the council carried out site assessments which it acknowledges weighed car dependency against other, positive, aspects of the sites to achieve a balanced position, as it is entitled to do.

58. The proposed allocations would not result in the loss of any green space usable by the public nor would they impact on local path networks. Instead, they would require provision for open space and active travel. The proposed sites are not located within the Green Network. The Strategic Environmental Assessment showed that both proposed allocation sites would have an overall positive or neutral impact following mitigation.

59. It is claimed that the allocated sites comprise or include prime agricultural land, which should be protected from development. The council asserts that this is not correct, and I note that the agricultural land classification map submitted in support of the claim is small scale and not a field level assessment. However, in line with policy PR1 (Protecting Important Resources), I consider that were there to be any loss of prime agricultural land, it could be justified as being required to meet strategic housing needs where there are no reasonable alternatives.

60. A representation refers to historical and archaeological interests at or near the site including pit alignments and enclosures, a stone circle and signs of medieval ridge and furrow farming. Woodside Cottage is included on the Canmore website as a cottage

(period unassigned). However, Historic Environment Scotland has raised no concerns with respect to historic sites or remains, or to the Potterton House Designed Landscape. The potential for impact on historical and archaeological remains was considered at site assessment stage and any remaining impacts and need for protection would be addressed at planning application stage, subject to planning conditions as relevant.

61. I consider that concerns regarding infrastructure, including roads, public transport, school provision, waste water treatment, health care and local services, could be covered by developer contributions as required by the services and infrastructure section of the settlement statement, which notes developer contributions to be made for improvement of these facilities. In this respect, representations are correct that infrastructure constraints to development still exist but, through requirements imposed in the proposed plan, mechanisms would be put in place to address those constraints. I have no clear evidence to demonstrate that these are not feasible.

62. The details of community facilities and provision for sports, recreation, waste, recycling and health care provision, either on the allocation sites or elsewhere within the parish, would require to be determined at masterplanning and planning application stages, in accordance with the services and infrastructure section of the settlement statement and with policy on developer contributions. The viability of providing a community hall on the site is questioned in one of the representations. However, as the council explains, provision of a site for a hall would address the community's wish and be appropriately located, as development at the site would be well connected to the rest of the settlement, including by the footpath network. Moreover, the requirement for community facilities to be included in the OP1 allocation is supported in the representation on behalf of Barratt North Scotland, who submitted the bid for the site.

63. A construction management plan would address any issues of pollution in connection with construction. The timing of infrastructure requirements would be negotiated between the council and developers where a legal agreement was required to secure that infrastructure. Various investigations and assessments still require to be undertaken for the proposed developments, but these would relate to details of specific schemes and require to be considered later in the planning process, as normal.

64. House design (including vernacular traditions, suburban influences and the sense of place and character of Woodside Cottage), the amenity and privacy of neighbouring properties, the delivery of required road improvements, access points for the sites and road safety, footway extensions and connections, active travel routes, provision of trees, shrubs and grassy areas and the potential for allotments, are matters for consideration at masterplanning and planning application stage, in line with the site allocation summaries and plan policies.

65. The increases in site density over those in the bid submissions reflect the council's consistent approach to apply a standard density of 25 homes per hectare on sites within the Aberdeen Housing Market Area. I consider this approach to be in line with paragraph 4.8 in the strategic development plan, which states that "Land brought forward for housing must be used efficiently". Furthermore, the figures are indicative and would be subject to consideration at planning application stage.

66. The Wester Hatton landfill site near Balmedie is roughly one kilometre from the allocated sites and has been closed for some years. The possibility of contamination on

sites OP1 and OP2 was assessed at bid stage and no major constraint was found. Any remaining contamination issue would be managed at detailed proposals stage through policy P4 on contaminated land.

67. It is argued that the area of ancient woodland within the site is private land outwith the ownership of the proposed developer and that it should be removed as a provision for open space and protected as a sensitive landscape. However, land ownership is not a matter for this examination and the details of land use within the proposed site, including protection of ancient woodland, would be addressed in the masterplan.

68. It is claimed by local residents that development would pose an unacceptable risk to red squirrels, bats, badgers and foxes on or near the allocated sites and that the sites are used as hunting habitat for buzzards and owls. No concern regarding impact on wildlife from development of the sites is expressed in the consultation response from NatureScot. Moreover, the Strategic Environmental Assessment scored the impact on biodiversity, flora and fauna of sites OP1 and OP2 as neutral and did not single out wildlife impacts for reference in its comments column. I have no contrary assessment of the impact of development on wildlife by relevant experts, which would justify the deletion of the sites. At masterplanning and planning application stages, development proposals would be assessed against the relevant plan policies for wildlife and habitat impact, including the need for any mitigation measures.

69. SEPA has requested that references to a watercourse in the allocation summary for site OP1 are removed as there appears to be no watercourse present on the site. In the interest of accuracy, I recommend that this modification is made.

70. NatureScot has requested that the allocation summaries for sites OP1 and OP2 include a requirement for active travel provision. I agree that this would help promote active travel on these allocations and recommend modifications accordingly.

71. Representations are made relating to the council's consultation process. This has been the subject of a separate examination of conformity with the council's participation statement. Through this, we have concluded that the authority consulted on the proposed plan and involved the public in the way they said they would in their participation statement.

72. It is stated that the developers' site bid forms omitted a possible legal right of way in connection with the Woodside Cottage water pipe and water well. However, the council states that any impact on development proposals on rights of way was considered at site assessment stage. It would be for the resident to pursue any legal claims separately from this examination process. Criticisms of documents submitted by developers, maintenance of roads and pathways, and policing matters are not within the remit of this examination. Loss of private view is not in itself a planning consideration.

73. I conclude that allocations OP1 and OP2 should be retained in the plan. Subject to minor amendments in relation to the wording of the allocation summaries, no other modifications are recommended.

Non-allocated bid site FR037A – Land at Gourdieburn, and non-allocated bid site FR037B – Land at Gourdieburn

74. Bid site FR037A (Land at Gourdieburn) is a flat agricultural field of some two hectares on the western edge of Potterton. It lies between the B999 road and Gourdie Park road and is bounded to the west and south by the Blackdog Burn beyond which lie open fields. There is a small area of housing to the north of Gourdie Park road and a car sales unit facing the B road. The proposer (Stewart Milne Homes) has submitted a masterplan for the development of 45 homes on the site. There are also representations objecting to this bid proposal.

75. Bid site FR37B (also described as Land at Gourdieburn) is a gently sloping field of some 4.5 hectares on the southern edge of the village, partly bounded by residential and employment uses and partly by open countryside. The same proposer has submitted a masterplan for 90 homes on the site.

76. The proposer considers that the sites could be developed independently or brought forward together, in place of sites OP1 and OP2.

77. I consider that allocating site FR37A to the west of the B999 would result in housing which would be relatively detached from the rest of the village. The bulk of the village and its facilities lie on the opposite side of the B999. I agree with the council that it is better for the B999 to pass by Potterton rather than through it, to retain the coherence of the present settlement and to avoid potential road and pedestrian safety issues. The site is set in an open landscape where its visual impact would be widespread, especially on the approach by road from the south. Development would have a detrimental effect on landscape character and the site is located within the green belt, where such proposals are contrary to policy.

78. Compared to site FR037A, site FR037B is better integrated with the village and is not divided from facilities by the B999. There are mature trees on some boundaries, although the site is clearly visible from the B999 to the south-west, from where views of the church and manse are currently visible. However, because of its orientation, it would project a finger of development into open countryside, amplifying its visual impact and intruding into the more sensitive area of green belt between Potterton and Aberdeen.

79. For the reasons set out above, I have concluded that allocations OP1 and OP2 are acceptable and together they represent an appropriate level of growth for Potterton in the period up to 2032.

80. Matters relating to overall housing provision in the proposed plan are covered in issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Sites in Potterton could potentially contribute to meeting this shortfall. However, for the reasons set out above, I conclude that bid sites FR37A and FR37B should not be allocated. There are other sites available to meet the identified shortfall, as explained in issue 5.

81. I am, therefore, not persuaded that either individually or together these sites should be allocated, whether in place of sites OP1 and OP2 or otherwise, and no modification is required.

Non-allocated bid site FR104 – Land south of Laingseat Road; Non-allocated bid site FR105 – Land east of Manse Road and non-allocated bid site FR106 – Land east of B999 and north of Potterton

82. Representations seek the removal of these bid sites. However these sites have not been identified as allocations in the proposed plan and there are no representations seeking their inclusion in the plan. No modification is required.

Non-allocated bid site FR120 – Land north and south of Gourdie Park (Site A); non-allocated bid site FR121 – Land north of Gourdie Park (Site B); and non-allocated bid site FR122 – Land north of Gourdie Park (Site C)

83. These sites are large agricultural fields located to the north and south of Gourdie Park on the west side of the B999 road. FR120 is proposed for 450 homes, 750 square metres of retail and land for education/community facilities. FR121 is proposed for 109 homes, 750 square metres of retail and land for education/community facilities.

84. In this open landscape, development would be prominent from several directions. It would have an adverse effect on the landscape setting and character of Potterton. The sites lie to the west of the B999, and I agree with the council that it is better for the B999 to pass by Potterton rather than through it, to retain the coherence of the present settlement and to avoid potential road and pedestrian safety issues. The retail and education/community uses could change the orientation of the village and increase connectivity problems. The site is located within the green belt, where such proposals are contrary to policy.

85. For the reasons set out above, I have concluded that allocations OP1 and OP2 are acceptable and together they represent an appropriate level of housing growth for Potterton in the period up to 2032.

86. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Sites in Potterton could potentially contribute to meeting this shortfall. However, for the reasons set out above, I conclude that bid sites FR120, FR121 and FR122 should not be allocated. There are other sites available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, as explained in issue 5.

87. No modifications are required.

Reporter's recommendations:

Modify the local development plan by:

1. Replacing the fifth sentence of the first paragraph of the Vision statement on page 476 with:

“The settlement has a limited number of services, although it has a post office, shop and community hall.”

2. Replacing the first sentence of the second paragraph of the Vision statement on page 476 with:

“The community has a desire for a new community hall in the settlement.”

3. Replacing the first bullet point in the Flood Risk section of the settlement statement on

page 476 with:

“Parts of OP1 and OP2 lie within the Scottish Environmental Protection Agency’s (SEPA) indicative 1 in 200 year flood risk area, or have a small watercourse running through or adjacent to the sites. There are also large areas of surface water flooding on both sites. Flood Risk Assessments will be required.”

4. Removing the second bullet point in the Flood Risk section of the settlement statement on page 476.

5. Amending the Strategic Drainage and Water Supply bullet point on page 477 to add the following sentence after the third sentence:

“A Drainage Impact Assessment may be requested.”

6. Adding the following new last sentence at the end of the second paragraph of the allocation summary for site OP1 (Land north of Denview Road) on page 478:

“Provision for active travel is required.”

7. Removing the second and third sentences in the third paragraph of the allocation summary for site OP1 (Land north of Denview Road) on page 478.

8. Adding the following new sentence at the end of the second paragraph of the allocation summary for site OP2 (Land north west of Denview Road) on page 479:

“Provision for active travel is required.”

Issue 27	Turriff	
Development plan reference:	Proposed LDP, Appendix 7C Formartine, Page 500-508	Reporter: Andrew Sikes
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>PP0051 Brian Milne PP0062 James Mann PP0090 David Mitchell PP0177 Mr and Mrs Duncan PP0195 Damian and Claire Butlin PP0416 Rae Gibbs PP0417 Robyn Clark and Daniel Christie PP0442 Scott Davidson PP0485 Marge Davidson PP0520 Robert Paterson PP0596 Aaron Lorimer PP0620 James Ironside PP0621 James Ironside PP0622 James Ironside PP0727 Harbro Ltd PP0940 Kevin Davidson PP1071 c a s e CONSULTING Limited PP1122 Robert Paterson PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage) PP1331 Linda Grant PP1340 Scott Gove PP1416 Robert Paton</p>		
Provision of the development plan to which the issue relates:	Turriff Settlement Statement	
Planning authority's summary of the representation(s):		
<p><u>Flood Risk</u></p> <p>Scottish Environment Protection Agency (SEPA) has requested for consistency, amendment to the second 'Flood Risk' bullet point to replace reference to buffer strips for site OP1 with stating that Flood Risk Assessments may be required for sites OP1 and OP5 (RD0214.B) (PP1219).</p> <p>SEPA has recommended adding a third 'Flood Risk' bullet point to state that parts of OP3 and R2 are at risk from surface water flooding and a Flood Risk Assessment may be required, for consistency (RD0214.B) (PP1219).</p>		

Site P4 – To protect the open space for recreational use and as forming part of the green-blue network

The area immediately behind the former school, which was formally the school playground, is no longer accessible to the public as a recreational area and should be removed from the designation. The school site has now been sold and is subject to development (PP0596).

Site R1 – For a new cemetery

SEPA has confirmed that they have no issues with the R1 designation (RD0214.B). No modification sought (PP1219).

The R1 site should be included within the settlement boundary and a broader range of uses allowed other than a 'cemetery', for example community facilities. This site should allow for houses along Wellside and Lingasound to be extended along the roadside to screen the new cemetery (PP0621).

Site R2 – Site for the replacement of Markethill Primary School

SEPA has confirmed that they have no issues with the R2 designation (RD0214.B). No modification sought (PP1219).

Site BUS1 – Safeguarded for business uses

SEPA has confirmed that they have no issues with the BUS1 designation (RD0214.B). No modification sought (PP1219).

The BUS1 site should incorporate the land that was identified as OP4 in the 2017 Local Development Plan (LDP), to allow for connectivity to the proposed OP4 site (PP0622).

Site BUS2 – Safeguarded for business uses

SEPA has confirmed that they have no issues with the BUS2 designation (RD0214.B). No modification sought (PP1219).

The site should be removed from the Plan as it is currently occupied by an established business (PP0622).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Adjacent to Wood of Delgaty

Support has been received for the retention of the OP1 site and of the agreed masterplan for the OP1 site within the Plan (PP0620, PP1122), any further alterations of the masterplan would have a detrimental effect to current negotiations with the developer (PP1122) and the requirement to revisit the masterplan might discourage potential developers (PP0620).

SEPA has recommended that the allocation summary for OP1 is amended to state that watercourses on site should, rather than may, be part of the landscaping and open space (RD0214.B) (PP1219).

Changes require to be made to the allocation summary for the OP1 site as reference to community facilities should be removed as this has been removed from the agreed masterplan, along with the possible/future primary school at the request of the Planning Service. It is requested that the requirement for an archaeological survey should be removed as previous assurance had been given that the stone cairn was outwith the development site and would not have to be investigated (PP0620).

A representee notes that 442 of the 450 homes are marketability constrained, with only 31 homes built in the settlement in the last 6 years. The planning permission on site is only for 8 units and has not delivered on site within the 3-year timescale. There is no housebuilder interest. The site is likely to remain constrained throughout the LDP lifetime. The site competes with an existing large-scale allocation in the settlement that has progressed and will be built during the Plan period and no housebuilder will be attracted to OP1 until there is unsatisfied demand. The site has issues with site access and transportation. WWTW issue would require the whole site to have planning permission which there is not demand established for that upfront cost. There is no basis to support confidence that this site will move from the constrained supply within the lifetime of the LDP (PP1071).

Site OP2 – North of Shannocks View

SEPA has confirmed that they have no further flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

Site OP3 – Adjacent to Bridgend Terrace

SEPA has confirmed that they have no further flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

Support is received for the allocation of the OP3 site and the landowner acknowledges the allocation summary text and will carry out the necessary discussions with consultees (PP0940).

Objection was received to the allocation of the OP3 site as the site would spoil the character of the area as it is currently countryside and would look out of place, as it would be in a prominent position and would erode the landscape character and setting of the surrounding area (PP0062, PP0177, PP0416 and PP0417). NatureScot are also concerned about the landscape/visual impact of site OP3 as it relates poorly to the existing main settlement of Turriff. It sits on a flat plateau which is suspended up and physically divorced from the main Burn of Turriff and as the site is challenging no amount of landscape design will improve it (RD0255.B) (PP1300).

The area would cause an unnatural, housing spread into a greenfield area (PP0062 and PP0177) and be contrary to the countryside policies in the Plan (PP0062) and there is no requirement for homes in this area as no employment shall be created from the

development (PP0062).

The development would also cause an increase in traffic in an already busy area and would cause overshadowing, privacy and noise issues for the nearby existing residents (PP0062 and PP0177). NatureScot has requested that consideration is given to how the site will link into and across the Burn of Turriff Valley and the main settlement centre to the north for non-motorised users. Additionally, it is requested by NatureScot that the allocation summary for the OP3 site is amended to include the requirement for active travel provision which will help promote safe and convenient opportunities in accordance with the Plan's aims (RD0255.B) (PP1300).

Additionally, concerns are noted with the increase of water in an already potential flood area, lack of water treatment works and the impact on local water runs and streams, and surface and fluvial flood risk on the surrounding neighbouring properties and for the wildlife (PP0416 and PP0417).

Another representee notes that the site would have a negative impact on the listed building 'Bridgend Farmhouse' as development would erode the countryside surrounding the listed building and change the landscape character of the area. The proposal would overlook and overshadow the listed building (PP0062).

Site OP4 – Adjacent to Broomhill Road/Markethill Industrial Estate

SEPA has confirmed that they have no further flooding, strategic drainage, or water supply issues with the allocation summary for site OP4 (RD0214.B). No modification sought (PP1219).

The requirement for a masterplan for this site would prohibit development and the requirement should be removed from the Plan (PP0622).

Site OP5 – South of Colly Stripe, Smiddyseat Road

SEPA has confirmed that they have no further flooding, strategic drainage, or water supply issues with the allocation summary for site OP5 (RD0214.B). No modification sought (PP1219).

Objection is made to the OP5 allocation as the burn located between the representee's property and the site already floods in heavy rain. The representee has included an Appendix (RD0005.A) in their representation which provides further detail to support their position (PP0051). Another respondent notes the flood risk associated with the site with a particular concern about the run-off from the site to the wildlife in the burn (PP0090).

The site allocation summary for the site should be amended to address issues with density of the site which should be reconsidered, and the area is used for recreation and this should be considered when developing the site (PP0090).

Concerns are noted that due to the elevation that the allocated site would impose on the existing properties it will leave them without privacy and light (PP0051). Another representee highlights that there is a natural dip to access the field at the OP5 site where a burn is located, and additional groundworks would be required which may impact on the drainage of the site (PP1340).

Concerns have been noted regarding the road access to the proposed site as the amount of new traffic in the area would result in a safety risk to residents (PP1331, PP1340 and PP1416) as the road is not wide enough for new traffic, it would need upgraded and widened in order for new development (PP1331 and PP1340). A representee also raised concern that the road at present is inadequate and that the junction separating St Congan's Circle and St Congan's Den is badly designed, and additional traffic will exacerbate the existing safety concerns. Furthermore, the construction of the proposed access road would cause a large amount of disruption to local residents (PP1416). An alternative access to the site should be considered from Smiddyseat Road/Mill of Colp Road (PP1340 and PP1416), which could link into the new distributor road being planned for the east of Turriff. Additional traffic calming measures would also be required for the site including a pedestrian footpath (PP1340). Lack of sewage treatment capacity in Turriff is noted as a constraint to the development of the new allocation (PP1331).

Additionally, a representee notes that part of the land allocated in the OP5 site is garden ground and falls within separate ownership and the site boundary should be amended to reflect this. The representee has included an Appendix (RD0025.A) in their representation which provides further detail to support their position (PP0195).

Site OP6 – Land North of Cornfield Road

SEPA has confirmed that they have no further flooding, strategic drainage, or water supply issues with the allocation summary for site OP6 (RD0214.B). No modification sought (PP1219).

Non-Allocated Site – Bid Site FR074 – Site adjacent to Rosehall

The site should be allocated for residential use as this provides a brownfield development opportunity that is well related to the existing commercial and residential development at Rosehall and is well connected to Turriff. The representee has included an Appendix (RD0122.A) in their representation which provides further detail to support their position (PP0727).

Non-Allocated Site – Site BUS3 (as identified in the LDP 2017) – Safeguarded for a hotel facility

The site should be reinstated in the LDP (PP0442, PP0485, PP0520 and PP0622). The site previously received planning permission for a hotel, but this did not come forward (PP0442 and PP0520), this was not due to the lack of effort and work undertaken behind the scenes (PP0485). Since the lapse of the permission the site has been actively marketed but is limited by the 2017 LDP allocation of a hotel. The site is in a deliverable and prominent location, positioned on the A947 at the edge of the settlement and a future entrance to the OP1 site (PP0442, PP0520 and PP0622) and is thought to be far more suited for business and retail development due to its location (PP0520 and PP0622).

The settlement boundary for Turriff should remain unchanged and include this site within the boundary as per the LDP 2017 (PP0520 and PP0622).

Modifications sought by those submitting representations:

Flood Risk

Modify the PLDP to replace the current text in the second 'Flood Risk' bullet point, "Adequate buffer strips will be required to protect the existing watercourse on site OP1 and due to the presence of a spring close to the site." to "Due to small watercourses running through or adjacent to the site, Flood Risk Assessments may be required for sites OP1 and OP5." (PP1219).

Modify the PDLP to add a third new flood risk bullet point, "Parts of OP3 and R2 are at risk from surface water flooding. A Flood Risk Assessment may be required." (PP1219).

Site P4 – To protect the open space for recreational use and as forming part of the green-blue network

Modify the PLDP to remove the former school playground area adjacent to the school from the P4 designation (PP0596).

Site R1 – For a new cemetery

Modify the PLDP to amend the R1 designation so it is included in the settlement boundary and allow for a broader range of uses (PP0621).

Site BUS1 – Safeguarded for business uses

Modify the PLDP to amend the boundary of the BUS1 site to include the previous OP4 site as per the 2017 LDP (PP0622).

Site BUS2 – Safeguarded for business uses

Modify the PLDP to remove the BUS2 designation (PP0622).

Site OP1 – Adjacent to Wood of Delgaty

Modify the PLDP to amend the fifth sentence in the last paragraph of the OP1 allocation summary to, "Watercourses on site should also ..." (PP1219).

Modify the PLDP to amend the OP1 site allocation summary text to remove the requirement to revisit the masterplan, the requirement for community facilities and the archaeological survey (PP0620).

Modify the PLDP to remove the contribution of 442 homes to the allowances for OP1 Turriff and identify alternative effective allocations in the Local Growth Area of the RHMA, or if marketability constrained, in the AHMA (PP1071).

Site OP3 – Adjacent to Bridgend Terrace

Modify the PLDP to remove the OP3 allocation (PP0062, PP0177, PP0416 and PP0417).

Modify the PLDP to amend the OP3 site and allocation summary by reviewing the landscape and visual impact of the site and how the site will link to the rest of the settlement for non-motorised users (PP1300)

Modify the PLDP to amend the OP3 site allocation summary by adding the following text, "Provision for active travel is required." (PP1300).

Site OP4 – Adjacent to Broomhill Road/Markethill Industrial Estate

Modify the PLDP to remove the requirement for a masterplan on the OP4 site (PP0622).

Site OP5 – South of Colly Stripe, Smiddyseat Road

Modify the PLDP to remove the OP5 allocation (PP0051).

Modify the PLDP to amend the OP5 allocation summary text to address site density, flood risk and the impact on wildlife and loss of recreation area (PP0090).

Modify the PLDP to clarify the impact on the proposed drainage arrangements for the site (PP1340).

Modify the PLDP to clarify infrastructure requirements including the access road and waste water treatment capacity for the development of the OP5 site (PP1331).

Modify the PLDP to amend the OP5 allocation so that an alternative access road is considered and that there is the introduction of traffic calming measures to increase road safety (PP1340).

Modify the PLDP to amend the OP5 allocation so that an alternative access road is considered at Smiddyseat Road (PP1416).

Modify the PLDP to amend the boundary of the OP5 site to remove garden ground (PP0195).

Non-Allocated Site – Bid Site FR074 – Site adjacent to Rosehall

Modify the PLDP to include site FR074 for residential development (PP0727).

Non-Allocated Site – Site BUS3 (as identified in the LDP 2017) – Safeguarded for a hotel facility

Modify the PLDP to include the BUS3 site identified in the LDP 2017 as an opportunity site for business or retail and amend the settlement boundary (PP0442, PP0520 and PP0622).

Modify the PLDP to include the BUS site as identified in the LDP 2017 as a BUS site (PP0485).

Summary of responses (including reasons) by planning authority:

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable

modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site P4 – To protect the open space for recreational use and as forming part of the green-blue network

The area identified by the representee has been sold by the Council's Property Service to an external party. However, when the land was sold to the respective buyer the area of P4 was identified as an area for recreation and open space, as shown at AD0131. In order to change the designation of the land a development bid should have been submitted to the MIR. This would have then allowed for the appropriate assessments to be carried out to consider what uses, if any, were acceptable on the site. It is therefore deemed appropriate for this land to remain under the current designation of P4. No change is required.

Site R1 – For a new cemetery

Comments from SEPA are noted. No change is required.

The requirements for areas being reserved for a new cemetery are looked at and information on settlements requiring additional areas being reserved is provided by the Council's Landscape Services. Additionally, the request by the representee for the R1 designation to be allocated for another use was considered through the Main Issues Report (MIR) as bid site FR020 for 16 homes. This site was not preferred for an alternative use to the cemetery with issues such as a significant negative visual impact and poor connection to the rest of the settlement noted (AD0038.D, page 106). No change is required.

Site R2 – Site for the replacement of Markethill Primary School

Comments from SEPA are noted. No change is required.

Site BUS1 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

A bid site, FR004, was submitted to the MIR for the extension to the BUS1 site where it was considered. The site was not preferred for immediate development as it was noted that development on this site should not be considered until the BUS1 site is developed further (AD0038.D, page 106). It was noted that the site would be a well-connected site in the future once further development has been completed on the BUS1 site.

Additionally, it is considered that there is an appropriate supply of employment land within the settlement and the existing allocations/designations should be developed first before considering any future allocations. No change is required.

Site BUS2 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

The request for the site to be removed is noted however, this is not considered to be necessary. The BUS sites are not allocations for development but are designations to safeguard the area for employment uses. This means that the designation will have no impact on the current employment use. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Adjacent to Wood of Delgaty

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Comments from the representee are noted. No change is required.

As of November 2020, there was no planning application associated with the site. The masterplan for the site was approved in December 2016 and is almost 5 years old. Under policy P1 Layout, Siting and Design, a new measure is introduced for masterplans. The policy states at paragraph P1.2 that once a masterplan is agreed that it shall remain valid for a period of 5 years, unless planning permission for the development has been granted and implemented (AD0041.A, page 47, paragraph P1.2). Therefore, if there is not an implemented consent on the site for the development then the masterplan would need to be reviewed. It is therefore seen as reasonable and appropriate to leave the allocation text as it stands. This means that should a masterplan review be required then all of the issues identified within the allocation summary can be discussed again as the situation could have changed since the initial discussions in 2016. Removing the issues noted by the representee would potentially pre-empt any discussion with the appropriate Service should a masterplan review be required. No change is required.

Additionally, in response to the concerns regarding the housing being constrained is noted. The site is currently constrained within the 2020 Housing Land Audit, but it is worth noting that the constraint is for marketability reasons rather than for anything relating to infrastructure (AD0023, page 113). Marketability is not seen as a reason for the site being removed as markets can change and it is important that there are allocations within the town that meet the local need identified. Please see Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations for further detail on the delivery and effectiveness of housing allocations. No change is required.

Site OP2 – North of Shannocks View

Comments from SEPA are noted. No change is required.

Site OP3 – Adjacent to Bridgend Terrace

Comments from SEPA are noted. No change is required.

Supportive comments regarding the allocation of the site are noted. No change is required.

The concerns highlighting that there is no requirement for homes in the area are noted. Turriff is located within the Rural Housing Market Area (RHMA) within a local growth and diversification area. In accordance with the Aberdeen City and Shire Strategic Development Plan (2020), the settlement is appropriate for a level of growth related to local needs (AD0016, page 23, and paragraph 3.45). The bid received on the site was for residential use and has been allocated for residential use only. Employment land has been allocated on both the OP1 and OP4 site, and there are two BUS sites within the settlement which have been designated to safeguard employment uses. It is therefore considered that there is an appropriate supply of employment land within the settlement.

The concerns relating to the impact of the site in terms of the countryside, wildlife, and the visual impact of the site are noted. The relevant policies, Section 7 Shaping Development in the Countryside, were considered during the site assessment stage and it is considered that this site is an appropriate site to be included in the LDP. Additionally, careful consideration was given to the site during the site assessment stage and wording was introduced into the Proposed Plan relating to the sensitive nature of the site following comments received from NatureScot at the Issues and Actions stage (AD0040.D pages 102-105). The Council believe that the comments noted within the Proposed Plan sufficiently note the complexity of the site and the sensitivity required in developing this site. However, NatureScot still have concerns regarding the site therefore if the Reporter is minded, to make an amendment, then the Council recommend that the allocation summary for OP3 is modified to insert the following text after the second sentence of the first paragraph: "A Landscape and Visual Impact Assessment may be required".

The comments in relation to active travel provision are noted. The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Any impacts on the amenity of neighbouring properties will be addressed at a planning application stage. Additionally, there were a number of concerns relating to this development including waste water treatment works and flood risk. SEPA have responded to the consultation and have noted that they have no additional comments other than those included within the text of the Proposed Plan. Again, these issues would be looked at again in more detail in relation to any planning application on the site. Waste water Treatment Work (WWTW) capacity would not preclude development taking place on the site. It is noted within the allocation summary that capacity at the WWTW would likely require to be increased to accommodate the development. Early engagement with Scottish Water is encouraged to address these issues at an early stage of the development process of this site. Additionally, issues relating to the impact on listed buildings is noted. The impact of a site on listed buildings is one of the assessments completed during the site analysis. Any impact on a listed building, would also be looked at through any planning application that was submitted for the site as the application would be assessed against the relevant policies in the Plan. No change is required.

Site OP4 – Adjacent to Broomhill Road/Markethill Industrial Estate

Comments from SEPA are noted. No change is required.

There has always been a requirement for a masterplan on this site, however it is noted that the requirement was previously for a joint masterplan for a number of the sites within the area. This has been updated through the PLDP and the requirement is now that this

site needs an individual masterplan. This is due to the size of the site, and the requirements to ensure the best possible planning within the area, which in turn ensures good placemaking and a better environment for residents of Turriff. No change is required.

Site OP5 – South of Colly Stripe, Smiddyseat Road

Comments from SEPA are noted. No change is required.

The objections raised in relation to the site are noted. Flood Risk is one of the concerns noted by representees however the site requires a buffer strip for the burn and may require a Flood Risk Assessment (FRA). This will help to ensure that new development will not have an adverse impact on flooding.

The density of all of the sites, including this one, was assessed at the MIR stage to ensure that the sites equated to the best use of land and placemaking. The density of this site was considered, and remains to be considered, as appropriate for this site.

Any impacts on the amenity of neighbouring properties will be addressed at a planning application stage. Additionally, there were a number of concerns relating to infrastructure for this development including road access and waste water treatment works. Looking at concerns relating to access, the Council's Roads Service has not raised any concerns about the allocation. Any requirement for road improvement work or alternative access options would be a matter for the planning application stage. Waste water Treatment Work (WWTW) capacity would not preclude development taking place on the site. It is noted within the allocation summary that capacity at the WWTW would likely require to be increased to accommodate the development. Early engagement with Scottish Water is encouraged to address these issues at an early stage of the development process of this site. No change is required.

A representee notes that an area of land has been included in the OP5 allocation but is garden ground associated with their house. A copy of the Title Deed was included with the representation to note the boundary of the house and garden affected. It is deemed that it would be appropriate to remove this area of land from the allocation to ensure that the allocation only contains land which is able to be developed. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP6 – Land North of Cornfield Road

Comments from SEPA are noted. No change is required.

Non-Allocated Site – Bid Site FR074 – Site adjacent to Rosehall

The Council does not support allocating bid site FR074 for residential development. The bid site FR074, was reviewed through the MIR in order to assess the suitability of the site for development. Within the MIR it was noted that the site was situated within the countryside resulting in the suburbanisation of the countryside (AD0038.D, page 108). Also, the site is located within the area of Rosehall which is not deemed to be a sustainable location as it would result in high car dependency due to the lack of services. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there

is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

Non-Allocated Site – Site BUS3 (as identified in the LDP 2017) – Safeguarded for a hotel facility

The Council does not support allocating BUS3 for business or retail. Although the site was allocated in the LDP 2017 it was noted through the MIR that the site was proposed to be removed from the next LDP (MIR page 104). The site was not put forward as a development bid in response to the Council's call for sites in 2018 so was not considered as such at the MIR stage, nor subject to site assessment and public consultation. Additionally, it is considered that there is an appropriate supply of employment land within the settlement and the existing allocations/ designations should be developed first before considering any future allocations. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the proposed plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the provisions of the proposed plan, or which simply make comments that do not seek modifications to the proposed plan. Therefore, unless these relate to an issue which is unresolved, they are not addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as 'non-notifiable modifications' to the settlement statement. However, where such matters arise from representations made to the proposed plan they require to be considered as part of the examination. I therefore address these as appropriate below.

Flood Risk

3. The Scottish Environment Protection Agency (SEPA) seeks modifications to the 'Flood Risk' section of the settlement statement in respect of sites OP1, OP3, OP5 and R2. I agree with SEPA that the modifications sought would ensure that the issue of flood risk is dealt with consistently throughout the plan. The suggested modifications would also identify the sites at risk of flooding. I conclude that the proposed plan should be modified as sought by SEPA. The modifications that I recommend below, however, omit reference to site OP3, as I have concluded that this allocation should be removed from the proposed plan (see paragraphs 21 to 27 below).

Site P4

4. Site P4 is an extensive area of open space/recreational land within a residential area. It is identified as protected land in the existing plan and forms part of the town's green-blue network. The designation has been carried forward to the proposed plan. The land of interest to the representee once served as a playing field associated with Markethill Primary School before it was replaced with new facilities. The removal of the land from the P4 designation is sought on the basis that it is no longer accessible to the public. As I noted at my site inspection, the former school buildings have been removed to leave a large expanse of hardstanding, while fencing bounds the playing field preventing public

access.

5. More widely, I noted that site P4 sits at the heart of the local community. A number of footpaths pass through the site connecting Knockie Road with Market Street to the east and Meadowbank Road to the north, where the replacement school is located. Whilst there are few trees, the protected land provides a reasonably attractive green corridor through the area.

6. The council has provided me with a copy of a land disposal plan prepared to inform the sale of the site. The plan identifies separately the area once occupied by buildings and the former playing field and specifically notes that the playing field forms part of a 'protected land' designation within the existing local development plan. As such, I am satisfied that the representee was aware of the site's protected land designation when buying the land.

7. Until such time as development proposals come forward for the former school site as a whole, I agree with the council that the playing field should remain part of the protected land designation P4. It is an important area of open space/recreational land, albeit that it is not available for public use at present. It also contributes significantly to local amenity and has the potential to contribute further to improved connectivity throughout the area. Furthermore, its designation as protected land is longstanding. These are all matters for a future planning application to consider. No modification is required.

Site R1: new cemetery

8. A representation considers that the Turriff settlement boundary should be extended to incorporate the site of the proposed cemetery. It also suggests, as the proposed cemetery would not occupy the whole of site R1, a wider range of uses should be promoted by the proposed plan, for example, a crematorium, community facilities (sports field), and housing along the site's frontage to screen the cemetery from view. The council states that it has given consideration to the alternative uses suggested, including residential development, and discounted them on the grounds of their potential adverse landscape and visual impacts. Furthermore, the site is somewhat disconnect from the town.

9. Firstly, I note SEPA does not object to the use of site R1 as a cemetery. There is also agreement between the council and landowner on the extent of land required. Secondly, the potential of housing on the site has been assessed and considered by the council in the Main Issues Report (bid site FR020). While I broadly agree with the council that the site is somewhat remote from the town and that any housing development would be visually prominent, I note the site lies directly opposite site OP2 (land north of Shannocks View), which is allocated in the proposed plan for the development of 227 homes. As such, once built upon, the site will not be as isolated from the built up area of the town as the council suggests. However, notwithstanding its merits or otherwise as a housing site, we conclude in Issue 5 that there is no requirement for additional housing land to be allocated to meet the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032. Whilst the council has not responded to the acceptability of other uses highlighted in the representation, I note that the site is located close to community facilities and that extensive leisure and sporting facilities exist on Queen's Road. No modification is required.

Site BUS1: safeguarded for business uses

10. The existing local development plan shows three BUS sites and three business allocations in Turriff, only three of which are included in the proposed plan. A representation seeks an eastward extension of site BUS1, to incorporate the 1.7 hectare site which is identified as allocation OP4 in the existing local development plan and was included as bid site FR004 in the Main Issues Report. Site FR004 is located to the north of allocation OP4 in the proposed plan (identified as allocation OP5 in the existing plan) and is currently in agricultural use.

11. The representee considers that the inclusion of bid site FR004 as part of site BUS1 would allow better connectivity between BUS1 and OP4. As I noted at my site inspection, the estate is for the most part occupied and in active use. However, the eastern portion of site BUS1 remains undeveloped.

12. The council has explained that site FR004 has been allocated as employment land for many years, but there has been no developer interest. Given the availability of some undeveloped land within site BUS1 and allocation OP4 to the south, I agree with the council that it is unlikely to be required during the plan period.

13. I have not been provided with evidence to show how the inclusion of site FR004 would improve connectivity between sites BUS1 and OP4, or that the sites cannot be developed separately. I note that the Main Issues Report indicates that site FR004 may be suitable for development in the longer term, once existing allocations are completed. However, this would be a matter for a future local development plan to address. No modification is required.

Site BUS2: safeguarded for business uses

14. BUS2 is presently occupied by a car showroom/workshop and car parking areas. A representee argues that the designation should be removed as the site has been successfully developed. However, as the council correctly notes, BUS2 is a land use designation that safeguards its future use for employment uses. No modification required.

Site OP1: land adjacent to Wood of Delgaty

15. A representee argues that the site is ineffective and is likely to remain so throughout the lifetime of the plan due to market constraints. He suggests that the site should be removed from the proposed plan and replaced with effective sites of equivalent capacity to address the resulting shortfall. The council comments that the site should remain part of the proposed plan as market conditions can change and that it is important to allocate sites to meet local demand.

16. Table 3, Appendix 6 of the proposed plan identifies site OP1 as contributing 442 houses towards the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032. In response to a further information request (FIR008), the council has indicated that development is unlikely to commence until the completion of site OP2 (land north of Shannocks View) in 2027. It has also indicated that site OP2 has a programmed build-out rate of 30 to 40 homes per year and that the highest build-out rate that could be expected in Turriff would be 40 to 50 homes per year. Taking account of the information provided by the council, I consider it reasonable to expect site OP1 to become effective during the plan period. However, if development was to commence on the site in 2028, with an average completion rate of 40 homes per year, its contribution to

the strategic development plan allowance would only be around 200 homes, not 442 as indicated in the proposed plan. I therefore do not expect the site in its entirety to be deliverable by 2032 and conclude that only 200 homes should be counted as contributing to the strategic development plan allowance.

17. Other than a marketability constraint, I have not been made aware of any other issue that would prevent development coming forward on the site. Also, the landowner states that discussions are ongoing with developers and an approved masterplan is in place to guide its development.

18. For these reasons, I conclude that the site should be retained as a housing allocation and no modification is required to allocation OP1. However, given that only a proportion of the site is expected to contribute towards meeting the strategic development plan allowance in the period up to 2032, a modification to the relevant table in Appendix 6 is required. The implications of deducting 242 homes from the allocations identified as contributing to the strategic development allowance for the Rural Housing Market Area are addressed in Issue 5.

19. Representations seek the removal of the requirement to review the approved masterplan for the site if development has not commenced by the time that the proposed plan is adopted (anticipated second half of 2022). However, in light of the council's response above, the terms of Policy P1 (layout siting and design), and the absence of planning application(s) being lodged to progress development of the site, I consider it reasonable to review the proposals and requirements of the approved masterplan, as deemed appropriate. I note that the masterplan was approved in 2016, meaning that a review is already overdue. No modification required.

20. SEPA seeks a modification to the allocation summary to clarify that watercourses on the site should be used to link open spaces, enhance biodiversity and leisure opportunities; it seeks the use of the word 'should' rather than 'may'. I note that the council is content to modify the proposed plan as sought. Given the context within which the modification is sought, I agree that the final paragraph of the allocation summary should be modified to read 'Watercourses on the site *should* be included in these'.

Site OP3: land adjacent to Bridgend Terrace

21. A number of representees seek the removal of site OP3 from the proposal plan; citing adverse impacts of new development on rural character, residential amenity, nature conservation interests and essential infrastructure. Whilst the council notes local concerns, it comments that the landscape and visual effects of future development and impacts on essential infrastructure would be considered in the context of future planning applications.

22. As I observed at my site inspection, the site occupies a visually prominent location; it sits atop rising farmland at the south-west edge of the town beyond the existing settlement boundary. Mature trees and hedgerow partly screen the site when seen from Bridgend Terrace. The site is clearly visible, however, from Queen's Drive to the north, over the Burn of Turriff river valley, and on the approach to the town along the B9024 from the west, from where it appears apart and somewhat disconnected from the town. Also, when seen from the west, apart from the aforementioned trees and hedgerow, there is little to contain the site. On these matters, I agree with the comments of NatureScot, which considers the site to be visually prominent and poorly related to the settlement. It

adds, given the challenges of developing the site, no amount of landscape design would improve it [development]. I also agree with comments expressed in representations that development would erode the rural character of the area. I note that the strategic environmental appraisal records that development of the site would have an overall negative impact due to its scale and location. It also records the presence of endangered species (red squirrel) on and adjacent to the site.

23. The site has been the subject of development interest in the past. I have not been presented with evidence of that interest and why it was not pursued but note the general comment in the Main Issues Report that a previous proposal was unsympathetic in its approach to sustainability. With regard to the present proposal, the council claims to have carefully considered the potential visual impacts of development and its effects on the countryside, wildlife and a nearby listed building. However, I find nothing in the allocation summary, the Main Issues Report or the Issues and Action Paper, which identifies specific mitigation measures required to address these concerns, those of NatureScot or the findings of the strategic environmental appraisal. Rather, the allocation summary merely lists the assessments required to support a planning application; to which I have been invited to add a requirement for a landscape and visual impact assessment. While the representation lodged by the landowner notes his commitment to address these matters, it does not contain firm proposals to mitigate the impacts of development.

24. On the basis of the evidence before me, the sensitivity of the site and my own observations, I am not convinced that the potential landscape and visual effects of development are capable of being suitably mitigated. As such, I find the requirement for a landscape and visual impact assessment to support future proposals is an inadequate response to the concerns of NatureScot; the site is open and visually prominent and such an assessment should have informed the preparation of the proposed plan. It would be inappropriate to leave consideration of this matter to a future planning application once the principle of development had been established through the plan. Accordingly, I conclude that site OP3 should be removed from the plan on the basis that development would have adverse landscape and visual effects and erode the rural character of this part of Turriff.

25. The site is identified as contributing 40 houses towards the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032. However, for the reasons outlined above, and given the availability of a number of other housing sites in Turriff, I do not consider that the benefits, in terms of meeting housing need, would outweigh the adverse impacts resulting from development on this site.

26. I recommend that the plan is modified to remove allocation OP3 from the Turriff settlement statement, key map and map 1. The settlement boundary for Turriff should revert to that shown in the existing local development plan at this location. A modification to the relevant table in Appendix 6 will also be required to delete the entry for Turriff OP3. The implications of this deletion for the overall housing land provision are addressed in Issue 5.

27. In light of my recommendations above, I do not need to address the representations of SEPA and NatureScot, which sought modifications to the allocation summary.

OP4; land adjacent to Broomhill Road

28. Site OP4 is currently allocated as employment land in the existing local development

plan. Given the site's prominence on the approach to the town, the need for structural landscaping to minimise the visual effect of development, the requirement to co-ordinate access from the A947 with that to serve site OP1, and to safeguard core paths, I consider that it is appropriate to guide the development of the site through the preparation of a masterplan. No modification required.

Site OP5: South of Colly Stripe, Smiddyseat Road

29. A representee seeks the removal of the site from the proposed plan, while others seek modifications to the allocation summary and site boundary. The council argues that the site should remain part of the proposed plan and the issues raised by representees are all matters that can be appropriately addressed at the planning application stage, including site density, vehicular access, drainage and flood risk mitigation.

30. As I noted at my site inspection, Balmellie Road/ Smiddyseat Road divides the site; creating a small triangular parcel of land to the east and a large and more developable area of land to the west. The Colly Stripe (a burn) bounds both parts of the site immediately to the north, beyond which lies relatively new housing. I consider the site well-connected to the settlement, readily accessible, and that development would not give rise to unacceptable landscape or visual impacts. Accordingly, I consider that site OP5 should remain part of the plan.

31. I do, however, note the concerns of residents regarding flood risk, drainage and effects on amenity. On these matters, the allocation summary highlights the need for future development to address flood risk and provide buffer strips adjacent to a restored burn, which should assist in reducing the risk of flooding to lower lying garden grounds to the north and west. It also notes the requirement to address a deficiency in waste water treatment facilities and the council's expectations with regard to the provision of vehicular access and footpaths. Finally, works to address these matters will inform the amount of development appropriate for the site in the interests of safeguarding residential amenity. I agree that these are all matters that can be addressed in detail in the context of a planning application, as suggested by the council. No modification is required.

32. A resident of St Congans Den seeks a modification to the site boundary to exclude an area of privately owned garden ground, as shown in document RD0025.A. The council's response suggests that this is as a result of a mapping error and I agree that the boundary of site OP5 should be amended to exclude the area of rear garden ground. A modification is recommended below.

Rosehall

33. A representation lodged on behalf of Harbro Ltd promotes the development of two sites at Rosehall; one to the west (bid site FR074) and one to the north-east of a cluster of existing houses. Due to an error, the council only considered and assessed one of the sites, namely bid site FR074. The main focus of the representation, however, is land lying to the north-east of Rosehall, which has been the subject of development interest in the past. I consider both sites in turn below, which are subject to the same policy considerations.

Non-allocated Bid Site FR074 – site adjacent to Rosehall

34. The site lies in the countryside. It is separated from Turriff by a significant green corridor through which the River Deveron and Burn of Turriff flow. Although once

recognised as an 'identified settlement' in which organic growth was supported, the council now considers it to be an unsustainable location in which to promote new development; future residents, like existing residents, would be highly dependent on their cars to access services and facilities to meet their daily needs. The representation does not explain why the site should be allocated for residential development or indicate how it might be developed.

35. I agree with the council's assessment of the site; while close to Turriff, the settlement is not well connected to the town, contains no services to support development and would lead to the suburbanisation of the countryside. Also, the strategic environmental assessment comments that its development would have an overall negative impact on the landscape, amongst other things. Furthermore, as we conclude elsewhere in this report, sufficient land has been identified in the Rural Housing Market Area to meet identified needs in the period to 2032. No modification to the proposed plan is required in response to the representation.

Non-allocated Bid Site: land located north-east of Rosehall

36. The site is located to the north-east of Rosehall. It is bound by a number of agricultural and commercial storage buildings to the south, a golf course to the north and west and fields to the east. The representee describes the site as 'brownfield' due to its former agricultural business use. The site received planning permission for a mixed-use development comprising residential, industrial and business uses in 2007. The planning permission subsequently lapsed and the site is not a feature of the existing local development plan. Owing to an administrative error, the site was not appraised as part of the strategic environmental assessment of the proposed plan or Main Issues Report. The representee, however, subsequently addressed the Formantine Area Committee to promote its case; stating that the site's development would meet local housing need.

37. As I note above in relation to site FR074, Rosehall is not well connected to the town, despite the footpath connection through the golf course referred to in the representation. Accordingly, prospective residents would be highly dependent on private cars to access services and facilities to meet their daily needs. Development would also lead to the suburbanisation of the countryside. In addition, as I noted at my inspection, the site is mostly in agricultural use and cannot be regarded as brownfield land. Finally, as we conclude elsewhere in this report, sufficient land has been identified in the Rural Housing Market Area to meet identified needs in the period to 2032. For these reasons, I conclude that the site should not be included in the proposed plan. No modification is required in response to the representation.

Non-allocated Site BUS3 (as identified in the existing plan) – safeguard for hotel

38. The existing local development plan safeguards the site for a hotel (BUS3), which at the time of its preparation reflected an extant planning permission; the planning permission has since lapsed. Accordingly, in the absence of a bid to promote the site for alternative uses, the proposed plan has redrawn the settlement boundary to exclude the site. The co-owners of the site seek modifications to the proposed plan to include the site within the settlement boundary and its promotion for business and retail development; no indicative proposals have been lodged in support of such proposals. Despite being previously allocated for development, the council does not support the representees' proposals, noting that sufficient employment land has been allocated in Turriff. The council does not address the acceptability of retail uses on the site.

39. The site lies at the north-east edge of Turriff immediately adjacent to site OP4, which is allocated for business development. It also lies opposite site OP1, a mixed-use allocation that incorporates employment land. Together, sites OP1 and OP4 allocate 14.5 hectares of employment land in Turriff. On this basis, and given that the site has not been assessed for its suitability for business use as part of strategic environmental assessment of the proposed plan, or proposals presented for public consultation, I agree with the council that it would be inappropriate to allocate the site for business use. No modification is required.

40. With regard to retail use, there is no indication from the representation of the type or form of retail use envisaged. As I noted at my site inspection, the site lies well-beyond the defined Turriff town centre, in which the proposed plan supports new retail development and other frequently visited uses. Retail development promoted elsewhere requires to be supported by a sequential assessment that demonstrates that all town centre, edge of centre and other commercial centre options have been considered and discounted as unsuitable or unavailable. The representation is not supported by such an assessment. Furthermore, as with the suggested business use, a retail use on the site has not been subject to strategic environmental assessment or public consultation. For these reasons, I conclude that the site should not be allocated for retail use. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

1. Replacing the second bullet point under the heading 'Flood Risk' on page 501 with:
 "- Due to small watercourses running through or adjacent to the sites, Flood Risk Assessments may be required for sites OP1 and OP5."

2. Adding the following new third bullet point under the heading 'Flood Risk' on page 501 with:
 "- Parts of site R2 is at risk from surface water flooding. A Flood Risk Assessment may be required."

3. Amending the entry for Turriff OP1 in the relevant table in Appendix 6, to replace the figure '442' with '200' in the second last column titled "Local Growth RHMA". (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

4. Replacing the fifth sentence of the final paragraph of the allocation summary for site OP1 (adjacent to Wood of Delgaty) on page 503 with:
 "Watercourses on the site should be included in these."

5. Deleting allocated site 'OP3: land adjacent to Bridgend Terrace' from the Turriff settlement statement on page 504, Key Map on page 506 and Map 1 on page 507, and amending the settlement boundary at this location to that shown in the existing local development plan.

6. Deleting the entry for Turriff OP3, from the relevant table in Appendix 6 for sites in the Rural Housing Market Area. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

7. Amending the boundary of allocation OP5 (South of Colly Stripe, Smiddyseat Road) on the Turiff settlement maps on pages 506 and 508 to exclude the area of garden ground shown on document RD0025.A.

Issue 28	Other Strategic Growth Area Settlements – Balmedie, Belhelvie, Blackdog, Foveran and Rashierieve Foveran	
Development plan reference:	<p>Proposed LDP, Appendix 7C Formartine, Page 390-397 Proposed LDP, Appendix 7C Formartine, Page 400-404 Proposed LDP, Appendix 7C Formartine, Page 405-408 Proposed LDP, Appendix 7C Formartine, Page 435-440 Proposed LDP, Appendix 7C Formartine, Page 481-483</p>	Reporter: Malcolm Mahony
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Balmedie PP0081 John Forsyth PP0138 Ritchie Cattanach PP0202 B and J Dawson PP0272 Scottish Water PP0878 The Woodland Trust Scotland PP0884 Formartine Rural Partnership PP0935 Stewart Milne Homes PP0950 Bancon Homes PP0962 Belhelvie Community Council PP1012 ANM Group, Aberdeenshire Council and CHAP Group (Aberdeen) Ltd PP1062 c a s e CONSULTING Limited PP1096 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1224 Trump International Golf Links Scotland PP1300 NatureScot (Scottish National Heritage)</p> <p>Belhelvie PP0027 Rodney Hoare PP0041 Terence Bryan PP0067 John and Mary Anderson PP0078 Nicholas Wade PP0106 Nicholas Wade PP0114 Gemma McCaig PP0138 Ritchie Cattanach PP0151 Louise Watt PP0158 Ian Nicholson PP0161 Marta and Pawel Rynkowski PP0167 Mr Anderson PP0178 David Johnstone PP0236 David Stokes PP0255 John Boyd-Gorst PP0272 Scottish Water PP0306 Alan Maclean PP0317 Angus Kessack</p>		

PP0319 Douglas Smith
PP0375 A Moir
PP0456 Scotia Homes Ltd
PP0458 Janina Clarkson
PP0605 Janina Clarkson
PP0606 Graham Cadger
PP0635 Leith Properties (Aberdeen) Ltd
PP0660 Graeme Fergusson
PP0661 Kelly Thow
PP0803 Graham Cadger
PP0951 Graham Cadger
PP0962 Belhelvie Community Council
PP1155 Neil Mathieson
PP1219 Scottish Environment Protection Agency
PP1300 Nature Scot (Scottish Natural Heritage)

Blackdog

PP0002 Blair Paton
PP0083 Thomas Sanders
PP0086 Liana Badan
PP0115 Carol Ritchie
PP0159 Jacqueline Forbes
PP0267 Alan and Moyra Neave
PP0443 Ricky Greenhowe
PP0636 Leith Properties (Aberdeen) Ltd
PP0962 Belhelvie Community Council
PP1028 Stuart Fraser
PP1219 Scottish Environment Protection Agency
PP1241 Nestrans
PP1399 Ashfield Land (Aberdeen) Ltd

Foveran

PP0038 Allan Sangster
PP0066 David and Jennifer Niven
PP0112 David Hoare
PP0113 David Hoare
PP0182 Ian Stott
PP0837 Harper and Cochrane
PP1025 Nicole Allan
PP1219 Scottish Environment Protection Agency
PP1232 Blairythan Partnership
PP1234 Ian Ross
PP1235 Ian Ross
PP1236 Ian Ross

Rashierieve Foveran

PP0272 Scottish Water
PP0894 Ian Ross
PP1181 Graham Brown
PP1219 Scottish Environment Protection Agency
PP1233 Ian Ross

PP1234 Ian Ross	
Provision of the development plan to which the issue relates:	Balmedie Settlement Statement Belhelvie Settlement Statement Blackdog Settlement Statement Foveran Settlement Statement Rashierieve Foveran Settlement Statement
Planning authority's summary of the representation(s):	
<p>Balmedie</p> <p><u>General</u></p> <p>A representee has proposed extending the settlement boundary to the northeast, up to site P2 [at North Beach Road]. It was argued that the settlement boundary is not clearly defined in this location, and the boundary shown in the PLDP Settlement Statement is somewhat artificial as there are a number of existing properties to the north east of the settlement that are located between the settlement boundary and the southern edge of site P2. It was suggested that amending the settlement boundary to be contiguous with the southern boundary of site P2 and include two fields provides a more robust settlement boundary, contained within the existing woodland setting and protecting this, while also allowing for modest development within the settlement in close proximity to the village core and services and facilities. Additionally, this benefits Balmedie's status as a key settlement in both the Energetica Corridor and the Aberdeen to Peterhead Strategic Growth Area and providing a different offering to the very large-scale developments proposed to the south and that at Menie to the north. The representee has included two Appendices (RD0007.A and RD0007.B) in their representation which provides further detail to support their position (PP0081).</p> <p>Belhelvie Community Council has raised concerns over the addition of approximately 1,800 homes in the whole Community Council area, Belhelvie, Balmedie, Blackdog and Potterton. They highlighted that this, will place pressure on existing facilities such as Balmedie Primary, medical facilities, lack of public transport and also the road infrastructure network with its capacity to cope with the additional traffic and the safety concerns that it would also bring (PP0962).</p> <p>A representee has highlighted that the only route between settlements mentioned is the proposed Ellon-Balmedie strategic cycle route which is mentioned in Balmedie. Its extension to Bridge of Don is mentioned in Ellon. However, this is not an entirely new construction nor is it off-road for between Foveran Roundabout and Balmedie Junction, it follows the old A90. No modifications sought (PP0884).</p> <p><u>Site R1 – Reserved for community uses</u></p> <p>Scottish Environment Protection Agency (SEPA) has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation for site R1 (RD0214.B). No modification sought (PP1219).</p> <p><u>Flood Risk</u></p> <p>SEPA has requested amending the 'Flood Risk' bullet point for consistency to state that</p>	

small watercourses run through or adjacent to the OP1 and OP3 sites, there is also a surface water flood risk on site OP3, and that Flood Risk Assessments may be required (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Scottish Water has requested that within the 'Strategic drainage and water supply' bullet point that additional text is added after the current sentence to note that a Drainage Impact Assessment may be required (PP0272).

The Main Issues Report (MIR) notes insufficient capacity at Balmedie Waste Water Treatment Works (WWTW) and that Scottish Water will initiate a growth project. The respondent queries as to how the costs of this fall between the developer and the taxpayer (PP0138).

Site OP1 – Land at Balmedie South

SEPA has recommended that for site OP1 that the sentences referring to the FRA and enhancement of watercourses are brought up the paragraph in the allocation text and sit after the sentence referring to the green-blue network (RD0214.B) (PP1219).

A representee has stated that the OP1 site is in shared ownership between ANM Group and Aberdeenshire Council. Support for the Vision and the OP1 allocation is noted and there is a commitment to work together to produce a masterplan in conjunction with OP2 to allow these sites to work towards delivery. A change is requested in terms of text relating to access off Eigie Road. The representee was unaware of any detailed engineering assessment that has been carried out on the feasibility of access from the new trunk road roundabout. Through obtaining planning permission a detailed Transport Assessment would be prepared, which is noted as a requirement in the Settlement Statement. It was stated that including the comment regarding the access is premature and prejudices any outcomes from the engineers (PP1012).

The representee requested a further change to the wording of the allocation summary in relation to transportation and the sentence regarding the bus stops. It was again thought that the current wording prejudices the outcome of the required Transport Assessment and future discussions with the Planning and Transportation Services (PP1012).

A representee notes that the site is a constrained site as noted in the 2019 HLA and has not delivered housing as originally anticipated. The owner/developer declined to participate in the joint masterplan with OP2 which has now separately been masterplanned and has planning permission. There has been no planning application submitted in the past 7 years and it would be inappropriate to be confident in its delivery within the Plan period given the shortfall in delivery of sufficient land in the AHMA, contrary to SPP. The constrained supply at the base date of the Plan should not count towards the allowances and should the constraint be lifted during the Plan period it will become available to augment the new effective allocations (PP1062).

NatureScot has suggested amending or removing wording in the allocation summary for

site OP1 in Balmedie to avoid suggesting that planning controls on construction and operation are necessary to mitigate an adverse effect on integrity of the Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA). NatureScot advised that while mitigating drainage impacts through planning controls on construction and operation may be required by the Council, this mitigation is not necessary to avoid an adverse effect on the integrity of these designations (RD0255.B) (PP1300).

Site OP2 – Land South of Chapelwell

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

NatureScot has suggested amending or removing wording in the allocation summary for site OP2 in Balmedie to avoid suggesting that planning controls on construction and operation are necessary to mitigate an adverse effect on integrity of the Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA). NatureScot advised that while mitigating drainage impacts through planning controls on construction and operation may be required by the Council, this mitigation is not necessary to avoid an adverse effect on the integrity of these designations (RD0255.B) (PP1300).

Site OP3 – Menie

A representee has welcomed the updates made to the allocation summary to reflect the decision of the Council, in September 2019, to resolve to approve the revised development. No modification sought (PP1224).

SEPA has requested that the allocation summary for site OP3 states that a Flood Risk Assessment may be required should development proposals be revised or extant permission lapse (RD0214.B) (PP1219).

A representee has objected to the inclusion of the OP3 site as it is likely to cause damage and/or loss to areas of ancient woodland. Removal of woodland is contrary to SPP paragraph 216 and 218 and also contrary to the control of Woodland Removal Policy (RD0161.A) (PP0878).

Belhelvie Community Council have raised concerns about the potentially heavy volume of construction traffic through the village during the construction phase of the development and increase in commuter traffic through the village upon completion. This would cause health and safety issues within the village and put undue pressure on the south exit to the A90. The development should incorporate a grade separated junction onto the A90 north of Balmedie (PP0962).

A representee has requested, for clarity, deleting the words “the first” from the second last sentence in paragraph two so that it begins with, “As part of this permission, 2 phases (Chapters 1A & 1B) were granted with full details...”, as the exact timing of each phase of the development has not yet been finalised and there is potential for more than one Chapter of housing to be built at a time. The representee noted that Condition 2 of the approval requires a phasing plan to be submitted with the first application for approval of

matters specified in conditions therefore it is considered to be best, and consistent with the approval, to remove any reference to timing of the phases from the statement in the LDP (PP1224).

A representee has disagreed that site OP3 is “environmentally sensitive” and requested this statement is removed from the allocation summary. The Council’s screening opinion for the proposal acknowledged that the site was not a “sensitive area” as defined in regulation 2(1) of the Town and Country (Environmental Impact Assessment) (Scotland) Regulations 2017. It was also suggested that paragraph four of the allocation summary was amended to clarify the position in relation to impacts on the SPA (i.e., no adverse impact) as without doing so could result in misunderstandings in relation to the legal tests set out in the Habitats Regulations (PP1224).

Changes should be made to the allocation summary (fifth paragraph) in relation to affordable housing in the interests of clarity. The current wording could lead to confusion in relation to whether any contribution will be by way of a commuted sum or on-site delivery. The amendment makes it clear that the default position, as requested by the Council’s Infrastructure Services (Housing) Team, will be a commuted sum, while acknowledging the potential to consider on-site delivery as part of phases for which detailed approval is still to be obtained (PP1224).

Non-Allocated Site – Bid Site FR022 – Land at Millden

A representee has requested that bid site FR022 be allocated in the PLDP for 400 homes, site for a primary school, community facilities and mixed employment uses. The site is served by existing and direct access to the grade separate junction on the A90, the existing trunk sewer is located at this junction and Scottish Water have surveyed for a new trunk water main to pass the existing road in West Balmedie, therefore there are no substantial constraints to this site. This is unlike the Potterton allocations, and there will be very limited vehicular impact due to the direct access to the primary transportation route.

There are the beginnings of a settlement in West Balmedie including a school, businesses and residential properties. The Settlement Statement recognises the local community concern on the need to identify a site for school provision. Local community and Councillors expressed concern in two previous LDP consultations about the school. The existing school is nearing the end of its lifecycle and requires maintenance interventions. Existing allocations in the catchment despite the core capacity of the school being exceeded with no possibility of extending due to access/safety constraints.

It is estimated that 1,200 homes in the catchment will be completed during the lifetime of the Plan therefore due to the timescale to deliver a new school there is a need to respond to this requirement within this LDP. Bid site FR022 has direct vehicular access for pupils throughout the catchment with pedestrian/cycle links already in place for Balmedie and links to Potterton and Belhelvie could be formed. Bid site FR022 complies with the principles of SPP paragraph 28 and 29, does not have protected designations and a masterplan is underway with a POAN submitted. Progress on the masterplan has been slowed by the Planning and Environment Service with advice received that there is no mechanism to approve/consider it. Other bids around Balmedie do not have the connectivity to the A90 or are as free from traffic impacts as FR022. Compared to Potterton it is difficult to discern whether any competent assessment of the deliverability of

bid sites have been undertaken. The representee has included an Appendix (RD0193.A) in their representation which provides further detail to support their position (PP1096).

Non-Allocated Site – Bid Site FR089 – Land at Keir Farm

A representee supported the allocation of FR089 as it would likely come forward with a commitment to support commercial and education facilities. The site should be prioritised as it is a more sustainable solution for any existing housing shortage (PP0138).

A representee has raised concern with the non-inclusion of site FR089 Keir Farm. A representation was made in response to the Main Issues Report that there was concern about the delivery of large sites in the Blackdog to Peterhead strategic growth corridor and that FR089 should be allocated rather than reserved, as noted in the Main Issues Report. There are concerns about the delivery of the recently approved 550 homes at Menie. Cromleybank, Ellon has been projected for 980 homes by 2031 despite not having been delivered in a decade. OP1 Balmedie is noted in the 2019 HLA as being constrained but has been allocated for an enlarged capacity. These sites total 1,610 homes meaning that new allocations are essential in this corridor. A masterplan for FR089 was submitted including the possibility of a primary school. The site lies within the bounds of the new B977 which would serve as a long-term defensible boundary. There is an underpass connection beneath the A90 and vehicular connection by the road network via the grade separated junction. The masterplan could deliver a high-quality expansion of the settlement. The site is in single ownership and control and is deliverable, meeting the effectiveness tests within the circular (PP0950).

Non-Allocated Site – Bid Site FR116 – Land at Blairton

Land at Blairton, FR116, was submitted for a bid for development of 1,650 private and affordable residential dwellings on 105.1ha of land was proposed. The site was identified within the Main Issues Report as 'Reserved'. Alongside residential and community uses the development framework identified a mixed-use area. In response to the inadequate allowances, it is requested that the Plan is modified to allocate land at Blairton for both a development in the period 2020 to 2032 of 850 homes, but also as strategic reserve for the remaining 800. This is a deliverable site in the short-term, and with confidence in the investment in the necessary infrastructure will support the delivery of the Spatial Strategy of the SDP. The representee has included an Appendix (RD0178.A) in their representation which provides further detail to support their position (PP0935).

Non-Allocated Site – New N014 – Land at Southfolds Farm

A representee proposed the allocation of a new site for commercial and residential development incorporating bid site FR128. The site can either be developed as a standalone development or together with FR089. It is proposed through the masterplan included with the submission that the commercial development would be on the area subject to noise impact due to the A90(T) and B977 and in an area where it is visually prominent to encourage passing trade. The remainder of the land would be for residential development delivered in phases over the next 10 years. The reasons for not allocating FR089 and FR128 should be reconsidered. Accessibility concerns have been overcome by the completion and opening of the new A90 (T) roundabout. Connectivity with Balmedie can be achieved if the proposed site is developed as a comprehensive expansion of the settlement and supplementing the existing underpass with other

crossings and links. There will be loss of prime agricultural land but only on part of the site, prime land has already been lost in the area due to road works. It is also noted that impact on the landscape character can be addressed by screen planting to overcome visual impact where it is required, otherwise the land is largely hidden from view by the topography. In relation to infrastructure, it is noted that flood risk can be mitigated by SuDS, waste water drainage provision can be achieved by a developer led growth project and education provision can be supported in combination with FR089. The representee has included an Appendix (RD0028.A) in their representation which provides further detail to support their position (PP0202).

Non-Allocated Site – New Site N019 – Land east of North Beach Road

The representee proposed the allocation of 10 homes east of North Beach Road, which could potentially include self-build plots. More development should be considered in Balmedie as it is described as a key settlement in both the Energetica Corridor and the Aberdeen to Peterhead Strategic Growth Area and it will play an important role in delivering strategic housing and employment allowances. There is a need for smaller allocations to ensure a suitable mix of places, including a mix of house types and tenures, which could provide an opportunity for self-build houses, as supported in Garioch Area Committee meeting (on 3 September 2019 it was stated that the Local Development Plan should encourage self-build opportunities, which this site could deliver), the PDLP does not include any small sites in Balmedie, a small allocation would be consistent with the Proposed Strategic Development Plan 2018, which states allocations should be small in nature, and it would have no significant impact on the housing allowances and as the allocations are indicative, actual homes built could be less. N019 scores positively against the Council's site assessment criteria with a number of examples noted. The representee has included two Appendices (RD0007.A and RD0007.B) in their representation which provides further detail to support their position (PP0081).

Belhelvie

General

There is a lack of public transport facilities in Belhelvie. No modification sought (PP1155).

Belhelvie Community Council has raised concerns over the addition of approximately 1,800 homes in the whole Community Council area, Belhelvie, Balmedie, Blackdog and Potterton. They highlighted that, this will place pressure on existing facilities such as Balmedie Primary, medical facilities, lack of public transport and also the road infrastructure network with its capacity to cope with the additional traffic and the safety concerns that it would also bring (PP0962).

Two representees have objected to the removal of the green belt around Belhelvie (PP0236 and PP0255).

Site R1 – Reserved for a future Community Centre

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the R1 designation (RD0214.B). No modification sought (PP1219).

The R1 site reserved for a future community centre is inaccessible to pedestrians. No

modification sought (PP0114).

The designation of the R1 site should be removed as there is planning permission to build a house on the site, APP/2019/0334 (PP0458, PP0605, PP0803 and PP0951). Development of the housing has been delayed due to technical matters with the electricity pole and Covid-19 (PP0605). It is also not seen how this can be a community facility when there is a business on the site that has been there for a number of years which employs local people (PP0606, PP0803 and PP0951). There has also been no contact from the Council with regards to the designation of the site (PP0951).

Flood Risk

SEPA has recommended, for consistency, to add site OP2 to the 'Flood Risk' bullet point as there is an FRA requirement in the allocation text (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Clarification was sought on how costs will be split to fund the growth project at Balmedie WWTW (PP0138).

Scottish Water has requested under the 'Strategic drainage and water supply' bullet point that the following wording is inserted so the third sentence reads, "Scottish Water will initiate a growth project, should demand from committed development exceed available capacity and will instigate this on receipt of the 5 Growth Criteria from a developer. A Drainage Impact Assessment may be requested. Early engagement ..." (PP0272).

It was requested by a representee that the wording is amended in terms of developer obligations to strategic transportation requirements so that they are linked in scale and kind to the proposed development. It is requested to amend wording to change "contributions will be required" to "may be required" and insert at the end of the first sentence "...if this is directly related to the scale of development being proposed and has been confirmed by way of a Transport Assessment of the proposed development" (PP0456).

Site OP1 – East End of Park Terrace

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation/designation summary for site OP1. No modification sought (RD0214.B) (PP1219).

Site OP2 – Land at Cairntack (East)

Support has been expressed for the allocation of site OP1. No modification sought (PP0635).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

A number of representees have objected to site OP2. The site will increase the number of cars and create a thoroughfare which would affect public safety (PP0067, PP0138, PP0660 and PP0661). There is also a lack of pavements in and out of the village which would put people at risk (PP0660 and PP0661). There is also poor public transport within Belhelvie meaning people would be mainly car reliant (PP0067, PP0138, PP0660 and PP0661), which in turn will not align with reducing climate emissions (PP0138). It would also be an unsuitable location for affordable housing due to the level of car dependency (PP0660 and PP0661).

There is a lack of amenities in the settlement (PP0067, PP0138, PP0660 and PP0661) and the development would result in the loss of wildlife (PP0067, PP0138, PP0660 and PP0661). Development would also have a negative visual impact on the settlement and would not be proportionate or sympathetic to the needs of the settlement (PP0138, PP0660 and PP0661).

The site will have an impact of additional traffic on Cairn View. Access should be provided from Cairntack Road (PP0114). Work would have to be carried out to improve the roads so they could handle additional traffic and careful consideration would be needed to ensure the most appropriate road design for the new developments (PP0660 and PP0661). Issues of amenity in terms of overshadowing and overlooking are noted as a concern (PP0138, PP0660 and PP0661).

Balmedie Primary School is overcapacity and cannot accommodate further pupils and there is no provision in the PLDP for further school facilities (PP0138, PP0660 and PP0661). Other infrastructure concerns are also raised including surface water flooding issues (PP0138, PP0660 and PP0661), insufficient capacity at the WWTW in Balmedie (PP0660, PP0661) and the impact on the heath centre (PP0660 and PP0661). Additionally, there are no commitments in terms of local infrastructure and amenities from this development (PP0660 and PP0661).

NatureScot has requested that the allocation summary includes a requirement for active travel provision in the context of the shared access strategy with OP1 and OP3, as this would help promote safe and convenient active travel opportunities which is in keeping with the PLDP aims (RD0255.B) (PP1300).

NatureScot has suggested amending or removing wording in the allocation summary so as to avoid suggesting that planning controls on construction and operation are necessary to mitigate adverse effects from drainage, visitor pressure and impact on geese grazing grounds, on the integrity of the Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA). NatureScot advises that while mitigating drainage impacts through planning controls on construction and operation may be required by the Council, this mitigation is not necessary to avoid an adverse effect on the integrity of these designations and that the proposal itself would not adversely affect the integrity of these sites (RD0255.B) (PP1300).

Site OP3 – Land to the East of Cairn View

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

Support has been received for the inclusion of the site, on the basis of the site being a logical extension to the settlement and provides opportunities for open space and landscaping improvements, other public benefits and help meet the planning objectives for Belhelvie. No modification sought (PP0456).

Support has also been received for the site, but it is noted that the OP3 site would more accurately be described as Land at Cairntack (East), therefore swapping the names for OP2 and OP3. The representee has included an Appendix (RD0072.A) in their representation which provides further detail to support their position (PP0456).

A number of representees have objected to site OP3 (PP0027, PP0067, PP0078, PP0138, PP0151, PP0158, PP0167, PP0178, PP0306, PP0317, PP0375, PP0660 and PP0661). It was stated that the site for an additional 49 homes would add too much traffic onto Cairntack Road and affect pedestrian safety (PP0027, PP0078, PP0138, PP0158, PP0167, PP0317 and PP0375). A representee considered that the issue of increased traffic could be resolved through removal of the proposed loop road (PP0138). More infrastructure is required including a corner shop and pavement connectivity to Potterton and Balmedie (PP0375, PP0660 and PP0661). The pavements are also risky during the winter months (PP0375). The development would also affect the character of the settlement (PP0027, PP0138, PP0151, PP0660 and PP0661). Additionally, access should be reconsidered and the loop road at Carin View might be able to resolve the situation and footpaths are required between the sites to allow pedestrian access (PP0158) and would increase the volume of traffic by 200 cars (PP0375).

The site will increase the number of cars and create a thoroughfare which would affect public safety. There is also poor public transport within Belhelvie meaning people would be mainly car reliant (PP0067, PP0078, PP0138, PP0158, PP0167, PP0178, PP0306, PP0317, PP0375, PP0660 and PP0661), thus reducing the sustainability of the development (PP0167) and increasing climatic factors caused by the development (PP0306). It would also be an unsuitable location for affordable housing due to the level of car dependency (PP0660 and PP0661).

The roads between Belhelvie and the A90 are unclassified, narrow and poorly maintained and with the cumulative impact of the development in Belhelvie and Potterton will have a negative impact on the local road network (PP0167) which are prone to flooding and unsuitable for heavy vehicles (PP0375). Work would have to be carried out to improve the roads so they could handle additional traffic and careful consideration would be needed to ensure the most appropriate road design for the new developments (PP0660 and PP0661). Sites in other towns should be prioritised as they have existing transport links to Aberdeen (PP0078).

There are, a lack of amenities in the settlement (PP0067, PP0078, PP0138, PP0158, PP0167, PP0178, PP0306, PP0375, PP0660 and PP0661) and the development would result in the loss of wildlife (PP0067, PP0138, PP0158, PP0167, PP0178, PP0306, PP0660 and PP0661), loss of habitat (PP0306) and the loss of green belt land (PP0151). The development would also result in the loss of irreplaceable prime agricultural land (PP0306). If development does go ahead more tree planting should be required (PP0151). Development would also have a negative visual impact on the settlement and would not be proportionate or sympathetic to the needs of the settlement (PP0138, PP0306, PP0660 and PP0661).

Balmedie Primary School is over capacity and will not be able to support more residents from Belhelvie (PP0078, PP0138, PP0158, PP0178, PP0306, PP0317, PP0375, PP0660 and PP0661). The PLDP needs to highlight a commitment in respect of school facilities (PP0078 and PP0138). It is also unclear if consideration has been given to the increased pressure on pre-school and nursery facilities as a result of the development (PP0078 and PP0375). Issues of amenity in terms of overshadowing and overlooking are noted as a concern (PP0138). Other infrastructure concerns are also raised including surface water flooding issues (PP0138, PP0660 and PP0661), drainage issues (PP0158 and PP0306), insufficient capacity at the Balmedie WWTW and put added pressure on health care (PP0078, PP0167, PP0178, PP0375, PP0660 and PP0661). It is also thought that it is not a suitable location for affordable housing due to there being no employment opportunities within walking/cycling distances and no affordable housing currently exists within the settlement (PP0317).

Aberdeenshire Council was committed to improving the Green Environmental standards of these areas, this proposal would have an extreme adverse effect on the Belhelvie village from the destruction of green areas to the creation of extra roads and drainage systems this project would surely require (PP0178).

NatureScot requests that the allocation summary for site OP3 in Belhelvie includes a requirement for active travel provision in the context of the shared access strategy with OP2, as this would help promote safe and convenient active travel opportunities which is in keeping with the Proposed Plan's aims (RD0255.B) (PP1300).

Site OP1 – East End of Park Terrace, Site OP2 – Land at Cairntack (East) and Site OP3 – Land to the East of Cairn View

Belhelvie Community Council has indicated that they have no signification objection to theses site as it appears a natural extension to the settlement but are aware that some residents are concerned about extending the village due to the lack of services and poor road infrastructure. No modification sought (PP0962).

The three sites would double the size of the settlement (PP0106). The local roads are not adequate for the scale of the development proposed through the OP1, OP2 and OP3 site (PP0041, PP0078, PP0161 and PP0319), particularly in the winter months as the roads are not gritted (PP0161). The sites would also increase parking issues in the area and the bus service is insufficient in the area. It is also noted that a loop-road would not be possible from Cairntack through to Cairn View (PP0041 and PP0138). There is already an increased noise and light pollution from the new dual-carriageway and the roads in and out of the village are only B class (PP0236 and PP0319).

There are also insufficient amenities (PP0041, PP0078, PP0106, PP0161 and PP0319) and infrastructure to support new development including waste water and water supply (PP0041, PP0078 and PP0236), health care (PP0161), and leisure facilities (PP0161). Additionally, there are no local employment opportunities within the settlement (PP0106 and PP0138). This all results in an unsustainable settlement for new development (PP0236).

Development in Belhelvie would destroy the countryside and impact on the wildlife and the open space within the settlement. Brownfield sites should be development before

green belt sites (PP0236).

There are no good roads or bus links to Aberdeen. Other settlements in the area, Potterton and/or Blackdog would be better suited to accommodate new housing developments (PP0106, PP0138 and PP0319). Development in Belhelvie would put pressure on existing services whereas the 500 homes in West Balmedie would likely come with services therefore making it a more sustainable solution for development (PP0660 and PP0661). The sites also do not meet the 'well connected' criteria of successful places (PP0319). Climate change mitigation should be paramount and increasing allocations in Belhelvie will increase commuter traffic contradicting this objective (PP0138, PP0236 and PP0319).

Contributions to local transport infrastructure, primary education, community facilities and sports and recreation must be a requirement of prospective developments (PP0114). It is also unclear if consideration has been given to the increased pressure on secondary and pre-school capacity as a result of the development (PP0138). There is also no commitment to the upgrading of commercial facilities in the PLDP for facilities in the area (PP0138). Balmedie Primary School is at capacity and cannot take new pupils, also the bus stop for pupils is small and could result in safety issues (PP0161 and PP0319).

Blackdog

General

Belhelvie Community Council has raised concerns over the addition of approximately 1,800 homes in the whole Community Council area, Belhelvie, Balmedie, Blackdog and Potterton. They highlighted that this, will place pressure on existing facilities such as Balmedie Primary, medical facilities, lack of public transport and also the road infrastructure network with its capacity to cope with the additional traffic and the safety concerns that it would also bring (PP0962).

The settlement boundary should be amended to include the existing shed accessed from Hareburn Terrace as all other buildings in the area are contained within the boundary. The shed is built but does not appear on the updated map of Blackdog. The area of land has been developed on with associated storage around the building and therefore should not be green belt land. The Report of Handling for approved planning application (APP/2016/1272) on the site notes it has little value due to scale and isolation, without separation between the settlement and countryside, roads and the burn identifying a more obvious boundary, insufficient scale for agricultural purposes and not identified as a habitat value for wildlife (PP0443).

Vision

Nestrans has supported the ongoing development of the cycleway linking to Balmedie (RD0227.A). No modification sought (PP1241).

A representee has objected to the proposed wording in the Vision within the Blackdog Settlement Statement and requested that it is amended to reflect that a planning application for significant expansion of the village has been approved for a new town centre, housing and employment opportunities. The representee has included two Appendices (RD0269.A and RD0269.B) in their representation which provides further

detail to support their position (PP1399).

Site BUS – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS (RD0214.B). No modification sought (PP1219).

Town Centre

The representee has sought modification to the Blackdog Settlement Statement map to include the town centre delineated on the settlement plan, rather than only a reference to OP1. The representee has included two Appendices (RD0269.A and RD0269.B) in their representation which provides further detail to support their position (PP1399).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land at Blackdog

A representee noted no objections to the OP1 site as it is welcomed by the residents providing that the promised community facilities are provided. No modification sought (PP0962).

SEPA has requested that for the allocation summary replacing the first two sentences of the third paragraph with, "Due the presence of small watercourses running through the site a Flood risk Assessment will be required" to ensure there is consistency with the 'Flood Risk' bullet point (RD0214.B) (PP1219).

The area of land to the west of the new access road to Blackdog contains a small-wooded area of coniferous trees. This area is habitat to a number of birds of prey and should be protected as it adds to the biodiversity of the area whilst also providing a natural sound barrier to the A90. Additionally, the area the south and south east of the existing Blackdog settlement contains mature woods of coniferous trees which provide habitat for indigenous species of birds and mammals, whilst also adding to the visual appeal of the area. This area should be protected as such, and any development of the surrounding land for housing, leisure or retail purposes should be sympathetic to this (PP0002). Existing woodland within the site of OP1 should be protected as an amenity for the settlement as green space is limited within the settlement, not just to preserve wildlife but for people's general health (PP0159).

The OP1 site should be removed from the PLDP as it would result in the loss of woodland habitat, which is home to protected species and enjoyed by locals for recreation. The loss of woodland goes against Government actions to reduce our carbon footprint and

deforestation can affect air quality. Green space is very limited in Blackdog and should be protected, not just to preserve wildlife but to safeguard people's general health, as highlighted during Covid-19. Green space should be protected as it contributes to improving our general health and wellbeing, rather than allowing developers to destroy the landscape (PP0159). Another representee objected to the OP1 site as it would cause destruction of North Wood, and the development would impact on the character of the area and the areas currently used for recreation (PP0267). Additionally, it was noted that affordable housing being built towards the bottom end of North Wood is a flawed suggestion as that would result in a 30-minute walk to a bus stop (PP0267).

The text referring to the gypsy/traveller site should be removed from the allocation summary. There is no local support for the site and the location is not considered appropriate as there is no local employment, education or other community infrastructure so would not meet the requirements set out in Policy H1 (PP0083, PP0086, PP0115 and PP1028). There is also limited public transport access with no access from the centre of the village (PP0083, PP0086 and PP1028). Also, during the original masterplanning process, objections were received regarding the site on the land therefore it should be removed (PP0086). It is also noted that the location would not give the gypsy/traveller community privacy as it would be located next to new homes (PP0267). A representee questions as to whether the gypsy/traveller site still forms part of the allocation as there is no specific mention of the site (PP0866).

A representee has requested that Blackdog town centre is included as part of the allocation for site OP1 and has requested that it is amended to reflect that a planning application for significant expansion of the village has been approved for a new town centre, housing and employment opportunities. The representee highlighted the Council's response given in the Issues and Actions Papers for bid site FR113 which acknowledged Planning Permission in Principle (PPP) had been granted on the site but that the Matters Specified in Conditions (MSC) were still to be submitted and that there is no justification to identify the indicative land uses of the current planning permission within the PLDP. The representee however highlighted that the MSC application was submitted in September 2019 and is nearing determination with further applications to be submitted shortly – the Council cannot refer to a legally binding, extant planning permissions as comprising 'indicative land uses. The representee also highlighted that a PPP is not a material consideration as stated in the Issues and Actions papers, it instead grants planning permission. The representee stated that the Council's position for not including reference to the planning permission on the basis that the development is not in place is illogical and inconsistent with other allocations within the PLDP. The representee highlighted that the purpose of the LDP is to allocate land to reflect its legal planning status which the OP1 allocation fails to do. It was stated that the Council have failed to properly take account of the extant planning permission and in doing so have erred in the advice to Formartine Area Committee and Full Council. Additionally, failure to properly reflect the PPP impacts the delivery of the development as it impacts the certainty of the site which comes from the protection afforded to town centres. Scottish Planning Policy (SPP) provides guidance on promoting town centres (town centre first policy), and paragraph 60 requires the planning system to apply a town centre first policy. SPP also requires a network of centres to be defined. The representee stated that non-inclusion of the definition of Blackdog town centre in the PLDP is contrary to SPP. The representee has included two Appendices (RD0269.A and RD0269.B) in their representation which provides further detail to support their position (PP1399).

Non-Allocated Site – Bid Site FR057 – Land to the west of the A90

The site should be included as a roadside service development opportunity as it is ideally located to service the A90 and AWPR. Whilst it is not connected to Blackdog settlement it is well connected to the local road network. It is a safe and convenient place for people to stop, rest and refuel, currently the nearest services are in Peterhead. Landscape and biodiversity impacts can be mitigated. The representee disagrees with the Council's assessment that development in this location would erode the function of the AWPR as a transport not a development corridor. It is also disputed that there is no justification for removing green belt to accommodate the development (PP0636).

Foveran

General

A representee has raised concerns about the impact of 195 houses on the infrastructure of Foveran and whether all properties will be connected to the mains sewer. It was also questioned if there is an adequate water supply, school facilities and broadband connectivity (PP0112).

Flood Risk

SEPA has recommended that for consistency, amending the 'Flood Risk' text to be more succinct as the allocation texts contain further information on FRA and buffer strips (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has requested that the last sentence in the 'Strategic drainage and water supply' bullet point is removed and replaced with "All development will be required to connect to the public waste water system" as planning permission is likely to be granted and construction started/completed on the Growth Project for Foveran before the Plan is adopted (RD0214.B) (PP1219).

A representee has stated that the Plan acknowledges that primary education in Foveran is likely to be a constraint to future development, however it fails to identify a possible solution to the issue. This is at odds with how the Council has addressed education provision in other settlements, e.g., Turriff identifies and safeguards land for future education provision. The School Roll Forecast (2019) confirms it will exceed capacity by 2023. It is unclear to what extent the projected increase is based on natural growth from existing development and what impact the proposed allocations will exert on roll numbers.

The proposed LDP confirms the school is not easily extendable. The School Roll Forecast also confirms the next closest school (Balmedie) is forecast to exceed capacity in 2023. With the primary schools projected to reach capacity by 2023 the projected levels of housing proposed to be delivered would be constrained relatively early in the Plan period unless a new primary school is delivered. This would result in a failure in the housing land supply, contributing to an anticipated overall shortfall in the wider Aberdeenshire area. It was suggested that the Proposed Plan is deficient in not identifying and safeguarding as reserved land, a suitable location in Foveran for a primary school.

The 'Westfield Masterplan' approved in 2013 indicates a potential area for a new primary school, however this location would not be accessible from the southern part of Foveran without delivery of a burn crossing. OP1 includes strategic reserve which is included in the Employment Land Allocations of the Proposed LDP. The land is safeguarded for long-term employment uses and could not therefore be supported to deliver a new primary school which would be considered contrary to the land uses for which the land is allocated. In not carrying forward FR067 as a preferred site from the MIR, OP2 cannot be delivered unless a southern link road is completed which would provide a second point of access onto the B977.

This means that the required future crossing of the Foveran Burn to provide connectivity between OP1 and OP2 would not be delivered until OP2 is completed. This further reduces the appropriateness of locating a new primary school to the north of the burn. With the majority of housing to the south of the burn, the most logical location for a new school would be to the south. It was suggested that the most appropriate location for a new school would be on land to the south of Blairythan Terrace and to the west of FR067 which has the ability to achieve connectivity to all proposed development sites. The representee has requested the introduction of safeguarding for a new primary school and the Settlement Statement amended to include this which would be delivered by the Council with developer obligations to be sought from all proposed and future housing allocations. A further amendment is requested to recognise the potential to access the proposed primary school from the required link road with indicative routes through FR067 and FR109. It is considered these modifications would remove the constraint caused by education provision and enable Foveran to accommodate future residential and future development to fulfil the objective for the village. The representee has included Appendices (RD0224.A- RD0224.H) in their representation which provides further detail to support their position (PP1236).

Site OP1 – South of Westfield Farm

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

The site should be removed as it would de-value existing property and part of the site is owned by the representee and they will not allow development to come forward on the site (PP0038). Additionally, there are no amenities in Foveran and the development would increase the amount of traffic (PP0038).

The area of the site around the school should not be included in the LDP as it is in separate ownership. The representee has included an Appendix (RD0020.A) in their representation which provides further detail to support their position (PP0182). Additionally, the location of the pedestrian/cycle paths and primary school should be reconsidered due to the impact on livestock (PP0182). The pavement at the houses along Cultercullen Road protrudes into the road making the road too narrow for traffic to pass (PP0182).

Site OP2 – West of McBey Way

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought

(PP1219).

The representee has sought the removal of site OP2, noting that the ground is of poor quality as it is clay which leads to poor quality soakaways and any issues with drainage could lead to their property flooding. There is an issue with surface water in the area as their neighbour's garden is saturated. Concerns are also noted with regards to potential damage to their hedge from the new development (PP0066).

Site OP3 – South of Turin Way

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

The close proximity of the housing development will affect the present open aspect of the representee's property (PP0113).

Additional houses in OP3 would spoil the rustic charm of the older part of the village. It makes sense to construct new housing along the newer side of the village at OP1 and OP2 where new housing has already been developed. The addition of housing in the older part of the village would ruin privacy and existing properties could be overlooked and reduce the value of homes. Also, there is no infrastructure in place to accommodate the development at OP3 and concerns are noted with regards to sewerage, the capacity of the network sewage and also the low water pressure in the area (PP1025).

Additionally, there is insufficient capacity at the school in Foveran for all of the new development. In order to achieve the best outcome, the continued development of OP1 and OP2 would be better placed to support the construction of a new school. The OP3 site along with the OP4 and OP5 sites would not be enough to warrant a new school or local shop. Priority should be given to the OP1 and OP2 sites before the OP3 site (PP1025).

Site OP4 – Site 2, Land at Blairythan Terrace

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP4 (RD0214.B). No modification sought (PP1219).

Additional houses in OP4 would spoil the rustic charm of the older part of the village. It makes sense to construct new housing along the newer side of the village at OP1 and OP2 where new housing has already been developed. The addition of housing in the older part of the village would ruin privacy and existing properties could be overlooked and reduce the value of homes. Additionally, there is no infrastructure in place to accommodate the development at OP4 and concerns are noted with regards to sewerage, the capacity of the network sewage and also the low water pressure in the area (PP1025).

Additionally, there is insufficient capacity at the school in Foveran for all of the new development. In order to achieve the best outcome, the continued development of OP1 and OP2 would be better placed to support the construction of a new school. The OP4 site along with the OP3 and OP5 sites would not be enough to warrant a new school or

local shop. Priority should be given to the OP1 and OP2 sites before the OP4 site (PP1025).

Site OP5 – Land adjacent to former A90, North of Westfield Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP5 (RD0214.B). No modification sought (PP1219).

Site OP3 – South of Turin Way, Site OP4 – Site 2, Land at Blairythan Terrace, and Bid Site FR109 – Land to South West of Foveran

Whilst supporting sites OP3 and OP4, the representee disagreed with the Council's assessment that there would be a cumulative impact of the total number of homes served by Blairythan Terraces from these sites. The decision not to allocate FR067 should be reversed on the basis of an intervening third-party land, and all these sites (part FR109) should be included. The new addition of an 'indicative link road' on land which is in the ownership of the representee should be supported by an appropriate level of development in order to make it viable. It is not good planning to develop land for the purpose of a road alone and the 'indicative link' but should be part of a wider masterplan. A masterplan has been prepared to show how all three sites and the land in ownership of the neighbouring landowner can help deliver this road. Topography may result in an alternative route being required. Inclusion of site FR109 in addition, will help ensure the delivery of an appropriate level of development and infrastructure in this key development area. The representee considered that the overall proposal to include FR067 and part of FR109 is constructive, facilitating the desired link road with built in flexibility to adapt to updated DPMTAG conditions in the future (PP1232).

The representee raised concerns about the delivery of the PLDP given the constrained nature of some sites and considers the key aim of delivery has not been achieved. In Foveran, the indicative road link cannot be delivered without development including FR067 which had been an 'Officers' Preference', and which could assist in maintaining a 5-year housing land supply. Furthermore, additional housing land is required in order to align with the SDP, land was removed at the MIR stage, and by not allocating sufficient deliverable land runs contrary to all national planning advice. There is an under-delivery issue which has been evident for a long period of time, particularly for larger strategic sites, and which is not being recognised by the Council. With reference to the Homes for Scotland analysis there is an estimated shortfall of 483 homes in the AHMA and 1261 homes in the RHMA. As a result of the recent pandemic, delivery of development such as FR067 will assist in the provision of much needed essential infrastructure, contributing towards affordable housing and boosting the economy (PP1232).

Despite numerous communication exchanges, there has been no satisfactory reason or justification provided by the Council as to why there was a change of decision regarding FR067 and why the site could not be included in the PLDP, and where the information came from regarding the intervening third party land. The representee has included an Appendix (RD0220.A) in their representation which provides further detail to support their position (PP1232).

Non-Allocated Site – Bid Site FR109 – Land to South West of Foveran

Foveran OP1, OP2, OP3, OP4 and OP5 are allocated for residential development and if capacities are achievable would contribute 245 new homes. This is a reduction of 49 homes from the 294 identified in the MIR. It was considered that Foveran exhibits significant scope to deliver large housing numbers during the Plan period and beyond in order to take advantage of its strategic position immediately adjacent to the AWPR (PP1234 and PP1235).

Access to sites OP2, OP3 and OP4 should be considered collectively in order to provide a link from the B977 to Blairythan Terrace. The Transport Service has concluded that there is not sufficient capacity in Blairythan Terrace to accommodate the indicative homes at OP2 and the only solution is to construct a link road to connect with the B977. This road indicatively extends through bid sites FR067 and FR109. This road was not identified in the MIR and no earlier opportunity to comment on this. There has been no approach to landowners to establish how this road might be delivered. FR109 was not a preferred site and FR067 was preferred but not carried forward due to third-party land. The third-party land is part of bid site FR109 and is available for development within the Plan period and could play a significant role in alleviating traffic issues. It was stated that the failure to recognise the potential part of FR109 in combination with FR067 to deliver housing to support the cost of the link road is difficult to comprehend. The capacity at Blairythan Terrace is so limited that it would hinder development of 49 homes at FR067 (stated by officers to justify deletion) then it must follow that OP2 with a greater capacity and no access to the north is similarly constrained and should be treated as a non-effective site. Development at OP2 is dependent on the delivery of the indicative link road and if not delivered then OP2 cannot meet the requirement of the proposed LDP to provide two access points. In the absence of a solid commitment to delivery based on a costed scheme for the link road to the B977, OP2 must be treated as constrained and its indicative capacity not included in the effective land supply. This would result in 75 homes being available for allocation elsewhere in Foveran. It was suggested that the allocation of land for residential development could support delivery of the link road. It was also suggested that development on the relevant part of FR109 and FR067 should come forward in advance of development of constrained site OP2. Bid site FR109 could deliver the road and 75 homes, with FR067 capable of delivering 49 homes with a northerly link to Blairythan Terrace. It was suggested that this would enable the identified housing numbers to be met in full, with OP2 reserved for future development once the link road has been completed. A number of assessments are also contrary to assessment of FR109 in the SEA, including air quality, flood risk, waste water capacity and prime land. The representee has included Appendices (RD0222.A- RD0222.K) in their representation which provides further detail to support their position (PP1234).

A representee has stated that Homes for Scotland suggest at the date of adoption of the Plan, if the proposed allocations are taken forward as currently published, there will be a shortfall of 432 homes across the area and the proposed LDP should be modified to allocate more deliverable housing land. This anticipated failure is likely to be exacerbated as there are significant doubts over the effectiveness of some allocations, in addition to unresolved constraints highlighted in previous Housing Land Audits that appear to still apply to some sites. There is an illogical and inconsistent approach to the calculation of indicative densities across the plan area, which are considered to have been inflated to such an extent in several cases (PP1235).

The allocation of bid site FR109 for residential development is an appropriate solution. The land is available, can deliver a link road and a new primary school and the potential to increase housing numbers. Contrary to the assessment of FR109 in the SEA, it is

considered that no quantifiable impact on air quality has been predicted to result from development here and measures could be put in place to mitigate any impact. The representee is also not aware of surface water hotspots and the site is not at risk of flooding as shown on SEPA's 1 in 200-year flood risk map therefore no FRA required. All developments in the settlement are likely to increase travel and emissions which is not an issue particular to FR109 and part of the land is not prime agricultural land and other land in the settlement is classed as 3.1 and so a precedent has been set. All development in the settlement would result in landscape change and a well-designed development would deliver a better solution at this location than the proposed stand-alone link road. A project is in place to upgrade the waste water capacity and the proposal would be facilitated by a new primary school in Foveran on land within the boundaries of FR109 which is a positive impact. It is also noted that coalescence would not occur with Rashierieve Foveran as a result of development here due to the ability to include strategic landscaping on land within the boundaries of FR109 and at Rashierieve Foveran. The representee has included Appendices (RD0223.A- RD0223.H) in their representation which provides further detail to support their position (PP1235).

Non-Allocated Site – Bid Site FR142 – Land West of A90 (Phase 1), North of Blairythan

A representee has requested bid site FR142 be allocated for 150 homes and village centre (retail/nursery) and community uses (potential school relocation/sports centre/ playing fields). The scale is in line with promoted LDP densities, will enhance, develop and connect a mix of uses and diversity that is currently present but disjointed in Foveran. The location and direction of growth promoted is sensible and the site lies within the Strategic Growth Area (PP0837).

The local road network is safer and has increased capacity following the opening of the Balmedie– Tipperty dual carriageway and the reduction of speed limit from 60mph to 40mph. A WWTP growth project has been initiated by Scottish Water (PP0837).

The proposal will further develop and enhance the vision expressed through the 2013 Westfield and Ardgill masterplan and offer the potential to enhance the settlement's role as a service centre and create a well-connected, mixed-use heart to the village that is currently lacking. It will deliver a new village centre with a mix of uses, improved landscaping and footpath connections, land for a relocated primary school/community hub. It would be a self-sufficient balanced community with employment, commercial, community and homeworking units, to the reduction of CO² emissions through energy efficient design and energy from the new anaerobic digester and the overall enhancement of an existing community (PP0837).

Given, the requirement for a pedestrian bridge linking northwards from site OP2 to OP1, the location of existing and future employment land and the location of existing facilities at Westfield that the obvious direction of growth for the settlement is northwards. Therefore, this site would assist in knitting together a genuine mixed-use community in line with the Government and Council's Placemaking agendas by creating new employment opportunities, modern amenities, the efficient use of new infrastructure and the opportunity for a new school with updated facilities. The representee has included an Appendix (RD0155.A) in their representation which provides further detail to support their position (PP0837).

Non-Allocated Site – Bid Site FR143 – Land West of A90 (Phase 2), North of Blairythan

A representee has requested that bid site FR143 is allocated as strategic reserve housing land for 140 homes. The MIR incorrectly stated the site was for 410 homes. The proposal will further develop and enhance the vision expressed through the 2013 Westfield and Ardgill masterplan and create a natural link that is currently missing in Foveran. It would link Enerfield Business Park to Foveran village and using the existing mixed-use employment and retail facilities at Westfield as the centre of the settlement. Its scale is in line with promoted LDP densities, and the site will enhance, develop and connect a mix of uses and diversity that is currently present but disjointed in Foveran. The location and direction of growth promoted is sensible, as it lies within the Strategic Growth Area. The local road network is safer and has increased capacity following the opening of the Balmedie – Tipperty dual carriageway and the reduction of the speed limit from 60mph to 40mph. A WWTP growth project has been initiated by Scottish Water. Given the requirement for a pedestrian bridge linking northwards from site OP2 to OP1, the location of existing and future employment land and the location of existing facilities at Westfield that the obvious direction of growth for the settlement is northwards. Therefore, this site would assist in knitting together a genuine mixed-use community in line with the Government and Council's Placemaking agendas by creating new employment opportunities, modern amenities, the efficient use of new infrastructure and the opportunity for a new school with updated facilities. The representee has included an Appendix (RD0155.A) in their representation which provides further detail to support their position (PP0837).

Rashierieve Foveran

General

It was welcomed that the Proposed LDP has opted to maintain Rashierieve and Foveran as separately identified settlements which is welcomed given the distinctly different character of the two settlements. No modification sought (PP1181).

As noted at the MIR stage, Rashierieve is separate and distinct from Foveran and should be recognised as a community in its own right. However, the efficacy and fairness of denying Rashierieve a defined boundary is questioned and asserted that a defined boundary should be included in the Settlement Statement. The Issues and Actions Paper acknowledges Rashierieve does not have a settlement boundary. It was questioned how a settlement may be identified without having a defined boundary to delineate which policies would apply (countryside/infill). There is an unfair lack of opportunity for infill development afforded to Rashierieve and a settlement boundary should be defined for all identified settlements in the LDP. The representee has included two Appendices (RD0206.A and RD0206.B) in their representation which provides further detail to support their position (PP1181).

Site SR1 – Reserved for strategic employment land

SEPA has confirmed that they have no flooding, strategic drainage or water supply issues with the designation summary of SR1 (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has requested that the 'Flood Risk' bullet point removes reference to SEPA's indicative flood risk areas (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has requested amending the 'Strategic drainage and water supply' bullet point on private treatment works to remove reference to SEPA (RD0214.B) (PP1219).

Scottish Water request that under 'Strategic drainage and water supply' the following text is inserted after the third sentence, "The preference would be for a single adoptable waste water treatment works serving the OP1 site with the capacity for SR1 to connect at a future date" (PP0272).

Site OP1 – Land West of Rashierieve Cottages

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Rashierieve Foveran is considered to play an important role in delivering strategic employment allowances in line with the strategic aims for the area. The Proposed LDP identifies two sites for development both proposed to accommodate employment uses, with one within the forthcoming Plan period and the other as strategic reserve. These are in the adopted Plan. OP1 in the adopted Plan did not include the provision of live/work units as part of the employment allocation but came about as part of bid site FR129 for 4 live/work units and further area of employment land.

However, the proposed allocation of OP1 increases the capacity of live/work units to 8, including the expectation that the site would be a mixed-use allocation including live/work units, this is understood that it is expected to deliver 8 units in addition to other employment uses on the site. The site could be capable of delivering 8 live/work units is a scheme which could still respect the existing plots sizes in the area, however it is clear from the indicative layout submitted with FR129 that the site is not capable of providing these and additional employment without reducing the plot sizes to a degree that they would be markedly different to the established properties along the A90. It is also noted that OP1 is considered to be partially located in SEPA's 1 in-200-year flood risk area but the representee does not agree with this. The flood map appendix confirms the site is not at risk of flooding. Notwithstanding, a small watercourse is located adjacent to the site and therefore it is possible and prudent to maintain a buffer strip from the watercourse as suggest in the Proposed LDP. Such a buffer strip would further reduce the area of land available. It was suggested that OP1 is amended to deliver only 8 live/work units. The expectation to deliver further employment within the boundaries of OP1 would result in smaller plot sizes thereby delivering lower level of amenity for future residents but also resulting in a development whose appearance would be incongruous with its location. The representee has included Appendices (RD0221.A- RD0221.H) in their representation which provides further detail to support their position (PP1233).

Non-Allocated Site – Bid Site FR109 – Land to South West of Foveran

The proposed LDP identifies two sites in Rashierieve Foveran, OP1 and SR1 to accommodate employment uses with one within Plan period and the second as a strategic reserve (PP0894 and PP1233). The proposed LDP requires a generous 20% of land supply for employment from 2018-2032. SR1 contributes to this reserve. The Proposed

LDP also requires landscaping to SR1 to screen employment uses from the residential properties. It was considered that there is merit in safeguarding additional land as a future strategic reserve for employment uses (PP1234). Given the important role of the settlement in meeting strategic employment reserve, and its position in the Strategic Growth Area and Energetica Corridor, it is suggested that further consideration should be given to a future centre of employment (PP0894 and PP1233).

There is significant merit in safeguarding additional land as a future reserve for employment uses and the representee has requested the inclusion of further land to the west of SR1, which was included in bid site FR109 (PP0894, PP1233 and PP1234). The site extends to approx. 5ha and although is classed as prime agricultural land class 3.1, the land is no longer capable of producing the same range of crops or practical to farming following the construction of the AWPR. Notwithstanding, the area of land is relatively small in the wider context and would not constitute a significant loss of prime agricultural land (PP0894 and PP1233).

The proposed LDP identifies the land within SEPA's 1 in 200-year flood risk area, however the representees do not agree with this. SEPA's 1 in 200-year flood map confirms the site is not a risk of flooding (PP0894 and PP1234).

When assessed against other business/employment land allocations in the immediate area, in particular OP1 in West Pitmillan and OP1 Foveran, it is suggested the land west of SR1 in Rashierieve is a more logical proposal for future development with less landscape impact. Foveran OP1 appears dependent on further housebuilding and thus far, there has been no delivery on the site or evidence for demand at this location. Unlike OP1 in Foveran, land west of SR1 in Rashierieve Foveran suffers no constraints. Therefore, its inclusion of additional land for strategic reserve for future employment uses is proposed to meet the long-term objective for the settlement as set out in the MIR (PP0894, PP1233 and PP1234).

Bid site FR109 has not been assessed under the options for the settlement and would highlight the development is unlikely to have an effect on air quality, climatic factors, biodiversity, human health or the historic environment, would not lead to significant pressure on local infrastructure and the introduction of strategic landscaping along AWPR would ensure that coalescence would not occur with Foveran. The representees have included Appendices (RD0164.A- RD0164.G, RD0221.A- RD0221.H and RD0222.A- RD0222.K) in their representations which provides further detail to support their positions (PP0894, PP1233, PP1234).

Non-Allocated Site – Bid Site FR109 – Land to South West of Foveran (part)

The representee has stated that land to the north of SR1 and A975 comprises hardstanding gravel following road construction works and holds limited agricultural value. It is considered the site is capable of accommodating a housing-led mixed-use development with provision of business space, light industry or roadside retail and other commercial uses. At the MIR stage, it was considered that the site deserved inclusion within the settlement boundary and as an allocation as an opportunity to round off the settlement with a well contained site with defined boundaries. The village provides an excellent opportunity for the delivery of strategic employment land due to its position in the Energetica Corridor and Aberdeen to Peterhead Strategic Growth Area. A housing-led mixed-use development would enable the creation of a mixed-community which aligns

with the key objectives of SPP and the SDP. The Settlement Statement acknowledges Rashierieve as ribbon development, however the allocation of the site would allow for greater consolidation of the settlement. When the proposed site is viewed in relation to OP1 and SR1, the representee states that the conclusion that the site is far removed from the remainder of Rashierieve must be questioned. It is maintained that provision should also be made for housing and other associated uses that would help sustain employment allocations. The representee has included two Appendices (RD0206.A and RD0206.B) in their representation which provides further detail to support their position (PP1181).

Modifications sought by those submitting representations:

Balmedie

General

Modify the PLDP to extend the settlement boundary east of North Beach Road in the northeast corner of the settlement to site P2 (PP0081).

Modify the PLDP after undertaking a review of the services and infrastructure for the whole Community Council area (PP0962).

Flood Risk

Modify the PLDP to amend the 'Flood Risk' bullet point to read, "Small watercourses run through or adjacent to the OP1 and OP3 sites. There is also a surface water flood risk on site OP3. Flood risk assessments may be required." (PP1219).

Services and Infrastructure

Modify the PLDP to amend the 'Strategic drainage and water supply' bullet point to add the following text after the third sentence, "A Drainage Impact Assessment may be required." (PP0272).

Modify the PLDP to clarify how the costs of Scottish Water initiating a growth project at Balmedie WWTW falls between the developer and the taxpayer (PP0138).

Site OP1 – Land at Balmedie South

Modify the PLDP to amend the allocation summary for site OP1 to remove the 8th and 9th sentence from the 4th paragraph and amend the allocation summary so that the 6th and 7th sentence, following the sentence on green-blue networks, of the 4th paragraph reads, "A Flood Risk Assessment may be required. Enhancement of the watercourse through re-naturalisation and removal of any redundant features should be investigated." (PP1219).

Modify the PLDP to remove the following sentences from the second paragraph of the OP1 allocation summary, "Access to the site will be taken from Eigie Road. Access from the trunk road roundabout is not considered feasible, therefore two points of access are required from Eigie Road." (PP1012).

Modify the PLDP to change the wording in the allocation summary from "will" in the fifth

sentence of the second paragraph to “may” so it reads as follows, “Bus stops on Eigie Road may require upgrading to full shelters with layby construction and likely crossing facilities.” (PP1012).

Modify the PLDP to remove the contribution of 80 homes to the allowances for OP1 Balmedie and identify an alternative effective allocation in the Blackdog-Ellon SGA (PP1062).

Modify the PLDP to amend or remove the following wording in the allocation summary for site OP1 to avoid suggesting that planning controls on construction and operation are necessary to mitigate an adverse effect on integrity of the Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA), "The Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA) are located to the northeast of the site. The development could have an effect indirectly through drainage on geese grazing areas, however planning controls on construction and operation will help towards mitigating impacts." (PP1300).

Site OP2 – Land South of Chapelwell

Modify the PLDP to amend or remove the following wording in the allocation summary for site OP2 to avoid suggesting that planning controls on construction and operation are necessary to mitigate an adverse effect on integrity of the Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA), "The Sands of Forvie SAC and Ythan Estuary, Sands of Forvie and Meikle Loch SPA are located to the northeast of the site. Planning controls on construction and operation will help towards mitigating impacts for the development on these sites." (PP1300).

Site OP3 – Menie

Modify the PLDP to amend the allocation summary for site OP3 to add the following text to the last paragraph of the allocation text, “A Flood Risk Assessment may be required should development proposals be revised or extant permission lapse.” (PP1219).

Modify the PLDP to remove site OP3 (PP0878).

Modify the PLDP to amend the allocation summary for site OP3 to include the requirement of a grade separated junction onto the A90 north of Balmedie (PP0962).

Modify the PLDP to amend the allocation summary of OP3, so that the second last sentence in paragraph two, removes “the first” and instead starts with, “As part of this permission, 2 phases (Chapters 1A & 1B) were granted with full details ...” (PP1224).

Modify the PLDP to amend the fourth paragraph of the allocation summary of OP3 to read, “The site is in close proximity to the Foveran Links Site of Special Scientific Interest. The proposed development is identified as likely to impact on pink footed geese of the Ythan Estuary, Sands of Forvie and Meikle Loch SPA although it has been concluded, in accordance with SNH advice that the proposal will not adversely impact on the integrity of the SPA. Protected species and ecological surveys will be required to be carried out and where appropriate, mitigation or ongoing monitoring measures should be in place,

including provision for repeat survey work during construction.” (PP1224).

Modify the PLDP to amend the allocation summary of OP3 to amend the fifth paragraph to read, “Contributions towards the provision of a new primary school within the Balmedie area, appropriate community facilities and affordable housing are required. It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. The agreed position is that Infrastructure Services (Housing) are seeking to secure a 25% affordable housing contribution in the form of a commuted payment in order to address the local housing need in the Ellon Academy catchment area. For Chapters 1A and 1B the Housing Service are seeking a commuted sum to be paid in instalments upon the completion of the 20th, 40th, 60th and 73rd open market unit. Other Chapters will also require a 25% contribution and would be by further financial contributions. However, there is scope for the consideration of on-site delivery of affordable housing units which meets local housing need. This would require to be assessed prior to any future AMSC applications. Delivery of any future on-site affordable housing should be integrated into the design of the development to provide a mix of house types and sizes to meet local need. Hard and soft landscaping schemes are necessary, and a compensatory planting scheme will be required. A Woodland Biodiversity Action Plan should be completed.” (PP1224).

Non-Allocated Site – Bid Site FR022 – Land at Millden,

Modify the PLDP to allocate bid site FR022 for 400 homes, site for a primary school, community facilities and mixed employment uses (PP1096).

Non-Allocated Site – Bid Site FR089 – Land at Keir Farm

Modify the PLDP to allocate bid site FR089 for 500 homes (PP0138).

Modify the PLDP to allocate bid site FR089 for 600 homes, a new primary school and associated uses and infrastructure (PP0950).

Non-Allocated Site – Bid Site FR116 – Land at Blairton

Modify the PLDP to allocate bid site FR116 for 1,650 private and affordable residential dwellings (PP0935).

Non-Allocated Site – New Site N014 – Land at Southfolds Farm

Modify the PLDP to allocate land at Southfolds Farm for commercial and residential development (PP0202).

Non-Allocated Site – New Site N019 – Land east of North Beach Road

Modify the PLDP to allocate land east of North Beach Road to the northeast of the settlement for 10 self-build homes (PP0081).

Belhelvie

General

Modify the PLDP to allow for a review of the services and infrastructure needs to be undertaken for the area (PP0962).

Modify the PLDP to reinstate the green belt designation (PP0236 and PP0255).

Site R1 – Reserved for a future Community Centre

Modify the PLDP to remove the R1 designation (PP0458, PP0605, PP0606, PP0803 and PP0951).

Flood Risk

Modify the PLDP to amend the 'Flood Risk' bullet point to read, "Areas adjacent to OP1 and OP2 are identified as being located within an area of high risk of surface water flooding. A Flood Risk Assessment will be required." (PP1219).

Services and Infrastructure

Modify the PLDP to clarify how costs will be split to fund the growth project at Balmedie WWTW (PP0138).

Modify the PLDP to amend the wording under 'Strategic drainage and water supply' to include the following wording at the third sentence, "... and will instigate this on receipt of the 5 Growth Criteria from a developer. A Drainage Impact Assessment may be requested." (PP0272).

Modify the PLDP to amend wording under 'Strategic Transportation' to read, "Contributions may be required for cumulative strategic transportation improvements including interventions on the A90 and in Aberdeen City, if this is directly related to the scale of development being proposed and has been confirmed by way of a Transport Assessment of the proposed development." (PP0456).

Site OP2 – Land at Cairntack (East)

Modify the PLDP to remove site OP2 (PP0067, PP0138, PP0660 and PP0661).

Modify the PLDP to remove the requirement for a loop road between Cairntack Road and Cairn View and access for the OP2 site to be taken from Cairntack Road (PP0114).

Modify the PLDP to insert the following text at the end of the first paragraph in the allocation summary, "Provision for active travel is required, and this should seek to coordinate with any provision for OP1 and OP3." (PP1300).

Modify the PLDP to amend or remove the following wording in the allocation summary for site OP2 in Belhelvie to avoid suggesting that planning controls on construction and operation are necessary to mitigate adverse effects from drainage, visitor pressure and impact on geese grazing grounds, on the integrity of the Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area (SPA), "The Sands of Forvie Special Area of Conservation (SAC) and Ythan Estuary, Sands of Forvie and Meikle Loch Special Area of Protection (SPA) are located to the northeast of the site. The development would have an effect indirectly

through drainage, visitor pressure and impact on geese grazing grounds. However, planning controls on construction and operation will work to mitigate impacts." (PP1300).

Site OP3 – Land to the East of Cairn View

Modify the PLDP to amend the name of site OP3 to be titled, "Land at Cairntack (East)" and the name of site OP2 to be titled: "Land to the East of Cairn View" (PP0456).

Modify the PLDP to remove site OP3 (PP0027, PP0067, PP0078, PP0138, PP0151, PP0158, PP0167, PP0178, PP0306, PP0317, PP0375, PP0660 and PP0661).

Modify the PLDP to amend the allocation summary for site OP3 to remove the requirement for the loop road from the allocation summary (PP0138).

Modify the PLDP to consider the green environmental standards of this site within the Vision (PP0178).

Modify the PLDP to amend the allocation summary of site OP3 to insert the following text after the penultimate sentence of the first paragraph in the allocation summary, "Provision for active travel is required, and this should seek to coordinate with any provision for OP2." (PP1300).

Site OP1 – East End of Park Terrace, Site OP2 – Land at Cairntack (East) and Site OP3 – Land to the East of Cairn View

Modify the PLDP to remove sites OP1, OP2 and OP3 (PP0041, PP0161 and PP0255).

Modify the PLDP to remove the OP1, OP2 and OP3 allocations (in favour of development in other locations such as Bridge of Don and Balmedie (PP0319).

Modify the PLDP to prioritise development in West Balmedie for 500 homes rather than development in Belhelvie if there is a shortage of housing (PP0660 and PP0661).

Modify the PLDP to make the developer obligations of new development a requirement (PP0114).

Modify the PLDP to reconsider the education provision and commercial provision of the OP1, OP2 and OP3 allocations (PP0138).

Modify the PLDP to reconsider the climate change mitigation of the OP1, OP2 and OP3 allocations (PP0138).

Blackdog

General

Modify the PLDP to allow for a review of the services and infrastructure needs to be undertaken for the area (PP0962).

Modify the PLDP to amend the settlement boundary of Blackdog to include developed land adjacent to Blackdog Croft and amend the green belt boundary to exclude the site

(PP0443).

Vision

Modify the PLDP to amend the Blackdog Settlement Statement 'Vision' so it reads as follows, "Blackdog is a small settlement located on the boundary between Aberdeenshire and Aberdeen City Council. Due to its proximity to Aberdeen, a planning application for significant expansion of the village has been approved for a new town centre, housing and employment opportunities. This recognises its roles in both the Aberdeen to Peterhead Strategic Growth Area (SGA) and the Energetica Corridor. In line with the vision of Energetica Corridor, it is expected that new development in Blackdog will contribute to transforming the area into a high quality, sustainable lifestyle, leisure and global business location. Additionally, the strategic significance of Blackdog is recognised in the large mixed-use allocation. Key planning objectives for this settlement are to meet the need for strategic housing and employment land delivering 600 new homes and 13 hectares of employment land, and to develop a new town centre. The community has an aspiration to provide early provision of a cycle link to Balmedie, and early provision of facilities such as a school, hall or football pitches is still being considered. Public transport provision is likely to significantly improve in tandem with the delivery of the Blackdog town centre and the 600 houses planned." (PP1399).

Town Centre

Modify the PLDP to amend the Blackdog Settlement Statement to include the Blackdog town centre boundary on the Settlement Statement map (PP1399).

Site OP1 – Land at Blackdog

Modify the PLDP to amend the allocation summary for site OP1 to replace the first two sentences of the third paragraph to read, "Due to the presence of small watercourses running through the site a Flood Risk Assessment will be required." (PP1219).

Modify the PLDP to amend site OP1 to include an area of protected land to the west of the new access road to Balmedie which is currently included as part of the OP1 site (PP0002).

Modify the PLDP to amend the Settlement Statement for Blackdog to include an area of protected land to the south and south east of the OP1 site (PP0002).

Modify the PLDP to amend the Settlement Statement for Blackdog to ensure the existing woodland within the settlement becomes protected land (PP0159).

Modify the PLDP to remove site OP1 (PP0159 and PP0267).

Modify the PLDP to amend the allocation summary for site OP1 to remove reference to the gypsy/traveller site (PP0083, PP0086, PP0267 and PP1028).

Modify the PLDP to relocate the gypsy/traveller site from the OP1 site to another suitable location (PP0115).

Modify the PLDP to clarify as to whether the gypsy/traveller site is still included as part of the OP1 allocation (PP0866).

Modify the PLDP to include a new town centre as part of the allocation for the OP1 site and amend the Blackdog Settlement Statement allocation title and allocation summary so it reads as follows, “OP1: Land at Blackdog Allocation: 600 homes, 4ha employment land and 7ha strategic reserve, new town centre. Future development of the site should seek to develop in line with the two Planning Permission in Principle approvals which are consistent with the agreed masterplan which was approved by the Formartine Area Committee in February 2013. There is Planning Permission in Principle (planning application reference APP/2016/0766) for a mixed-use development comprising a town centre, that includes a regional food hall, retail, leisure and other class 3 uses; business and industrial uses (classes 4, 5 and 6); alterations to access from A90 roundabout, local access, landscaping, car parking, cycle and pedestrian facilities and low carbon infrastructure. A further Planning Permission in Principle (planning application reference APP/2016/0767) for a residential development of 550 homes, education and community uses and associated infrastructure has also been approved on the southern part of the site. Land for a gypsy/traveller transit site will be required to be made available on part of the site, prior to the development of the fourth phase, as outlined in the masterplan. It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and be integrated into the design of the development to provide a mix of house types and sizes to meet local need. Infrastructure proposals and development trigger points have been agreed through the planning consent and these are coming forward through subsequent Matters Specified in Conditions applications. The Transport Assessment and Street Engineering Report/Quality Audit will be required to be reviewed with each phase of development. OP1 lies within an area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment. Flood Risk Assessments will be required. Buffer strips will be required adjacent to the watercourses which should be positively integrated into the development. Enhancement of the watercourses through re- naturalisation and removal of any redundant features should be investigated. The development should be sensitively constructed and have adequate Sustainable Drainage Systems as it has the potential to affect the conservation objectives and natural features of a locally important designated site. The Blackdog to Bridge of Don LNCS includes important coastal habitats and is popular with sea ducks in the winter and breeding birds. The site is located adjacent to contaminated land at the Blackdog Farm Landfill site, remediation measures may be required.” (PP1399).

Non-Allocated Site – Bid Site FR057 – Land to the west of the A90

Modify the PLDP to include bid site FR057 as an opportunity site for a commercial roadside service (PP0636).

Foveran

General

Modify the PLDP to ensure that there is adequate infrastructure provided to support the development of OP1-OP5 in Foveran (PP0112).

Flood Risk

Modify the PLDP to amend the ‘Flood Risk’ bullet point to read, “Parts of sites OP1, OP2

and OP3 are located adjacent to the SEPA indicative 1 in 200-year flood risk area or have a small watercourse running through or adjacent to the site. A Flood Risk Assessment may be required.” (PP1219).

Services and Infrastructure

Modify the PLDP to amend the ‘Strategic drainage and water supply’ bullet point to remove the last sentence that reads, “Foveran is within a SEPA Waste Water Drainage Consultation Area therefore site investigations will be required” and replace it with “All development will be required to connect to the public waste water system.” (PP1219).

Modify the PLDP to identify the potential for a new primary school at land to the west and south of Blairythan Terrace and safeguard it as reserved land with the potential to access this from the required link road, with the indicative route across bid sites FR067 and FR109 (PP1236).

Site OP1 – South of Westfield Farm

Modify the PLDP to remove the OP1 allocation (PP0038).

Modify the PLDP to amend the allocation to remove land in different ownership and to address the relocation of the path network (PP0182).

Modify the PLDP to amend road standards so as to avoid having large pavements and narrow roads in developments (PP0182).

Site OP2 – West of McBey Way

Modify the PLDP to remove site OP2 (PP0066).

Site OP3 – South of Turin Way

Modify the PLDP to either remove site OP3 or amend the allocation to minimal development and a substantial landscaping belt (PP0113).

Modify the PLDP to prioritise development at sites OP1 and OP2 rather than site OP3 (PP1025).

Site OP4 – Site 2, Land at Blairythan Terrace

Modify the PLDP to prioritise development at sites OP1 and OP2 rather than site OP4 (PP1025)

Site OP3 – South of Turin Way, Site OP4 – Site 2, Land at Blairythan Terrace, and Bid Site FR109 – Land to South West of Foveran

Modify the PLDP to allocate bid site FR067 and part of bid site FR109 for housing (PP1232).

Modify the PLDP to clarify the removal of bid site FR067 (PP1232).

Non-Allocated Site – Bid Site FR109 – Land to South West of Foveran

Modify the PLDP to allocate bid site FR109 for residential development to meet the shortfall in the housing land supply (PP1235).

Modify the PLDP to amend the indicative link road by extending the indicative route in a southerly direction, amend site OP2 to be reserved for future development and allocate additional land for residential development to the south of bid site FR067 and the west and southwest of proposed sites OP3 and OP4 (this would include land part of the wider FR109 bid site) (PP1234).

Non-Allocated Site – Bid Site FR142 – Land West of A90 (Phase 1), North of Blairythan

Modify the PLDP to allocate bid site FR142 at Foveran North for 150 homes and village centre (retail/nursery) and community uses (potential school relocation/sports centre/playing fields) (PP0837).

Non-Allocated Site – Bid Site FR143 – Land West of A90 (Phase 2), North of Blairythan

Modify the PLDP to allocate bid site FR143 as strategic reserve housing land for 140 homes (PP0837).

Rashierieve Foveran

General

Modify the PLDP to include a settlement boundary for Rashierieve Foveran (PP1181).

Flood Risk

Modify the PLDP to amend the 'Flood Risk' bullet point to read, "OP1 and SR1 have small watercourses running through or adjacent to the sites. A Flood Risk Assessment may be required." (PP1219).

Services and Infrastructure

Modify the PLDP to amend the last two sentences in the 'Strategic drainage and water supply' bullet point to read, "Any private treatment will require to be built to an adoptable standard. The preference would be for a single waste water treatment works serving the OP1 site with the capacity for SR1 to connect at a future date." (PP1219).

Modify the PLDP to amend the 'Strategic drainage and water supply' bullet point so that the following text is inserted after the third sentence: "The preference would be for a single adoptable waste water treatment works serving the OP1 site with the capacity for SR1 to connect at a future date." (PP0272).

Site OP1 – Land West of Rashierieve Cottages

Modify the PLDP to amend site OP1 (as current boundaries) to be carried forward to deliver 8 live/work units only and remove reference to a mixed-use development (PP1233).

Non-Allocated Site – Bid Site FR109 – Land to South West of Foveran

Modify the PLDP to identify additional land, regarding bid site FR109, to be allocated as strategic employment reserve at SR1 (PP0894).

Modify the PLDP to identify the potential for development for employment uses and strategic landscaping on an additional area of land to the west of OP1 and abutting western boundary of OP1 and amend the Settlement Statement to include key objectives for Rashierieve Foveran, as stated in the MIR, to include: to provide local employment opportunities; and to support economic development in the Energetica Corridor (PP1233).

Modify the PLDP to allocate additional land for residential development to the south of bid site FR067 and the west and southwest of proposed sites OP3 and OP4 in Foveran (this would include land part of the wider FR109 bid site) (PP1234).

Non-Allocated Site – Bid Site FR109 – Land to South West of Foveran (part)

Modify the PLDP to extend the identified settlement boundary of Rashierieve to include a housing/mixed-use allocation at land to the north of SR1 and A975 (PP1181).

Summary of responses (including reasons) by planning authority:

Balmedie

General

Comments from the representee are noted. The settlement boundary includes the housing and their boundaries within the settlement boundary with the P2 allocation to the north of the boundary of the properties. The request for the settlement boundary to be amended is noted to allow for infill development, however, this would have been more appropriately assessed as a development bid. The site was not put forward as a development bid so in response to the Council's call for sites was not considered as such at the MIR stage, nor subject to site assessment and public consultation. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

The concerns regarding infrastructure provision raised by Belhelvie Community Council are noted. During the preparation of the Plan and through the site assessment process the requirements for infrastructure were looked at and subsequently the 'Services and Infrastructure' section of the Settlement Statements were populated. This section highlights what, if any, obligations are required for the different forms of development as a result of the allocated site being delivered. Developer Obligations are sought towards the provision of the necessary infrastructure. They must fairly and reasonably relate in scale to the proposed development and are needed to make the proposed development acceptable in planning terms, all in line with the policy tests contained in Planning Circular 3/2012 (AD0002). No change is required.

Comments from the representee are noted. No change is required.

Site R1 – Reserved for community uses

SEPA's comments are noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

SEPA's comments are noted. No change is required.

The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Developer Obligations are sought towards the provision of contributions for specific and necessary infrastructure and services that are necessary to make the development acceptable in planning terms for all users. They must fairly and reasonably relate in scale to the proposed development and are needed to address any impact created by the development thus making the proposed development acceptable in planning terms, in accordance with the 5 policy tests contained in Planning Circular 3/2012 (AD0002). No change is required.

Site OP1 – Land at Balmedie South

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The concerns regarding the two issues relating to transportation are noted. Discussions have taken place with colleagues in the Council's Transportation and Roads Teams to discuss each of the sites within the LDP to look at access arrangements. The reason that access arrangements are included within the LDP is to ensure that residents within the village can have a full understanding of the likely development and the best access provision is made available in terms of safety. Access from the trunk road was not considered to be feasible due to the associated costs relative to the size of the development. However, if the Reporter is minded, to make an amendment, then the Council recommend that the text relating to access from the trunk road could be removed from the first sentence of the second paragraph of the allocation summary.

In relation to the comment regarding the bus stops, this information has come from the Council's Transportation Service who note the requirement for the improvements as a result of the development. The text within the allocation does not prejudice any outcomes of the Transport Assessment as this will ensure the requirements at the time of any planning application being submitted. No change is required.

The Council does not support the removal of the OP1 site in Balmedie. It is noted within the HLA 2020 that the site is not constrained and is programmed for delivery from 2023 (AD0023, page 55). The development on the site is programmed with low numbers initially but the site is programmed to be completed by 2027. It is not considered that it would be appropriate to remove this site from the Local Development Plan. No change is

required.

The Council notes comments from NatureScot in relation to the Sands of Forvie SAC. In consultation with the Council's Environment Service (AD0130). The Council has been advised that the text in relation to the impact on the SPA is appropriate and should remain in the allocation summary. However, the Council would not object to the removal of reference to the Sands of Forvie SAC as this site is designated for its vegetation of which the OP1 site is not likely to impact upon. As such, if the Reporter is minded, to make an amendment, then the Council recommend that the first sentence of the fifth paragraph could be amended to remove the reference to the Sands of Forvie SAC."

Site OP2 – Land South of Chapelwell

SEPA comments are noted. No change is required.

The Council note the comments from NatureScot in relation to the Sands of Forvie SAC. In consultation with the Council's Environment Service (AD0130). The Council have been advised that the text in relation to the impact on the SPA is appropriate and should remain in the allocation summary. However, the Council would not object to the removal of reference to the Sands of Forvie SAC as this site is designated for its vegetation of which the OP1 site is not likely to impact upon. As such, if the Reporter is minded, to make an amendment, then the Council recommend that the first sentence of the fourth paragraph could be amended to remove the reference to the Sands of Forvie SAC."

Site OP3 – Menie

Comments of support from the representee are noted. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.
Comments are noted. However, the site has an approved masterplan. Work has been completed on the site including the golf course, club house and a small country hotel. Additionally, there has been planning permission granted for additional development which is subject to the completion of a Section 75 Agreement. It is also worth noting that issues of trees and woodland have been looked at and a Woodland Biodiversity Action Plan is required to be completed as noted in the allocation summary. No change is required.

Concerns from Belhelvie Community Council about construction traffic is noted. However, this is something that can be managed through a Construction Traffic Management Plan (CTMP) which is looked at when a planning application is submitted. No change is required.

A number of changes have been requested to the wording of the allocation summary text for the site. The first change requested relates to paragraph two of the allocation summary to remove the word 'first' from the sentence in relation to phasing. It is noted that a phasing plan is required to be submitted with the first MSC application to consider the approach to be taken and that the grant of planning permission retains to the named Chapters (or phases), however the Council acknowledges that various and other phases may come forward in a differing order under the Planning Permission in Principle. Therefore, the Council confirms that it intends to address the comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

In addition, the Council confirms that it intends to update factual references since the PLDP was agreed by a non-notifiable modification, as set out in the List of Non-Notifiable Modifications. Specifically, to include reference to the date at which Aberdeenshire Council resolved to grant planning permission at the start of the second paragraph.

With regards to the request to remove wording from the first sentence of the fourth paragraph that states that the OP3 site is environmentally sensitive and to provide clarification on this position in relation to impacts on the SPA and advice received from SNH, the Council does not agree with the requested amendments. The allocation summary highlights the need for mitigation measures to be provided. Notwithstanding the recent amendment to the boundary of the Foveran SSSI, taking a precautionary approach would justify the site being considered to be environmentally sensitive in the context of the development. The Council note that NatureScot (SNH) have made no request seek amendment to this paragraph. If the Reporter is minded, to make an amendment, then the Council recommend that paragraph four of the allocation summary for site OP3 could be modified to include an additional sentence following the third sentence which reads, "All environmental impacts must be carefully considered in line with the relevant policies of the Plan". This would further emphasise that any environmental impacts should be carefully considered.

With regards to the representee's requested changes to the fifth paragraph to include the wording regarding AMSC applications – the Council does not agree with this change as the Council has no control over whether applications will be AMSC or not. Additionally, the representee's request to amend the fifth sentence of the fifth paragraph is not supported. For consistency with other allocation summaries (see OP1 Chapleton), 'Future' Chapters is considered to be the preferred terminology and the addition of 'financial' in the fifth sentence when referring to contributions is also not supported as this terminology is restrictive and does not allow for future flexibility. The representee's requested changes to the 8th and 9th sentences are noted. The Council considers that the removal of the eighth sentence would be reasonable as this would allow for future flexibility as at present, the allocation summary is stating the current position, which may change in the future. Additionally, the addition of 'any' and 'on-site' to the ninth sentence is considered a reasonable amendment as this provides further clarity in the allocation summary. The Council also considers that the first sentence of the fifth paragraph could be modified to read "Contributions towards the provision of a new primary school within the Balmedie area, appropriate community facilities and affordable housing are required in accordance with any Section 75, as agreed" to ensure clarity. Additionally, the Council considers that the third, fourth, fifth, sixth and seventh sentence of the fifth paragraph could be removed from the allocation summary. It is considered that the level of detail is not required as much of it sits within the legal document (Section 75) and therefore does not require to be repeated within the allocation summary. Furthermore, the Council considers that although this is the agreed position at this time, development would require to adhere to the policies contained within the Plan as detailed within the Section 75 agreement. As other allocation summaries within the PLDP do not contain this level of detail, it is considered appropriate to remove these sentences to ensure consistency throughout the PLDP.

In light of the above, if the Reporter is minded, to make an amendment, then the Council recommend that the wording in the fifth paragraph of the allocation summary could read as follows:

“Contributions towards the provision of a new primary school within the Balmedie area, appropriate community facilities and affordable housing are required in accordance with any Section 75, as agreed. It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. However, there is scope for the consideration of on-site delivery of affordable housing units which meets local housing need. This would require to be assessed prior to any future applications. Delivery of any future on-site affordable housing should be integrated into the design of the development to provide a mix of house types and sizes to meet local need. Hard and soft landscaping schemes are necessary, and a compensatory planting scheme will be required. A Woodland Biodiversity Action Plan should be completed.”

Non-Allocated Site – Bid Site FR022 – Land at Millden

The Council does not support allocating bid site FR022 for 400 homes, site for a primary school, community facilities and mixed employment uses. The site is detached from Balmedie and is not considered a suitable extension to Balmedie at this time. As noted within the Main Issues Report, it is still not considered that there has been sufficient work to support that this would be a deliverable site (AD0038.D, page 11). Issues raised through the Main Issues Report and the Issues and Action Paper remain valid and it is not considered that it is necessary or appropriate to allocate this land for development. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site FR089 – Land at Keir Farm

The Council does not support allocating bid site FR089 for 500 homes or for 600 homes, a new primary school and associate uses and infrastructure. As acknowledged within the Main Issues Report the site is well located to the settlement of Balmedie but is separated from the settlement by the A90 (T). It was also identified that there were a number of infrastructure constraints that would be required to be overcome in order for the development to be deliverable (AD0038.D, page 9). Providing connectivity to the rest of Balmedie through means of active travel remains a concern along with issues of education provision. At this stage it is not considered appropriate to allocate this land for development.

As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site FR116 – Land at Blairton

The Council does not support allocating bid site FR116 for 1,650 homes. As acknowledged within the Main Issues Report the site is within the countryside between the settlement of Balmedie and the OP3 allocation. There are a number of constraints that would require to be overcome including education provision and road access. Although it was noted within the MIR that the proposal could deliver a well-connected place to live which continues the existing pattern of the settlement (AD0038.E, page 10). However, at

this stage it is not considered that it is necessary or appropriate to allocate this land for development.

As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – New Site N014 – Land at Southfolds Farm

The Council does not support allocating new site N014 for commercial and residential development. Part of the site was not put forward as a development bid so was not considered as such at the MIR stage, nor subject to site assessment and public consultation. The representation does not include supporting information such as an environmental assessment to allow a detailed evaluation of the suitability of the proposal. The areas of land that were proposed through the MIR stage, FR089 was not preferred for immediate development and FR128 was not identified as an Officer's preference (AD0038.D, page 5-11).

In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – New Site N019 – Land east of North Beach Road

The Council does not support allocating new site N019 for 10 self-build homes. The site was not put forward as a development bid so was not considered as such at the MIR stage, nor subject to site assessment and public consultation. The representation does not include supporting information such as an environmental assessment to allow a detailed evaluation of the suitability of the proposal. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Belhelvie

General

Comments from the representee are noted. No change is required.

The concerns regarding infrastructure provision raised by Belhelvie Community Council are noted. During the preparation of the Plan and through the site assessment process the requirements for infrastructure were looked at and subsequently the 'Services and Infrastructure' section of the Settlement Statements were populated. This section highlights what, if any, obligations are required for the different forms of development as a result of the allocated site being delivered. Developer Obligations are sought towards the provision of the necessary infrastructure. They must fairly and reasonably relate in scale to the proposed development and are needed to make the proposed development acceptable in planning terms, all in line with the policy tests contained in Planning Circular

3/2012. No change is required.

Concerns regarding the removal of the green belt are noted. However, the area surrounding Belhelvie is not identified as green belt (AD0041.B, Appendix 4 Boundaries of the Green Belt, page 119). This means that the area surrounding Belhelvie is classed as countryside. The impact upon the countryside is one of the considerations within the site assessments to ensure that there would not be a significant negative impact from the development taking place. It should also be noted that within the allocation summary for sites OP2 and OP3, landscaping is mentioned in both of these to ensure that it softens the impact of development on the surrounding countryside (AD0041.F, Belhelvie Settlement Statement, page 403). No change is required.

Site R1 – Reserved for a future Community Centre

SEPA's comments are noted. No change is required.

Comments from the representee are noted. No change is required.

The R1 site has been identified through early engagement in the LDP process with Belhelvie Community Council highlighting an aspiration for a new community centre in Belhelvie in this location. The aspiration for a community centre is also noted within the Vision for the settlement. It is noted by the representee that the site should be removed from the Plan due to having planning permission on the site for a house, however no alternative site has been identified within the settlement in order to meet the aspirations of the community. Removal of the site would therefore not be desirable. Additionally, neighbour notification letters were sent out for all reserved and opportunity sites identified within the LDP so the owner of the land in question should have been aware of the reserved status through the means of this process. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

SEPA's comments are noted. No change is required.

Developer Obligations are sought towards the provision of contributions for specific and necessary infrastructure and services that are necessary to make the development acceptable in planning terms for all users. They must fairly and reasonably relate in scale to the proposed development and are needed to address any impact created by the development thus making the proposed development acceptable in planning terms, in accordance with the 5 policy tests contained in Planning Circular 3/2012 (AD0002). No change is required

The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Contributions are sought towards the provision of the necessary infrastructure. Contributions within the LDP must fairly and reasonably relate in scale to the proposed

development and be needed to make the proposed development acceptable in planning terms, all in accordance with the policy tests contained in Planning Circular 3/2012 (AD0002). These tests have been carried out when looking at what is required for each of the sites allocated within the LDP. Although, it is worth noting that Policy RD2 Developer Obligations notes that a review will be undertaken of the need for and scale of any contribution in the light of circumstances at the time the planning application is made (AD0041.A, page 92). Early discussion between developers and Aberdeenshire Council is encouraged to ensure matters are dealt with in a timely way. No change is required.

Site OP1 – East End of Park Terrace

SEPA's comments are noted. No change is required.

Site OP2 – Land at Cairntack (East)

Support for the allocation is noted. No change is required.

SEPA's comments are noted. No change is required.

A number of concerns have been noted with regards to infrastructure, including road access, additional traffic flows, primary school, surface water, WWTW provision and health care. These are all covered under 'Services and Infrastructure'; which notes what Developer Obligations are required as a result of a development being delivered. These requirements would also be discussed again between the Council's Developer Obligations Team, the developer and any relevant stakeholder upon submission of a planning application. It is therefore not considered to be a barrier to development. Additionally, any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan.

Concerns relating to the impact that the site will have on visual impact and the loss of wildlife are both aspects that were considered through the site assessment stage of the Plan-making process. Within the allocation summary there is also note that through the development of the site that landscaping should be used to soften the impact of development on the surrounding countryside and define the settlement boundary. Lack of amenities is also noted as an issue against development on the site however there is a community aspiration for a community centre. It is also noted that the village is in close proximity to Balmedie which is a key settlement within the Corridor and acts as an amenity for smaller surrounding settlements.

It is noted that there are concerns regarding affordable housing in the settlement due to car dependency. Access to services is considered when looking at affordable housing proposals and it has shown that affordable housing does not necessarily relate to car ownership. Additionally, measures including air quality have been looked at through the site assessment process and although car dependency will have been a negative, there are other aspects of the development which will have scored positively making for a balanced decision.

Issues relating to public transport are noted however, due to the settlement's location within the Strategic Growth Area there is a requirement for a level of housing to meet the needs of the area. In light of the above, it is not considered that site OP2 should be

removed. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council note the comments from NatureScot in relation to the Sands of Forvie SAC. In consultation with the Council's Environment Service, the Council have been advised that the text in relation to the impact on the SPA is appropriate and should remain in the allocation summary (AD0130). However, the Council would not object to the removal of reference to the Sands of Forvie SAC as this site is designated for its vegetation of which the OP1 site is not likely to impact upon. As such, if the Reporter is minded, to make an amendment, then the Council recommend that the first sentence of the third paragraph could be amended to remove the reference to the Sands of Forvie SAC."

Site OP3 – Land to the East of Cairn View

SEPA's comments are noted. No change is required.

Support for the allocation is noted. No change is required.

The names provided for the allocation were provided through the development bid process and were submitted by landowners/developers. It is acknowledged that the names could be swapped however in terms of simplicity and readability for residents within the settlement it is not proposed to change the allocation names. No change is required.

A number of concerns have been noted with regards to infrastructure, including road access, additional traffic flows, pavements, primary school, surface water, WWTW provision and health care. These are all covered under 'Services and Infrastructure'; which notes what Developer Obligations are required as a result of a development being delivered. These requirements would also be discussed again between the Council's Developer Obligations team, developer and any relevant stakeholder upon submission of a planning application. It is therefore not considered to be a barrier to development. Additionally, any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan. No change is required.

Concerns relating to the impact that the site will have on visual impact, the loss of wildlife and destruction of green areas are all aspects that were considered through the site assessment stage of the Plan-making process. Concerns regarding the removal of the green belt are noted. However, the area surrounding Belhelvie is not identified as green belt (AD0041.B, Appendix 4 Boundaries of the Green Belt, page 119). This means that the area surrounding Belhelvie is classed as countryside. Additionally, concerns of impact on prime agricultural land are noted. Site OP3 however is not located on land classed as prime agricultural land as defined within Policy PR1.5 Prime Agricultural Land (AD0041.A, page 74). The impact upon the countryside is one of the considerations within the site assessments to ensure that there would not be a significant negative impact from the development taking place. In order to provide some mitigation to landscape impact and impact on character of the settlement, within the allocation summary there is also note that through the development of the site that landscaping should be used to soften the impact of development on the surrounding countryside and

define the settlement boundary.

Lack of amenities is also noted as an issue against development on the site however there is a community aspiration for a community centre. It is also noted that the village is in close proximity to Balmedie which is a key settlement within the Corridor and acts as an amenity for smaller surrounding settlements.

It is noted that there are concerns regarding affordable housing in the settlement due to car dependency. Access to services is considered when looking at affordable housing proposals and it has shown that affordable housing does not necessarily relate to car ownership.

Issues relating to public transport are noted however, due to the settlement's location within the Strategic Growth Area there is a requirement for a level of housing to meet the needs of the area. Measures including air quality have been looked at through the site assessment process and although car dependency will have been a negative, there are other aspects of the development which will have scored positively making for a balanced decision. In light of the above, it is not considered that site OP3 should be removed. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – East End of Park Terrace, Site OP2 – Land at Cairntack (East) and Site OP3 – Land to the East of Cairn View

Comments from Belhelvie Community Council are noted. No change is required.

As for both the OP2 and OP3, allocation concerns have been noted with regards to infrastructure, including road access, additional traffic flows, primary school, surface water, WWTW provision and health care. These are all covered under 'Services and Infrastructure'; which notes what Developer Obligations are required as a result of a development being delivered. These requirements would also be discussed again between the Council's Developer Obligations Team, developer and any relevant stakeholder upon submission of a planning application. It is therefore not considered to be a barrier to development. Issues relating to public transport are noted however, due to the settlement's location within the Strategic Growth Area there is a requirement for a level of housing to meet the needs of the area. In addition to this, contributions are sought through the Services and Infrastructure section of the Settlement Statement for public transport infrastructure. Additionally, any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan.

Concerns relating to the impact that the sites will have visually, and the loss of wildlife are both aspects that were considered through the site assessment stage of the Plan-making process. Concerns regarding the removal of the green belt are noted. However, the area surrounding Belhelvie is not identified as green belt (AD0041.B, Appendix 4 Boundaries of the Green Belt, page 119). This means that the area surrounding Belhelvie is classed as countryside. The impact upon the countryside is one of the considerations within the site assessments to ensure that there would not be a significant negative impact from the development taking place. Within the allocation summary for sites OP2 and OP3, there is

also note that through the development of the site landscaping should be used to soften the impact of development on the surrounding countryside and define the settlement boundary. Lack of amenities is also noted as an issue against development on the site however there is a community aspiration for a community centre. It is also noted that the village is in close proximity to Balmedie which is a key settlement within the Corridor and acts as an amenity for smaller surrounding settlements. It is also noted that Balmedie and Blackdog offer employment opportunities for smaller surrounding settlements. The Council note concerns regarding development being better suited in other nearby settlements, however, due to Belhelvie's location within the Strategic Growth Area, there is a requirement for a level of housing to meet the needs of the area which will be met through the proposed allocations in the settlement.

Measures including air quality have been looked at through the site assessment process and although car dependency will have been a negative, there are other aspects of the development which will have scored positively making for a balanced decision. It is noted that there are concerns regarding affordable housing in the settlement due to car dependency. Access to services is considered when looking at affordable housing proposals and it has shown that affordable housing does not necessarily relate to car ownership. No change is required.

Blackdog

General

The concerns regarding infrastructure provision raised by Belhelvie Community Council are noted. During the preparation of the Plan and through the site assessment process, the requirements for infrastructure were looked at and subsequently the 'Services and Infrastructure' section of the Settlement Statements were populated. This section highlights what, if any, obligations are required for the different forms of development as a result of the allocated site being delivered. Developer Obligations are sought towards the provision of the necessary infrastructure. They must fairly and reasonably relate in scale to the proposed development and considered necessary to make the proposed development acceptable in planning terms, all in accordance with the 5 policy tests contained in Planning Circular 3/2012. No change is required.

Although the development has been built through the planning permission it is not felt that it is necessary to alter the settlement boundary to include this land within it. Extending the settlement boundary to include this full area which is the subject of the planning permission could allow for infill development which would not be desirable in this location. No change is required.

Vision

Nestrans comments are noted. No change is required.

The wording that is currently within the Vision for Blackdog notes the importance of the settlement meeting strategic housing and employment land through the development of the OP1 site. More detail on the progress of the OP1 site can be found in the allocation summary text for the site. It is not considered that it is necessary to repeat this within the Vision. No change is required.

Site BUS – Safeguarded for business uses

SEPA's comments are noted. No change is required.

Town Centre

The request for the town centre to be included in the Settlement Statement map is noted. However, Policy B1 Town Centre Development sets out the guidelines for development relating to town centres. The policy is in place to ensure appropriate development happens within the designated town centres. It is, therefore, felt that the request is premature, and it would be more appropriate to review this later in the development of Blackdog. No change is required.

Flood Risk

SEPA's comments are noted. No change is required.

Services and Infrastructure

SEPA's comments are noted. No change is required.

Site OP1 – Land at Blackdog

The comment in support of the allocation is noted. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The LDP contains policy PR1 Protecting Resources in which there is a section on Trees and Woodland which has a presumption in favour of retaining woodland on development sites. There is also a requirement through this policy that compensatory planting is required to be undertaken when trees are required to be removed on sites (AD0041.A, page 75). Additionally, Blackdog has an agreed masterplan for the OP1 site which shows the locations for new development, including affordable housing, but also the areas to become open space as well as the areas that are to remain as amenity areas for the settlement, including the wooded area to the south of the settlement and other existing wooded areas (AD0079, Blackdog masterplan, page 43). Further to this, Planning Application (APP/2020/0349) was recently approved at Formartine Area Committee subject to a Section 75 agreement for the next phase of the housing development for 284 homes. This application has no impact on the trees and woodland within the settlement. No change is required.

Comments in concern of the gypsy/traveller site are noted. A number of concerns have been raised to note that there are no facilities within Blackdog which is a requirement under Policy H1 for sites. However, as noted within the Blackdog masterplan, the site is not proposed until the 4th phase of the employment land development. This indicates that the facilities noted as a requirement for a gypsy/traveller site would exist (AD0079, page 37). Proximity to housing is also noted as a concern but again through the agreed masterplan the site is not located directly beside housing but is located near the employment element of the proposal. As stated in the allocation summary, land for a gypsy/traveller site will be required to be made available on part of the site, prior to the

development of the fourth phase, as outlined in the masterplan. No change is required.

As noted above, the request for the town centre to be included in the Settlement Statement map is noted. However, Policy B1 Town Centre Development sets out the guidelines for development relating to town centres. The policy is in place to ensure appropriate development happens within the designated town centres. It is, therefore, felt that the request is premature, and it would be more appropriate to review this later in the development of Blackdog. No change is required.

Non-Allocated Site – Bid Site FR057 – Land to the west of the A90

The Council does not support allocating bid site FR057 for commercial roadside services. As noted within the Issues and Actions Paper the site is undesirable and could result in infill opportunities if the site was to be included within the settlement boundary of Blackdog. The land is also part of the green belt and functions well for its purpose with no justification for removing green belt land in this location when a facility of this nature along with service facilities, could be provided within the OP1 allocation in Blackdog and there are also other facilities to the south of the proposed site that can provide this offer. Nestrans have also advised through the Issues and Actions paper that they do not foresee a need for roadside services in this location, (see Issues and Actions Paper, AD0040.D, page 22). No change is required.

Foveran

General

Concerns upon the impact that new development will have on infrastructure is noted. However, contributions are sought towards the provision of the necessary infrastructure, including primary education. Contributions within the LDP must fairly and reasonably relate in scale to the proposed development and be needed to make the proposed development acceptable in planning terms, in line with the policy tests contained in Planning Circular 3/2012. These tests have been carried out when looking through what is required for each of the sites allocated within the LDP. It is worth noting that Policy RD2 Developer Obligations notes that a review will be undertaken of the need for and scale of any contribution in the light of circumstances at the time the planning application is made (AD0041.A, page 92). This will ensure that relevant contributions can be taken to allow for the necessary solution to be implemented. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Education capacity is a complex issue and needs to be looked at in the context of the development corridor. A number of potential solutions are available but are all very reliant on the nature and build out rates of development within the overall corridor. A solution

would be informed as development progresses and begins to be delivered within the corridor through liaison with the Councils Learning Estates Team.

Additionally, contributions are sought towards the provision of the necessary infrastructure, including primary education. Contributions within the LDP must fairly and reasonably relate in scale to the proposed development and be needed to make the proposed development acceptable in planning terms, in line with the policy tests contained in Planning Circular 3/2012 (AD0002). These tests have been carried out when looking through what is required for each of the sites allocated within the LDP. It is worth noting that Policy RD2 Developer Obligations notes that a review will be undertaken of the need for and scale of any contribution in the light of circumstances at the time the planning application is made (AD0041.A, page 92). This will ensure that relevant contributions can be taken to allow for the necessary solution to be implemented. No change is required.

Site OP1 – South of Westfield Farm

SEPA's comments are noted. No change is required.

There is an agreed masterplan for the site and the first phase of development on the site is very nearly complete with only 1 unit remaining. The site boundary as detailed within the LDP is reflective of the site boundary within the agreed masterplan where it is noted in section 2 of the document that there are no land ownership issues within the masterplan area (AD0085, South of Westfield Farm masterplan, page 6). It is therefore, not considered as appropriate to amend the boundaries of the allocation. No change is required.

Additionally, any impacts on the amenity of neighbouring properties, including roads and pavements will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan. No change is required.

Site OP2 – West of McBey Way

SEPA's comments are noted. No change is required.

Comments relating to drainage issues from the representee are noted. However, SEPA have commented and note that they have no further comments to make on the site and are content with the text within the allocation summary. The text within the allocation summary notes that a Flood Risk Assessment may be required and that a buffer strip will be required. These measures are put in place to ensure that the development of the new allocation can be looked at in terms of flooding both on-site and off-site as a result of the development. Issues relating to the amenity of properties neighbouring the proposed development would be dealt with at the planning application stage with proposals being assessed against relevant policies within the Plan. No change is required.

Site OP3 – South of Turin Way

SEPA's comments are noted. No change is required.

Any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan. The Council note the concerns raised regarding the impact the site would have on the

character of the settlement and existing homes, however, the allocation summary states that landscaping would be expected to the south of the site to minimise visual impact on the approach to the settlement, and also to the north to minimise any impact on homes there. Additionally, a number of concerns have been noted with regards to infrastructure, including primary school capacity, surface water and WWTW provision. These are all covered under 'Services and Infrastructure'; which notes what Developer Obligations are required as a result of a development being delivered. These requirements would also be discussed again between the Council's Developer Obligations Team, the developer and any relevant stakeholder upon submission of a planning application. It is therefore not considered to be a barrier to development. No change is required.

Site OP4 – Site 2, Land at Blairythan Terrace

SEPA's comments are noted. No change is required.

Any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan. The Council note the concerns raised regarding the impact the site would have on the character of the settlement and existing homes, however any development on the site would require to be assessed against Policy P1 Layout, Siting and Design and would require demonstrating the six qualities of successful places. Additionally, a number of concerns have been noted with regards to infrastructure, including primary school capacity, surface water and WWTW provision. These are all covered under 'Services and Infrastructure'; which notes what Developer Obligations are required as a result of a development being delivered. These requirements would also be discussed again between the Council's Developer Obligations Team, the developer and any relevant stakeholder upon submission of a planning application. It is therefore not considered to be a barrier to development. No change is required.

Site OP5 – Land adjacent to former A90, North of Westfield Road

SEPA's comments are noted. No change is required.

Site OP3 – South of Turin Way, Site OP4 – Site 2, Land at Blairythan Terrace, and Bid Site FR109 – Land to South West of Foveran

Support for the inclusion of sites OP3 and OP4 is noted. No change is required.

The Council does not support allocating bid site FR067 for housing or a link road. Although bid site FR067 forms a logical extension to the settlement the site it would be better placed to follow development that is newly allocated in the settlement at OP3 and OP4. Adding this allocation into Foveran at this time would cumulatively result in over development of the settlement within the Plan period. With regards to the link road, it is shown as indicative at this time, and it would be expected that its exact route would be considered through the joint Access Strategy for sites OP3 and OP4. No change is required.

Also, as noted below it is not considered that FR109 is a suitable extension to Foveran at this time. It is considered that there is an appropriate amount of housing and employment allocations, some existing and some new allocations, for the settlement to play its function as part of the Strategic Growth Network. The site would be detached from the settlement

until the new allocations at sites OP3 and OP4 were built out which would be undesirable. As noted within the Main Issues Report, the site would form a significant extension to the settlement and the development is not seen to be of a scale that is suitable for Foveran, particularly giving that there are already new allocations proposed within the settlement (AD0038.D, page 48). No change is required.

It is not considered that there is a shortfall within the Housing Land Supply, which would require the site to be allocated which as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. More information can also be found in Issue 5 regarding the Housing Land Supply calculations. No change is required.

Non-Allocated Site – Bid Site FR109 – Land to South West of Foveran

The Council does not support allocating bid site FR109 for residential development. It is not considered that FR109 is a suitable extension to Foveran at this time. It is considered that there is an appropriate amount of housing and employment allocations, some existing and some new allocations, for the settlement to play its function as part of the Strategic Growth Network. The site would be detached from the settlement until the new allocations at sites OP3 and OP4 were built out which would be undesirable. As noted within the Main Issues Report, the site would form a significant extension to the settlement and the development is not seen to be of a scale that is suitable for Foveran, particularly given that there are already new allocations proposed within the settlement (AD0038.D, page 48). With regard to the indicative link road, this route is indicative at this time with no detailed design work undertaken to determine the exact route of the road. The route has been shown on the Settlement Statement map to provide a visual representation of the statement included in 'Local transportation infrastructure' section of the Settlement Statement. Additionally, with regards to the access to OP2, as stated within the allocation summary, proposals for a link across the Foveran Burn through OP1 in line with the site masterplan are required to form a loop road from Blairythan Terrace and provide two points of access to the B977.

It is not considered that there is a shortfall within the Housing Land Supply, which would require the site to be allocated which as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. More information can also be found in this paper regarding the Housing Land Supply calculations. No change is required.

Non-Allocated Site – Bid Site FR142 – Land West of A90 (Phase 1), North of Blairythan

The Council does not support allocating bid site FR142 for 150 homes and village centre (retail/nursery) and community uses (potential school relocation/sports centre/playing fields). The site is not considered to be a suitable extension to the settlement at this time. It is detached from the rest of the development within Foveran and would not help to contribute towards a village core. It is also noted through the Main Issues Report that the development would erode the character of the original form of the settlement (AD0038.D, page 48). These concerns remain valid and appropriate. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping

Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site FR143 – Land West of A90 (Phase 2), North of Blairythan

The Council does not support allocating bid site FR143 for strategic reserve housing land for 140 homes. The scale of the proposed development, when viewed in conjunction with current development in Foveran and a future related phase of development included as a separate bid, would create an unnatural extension to the north which would erode all the character of the original form of the settlement. These concerns were noted through the Main Issues Report (AD0038.D, page 48), and the Issues and Actions Papers (AD0040.D, page 49). It is maintained that this development would form an unnatural extension to Foveran and should not be included as an allocation. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Rashierieve Foveran

General

The comment in support is noted. No change is required.

As noted within the Issues and Actions Paper, Rashierieve, while included as a Settlement Statement within the Proposed Local Development Plan, does not have a settlement boundary. Rashierieve is a small grouping of four houses, car sales garage, a vet referral and engineering company. This grouping does not have a community function at present and therefore does not meet the criteria of a “settlement” within the Local Development Plan (AD0041.A, page 91). It is therefore not necessary or appropriate to amend the Plan to give Rashierieve a defined settlement boundary. No change is required.

Site SR1 – Reserved for strategic employment land

SEPA’s comments are noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications. Scottish Water made similar comments, but it is felt that the modification sought by SEPA covers both stakeholders’ views.

Site OP1 – Land West of Rashierieve Cottages

SEPA's comments are noted. No change is required.

The OP1 site is allocated for '8 live/work residential units' within the PLDP. Within the Policies associated with live/work units, it notes under Policy B2 Employment/Business Land that home/work proposals may be appropriate on land identified for mixed use development depending on the criteria set out in Policy P3 (AD0041.A, page 26). Policy P3 Infill Developments within Settlement and Householder Developments (including home and work proposals) states that "We encourage 'working from home' proposals if they do not cause significant loss of amenity to neighbouring properties through noise, traffic movements or other nuisance, and do not change the overall character of the property's use as a single dwelling" (AD0041.A, page 50).

It is therefore considered acceptable for the reference to a mixed-use development to remain within the allocation summary text as the allocation will be delivering both housing and employment uses through the live/work units. Additionally, the only reference within the allocation summary with direct reference to employment uses is to note that these should be screened from existing residential dwellings within the settlement. No change is required.

Non-Allocated Site – Bid Site FR109 – Land to South West of Foveran

The Council does not support allocating bid site FR109 for strategic employment reserve; development for employment uses and strategic landscaping; and residential development. The site was considered through the Main Issues Report and also through the Issues and Actions Papers (AD0038.D, MIR page 48 and AD0040.D, Issues and Actions page 49). The site was considered to be of a scale that would result in a significant extension resulting in the coalescence of Foveran and Rashierieve Foveran which was not seen to be acceptable. The site within Rashierieve Foveran would be segregated by the A975 meaning that the site would be detached from the rest of the settlement which would result in an undesirable location for extension to Rashierieve Foveran. Furthermore, it is considered that the Settlement Statement Vision sufficiently sets out the key objectives for the settlement.

Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site FR109 – Land to South West of Foveran (part)

The Council does not support allocating bid site FR109 for extending the identified settlement boundary of Rashierieve to include a housing/mixed-use allocation at land to the north of SR1 and A975. The land in question is not considered to be a suitable location for expansion of the settlement due to the fact that the site would be segregated from the rest of the development by the A975. It is therefore, not considered to be a sustainable and suitable location for further development within the settlement. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 28. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Balmedie

General

3. The settlement boundary at Balmedie is drawn tightly around the northern edge of the built up area using property boundaries and sometimes roads. I consider that it is clear on the ground and logical. The proposed extended boundary, by contrast, would take in a block of open ground and some scattered dwellings, projecting out into open countryside. I see no merit in that proposal. As the council points out, the intention of the proposal to allow for infill development is considered below as non-allocated new site N019.

4. The concerns raised by Belhelvie Community Council regarding pressure on existing facilities and services from the proposed addition of around 1,800 homes in the community council area are addressed by the requirements set out in the Services and Infrastructure section of the Balmedie settlement statement. These detail the types of development which will require to contribute towards specified services and infrastructure, and the mechanisms for initiating infrastructure improvements.

5. No modifications are required.

Flood Risk

6. I agree that the flood risk bullet point should be amended, as requested by the Scottish Environment Protection Agency (SEPA), in the interests of clarity and consistency. A modification is recommended.

Services and Infrastructure

7. Scottish Water has indicated that a drainage impact assessment may be required for development proposals. I agree that a reference to this should be included in the strategic drainage and water supply bullet point. A modification is recommended.

8. The council has explained that developer contributions are sought towards the infrastructure required to support development, in line with the policy tests set out in Scottish Government circular 3/2012. It is not the role of the local development plan to explain the funding arrangements for Scottish Water growth projects. No modification is

recommended.

Site OP1 – Land at Balmedie South

9. The reordering of the sentences in the fourth paragraph of the allocation summary, as suggested by SEPA, would be logical. A modification to this effect is recommended.
10. As there is a difference of opinion between the council and potential developers as to the potential viability of a direct access to the site from the trunk road roundabout, it would be prudent to leave this option open. A modification to this effect is recommended.
11. It is reasonable for the council to specify a standard of provision for bus stops serving this housing, employment and commercial site. A high standard as indicated would promote use of public transport, in accordance with the relevant plan outcome on page 15 of the proposed plan.
12. The housing land audit 2020 indicates that the site is no longer constrained. The agreed programming shows that 50 homes are expected to be completed by 2027. I consider it reasonable to assume that the additional 30 homes proposed on the site would be deliverable by 2032. No modification is required.
13. In a response to a request for further information (FIR014), NatureScot has clarified its advice that planning controls on construction and operation to mitigate drainage impacts are not necessary to avoid an adverse effect on the integrity of the Sands of Forvie Special Area of Conservation or of Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area. This advice is based on detailed analysis which concluded that the impact of drainage and construction works on the relevant bird species would not have an adverse effect on the integrity of the protected areas. In the light of that explanation, I recommend an appropriate modification.

Site OP2 – Land south of Chapelwell

14. In a response to a request for further information (FIR014), NatureScot has clarified its advice that planning controls on construction and operation to mitigate drainage impacts are not necessary to avoid an adverse effect on the integrity of the Sands of Forvie Special Area of Conservation or of Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area. This advice is based on detailed analysis which concluded that the impact of drainage and construction works on the relevant bird species would not have an adverse effect on the integrity of the protected areas. In the light of that explanation, I recommend an appropriate modification.

Site OP3 - Menie

15. Although site OP3 already has planning permission, I agree with SEPA that it would be helpful to explain the circumstances in which a flood risk assessment may be required, in the event that development proposals are revised or the existing permission lapses. A modification based on SEPA's suggested wording is recommended.
16. With regard to the protection of ancient woodland within the site, the council has taken account of the presence of this woodland in granting planning permission for mixed development, which is subject to an approved masterplan. The council's considerations

included a compensatory tree planting scheme and adjustments to the site layout to avoid impact on the ancient woodland. The allocation summary requires completion of a Woodland Biodiversity Action Plan. I agree, however, with the council's suggestion for additional wording in the allocation summary on this matter, and recommend an appropriate modification.

17. The concerns expressed by Belhelvie Community Council regarding the potential impact of construction traffic passing through Balmedie village would be addressed in the planning application process, which can require a Construction Traffic Management Plan. With regard to the request for a grade-separated junction on the A90 to cope with additional commuter traffic generated by the developments, potential roads improvements would have been considered in the planning application process and should not be revisited in this examination. No modification is required.

18. The allocation summary for site OP3 summarises its planning history since an application for outline planning permission was submitted in 2006. A representation requests a minor amendment to clarify that the two phases (Chapters 1A and 1B) with full permission may not necessarily be the first to be delivered. I agree to the suggested modification in the interest of clarity. The other updates to factual references proposed by the council do not relate to representations and are therefore not a matter for this examination.

19. It would avoid any confusion in relation to the Habitats Regulations, for the fourth paragraph of the site allocation statement to refer to the need for development on the site to take full account of any potential impact on the nearby Foveran Links Site of Special Scientific Interest and on other environmentally designated sites in the wider area. In its response to my request for further information (FIR014), NatureScot confirmed that appropriate drainage provision and a construction method statement were not required specifically to avoid an adverse effect on the integrity of the Sands of Forvie Special Area of Conservation or of the Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area, whether for their goose populations or for other birds of interest in relation to those designations. It went on to state that such measures might nevertheless be considered best practice. As to disturbance during construction or even complete loss of habitat resulting from development, this would not result in an adverse effect on site integrity. The second sentence of the fourth paragraph is therefore not appropriate. The representation on behalf of the owners of site OP3 also seeks deletion of the third sentence of the fourth paragraph, but gives no reasons for that proposed amendment. Taking those comments into account, I recommend appropriate modifications.

20. In response to requested changes to the fifth paragraph of the allocation summary, I agree that the council has no control over whether future applications would be for approval of matters specified in conditions or otherwise, terminology should be consistent throughout the proposed plan, and reference to contributions being financial would be restrictive. Removal of the eighth sentence would allow for future flexibility and the proposed changes to the ninth sentence would improve clarity. The council's additional suggestions for change go beyond the matters raised in the representation. I recommend modifications accordingly.

Non-allocated Bid Site FR022 – Land at Millden

21. Bid site FR022 is proposed for 400 homes, a primary school site, community

facilities and mixed employment uses. It is being promoted as having direct access from the A90, lack of traffic impact on the existing settlement, no sewerage or water constraints, a much needed site for a primary school, some existing development, pedestrian/cycle links, no protected designations, and a masterplan in preparation.

22. This large site is detached from Balmedie and divided from it by the A90 road. It would be distant from facilities and services in the village, discouraging active travel and integration with the existing community. Development on this site would constitute a prominent incursion into open countryside. It would change the character of the village and its sense of place. At main issues report stage, the council stated that it had not seen evidence that it would be a deliverable site, and I have not been made aware that further evidence has been forthcoming. The site is subject to a number of environmental and other constraints.

23. Housing is the predominant use in the bid submission and accordingly I have focussed my assessment on this use in the first instance. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Sites in Balmedie could potentially contribute to meeting this shortfall. However, for the reasons set out above, I conclude that bid site FR022 should not be allocated. There are other sites available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, as explained in Issue 5.

24. Given my conclusions on housing, I have not sought to undertake a detailed assessment of the other proposed uses in bid FR022. However, I agree with the council that insufficient information has been provided in relation to the justification for and impacts of the other uses shown in the supporting masterplan. No modification is required.

Non-allocated Bid Site FR089 – Land at Keir Farm

25. Bid site FR089 is proposed for 500-600 homes, a primary school and associated uses. It is argued that this is an effective and deliverable site, which should be allocated in response to concern about the delivery of large sites elsewhere in the Blackdog to Peterhead Strategic Growth Area.

26. This large site lies immediately to the west of the existing built up area, but is separated from it by the A90. Whilst an existing narrow underpass at the northern end of the site would allow for pedestrian and cycle access into the village centre and its facilities, vehicular access would be via the A90 junction and the B977 road to the west. This would present an obstacle to integration with the existing settlement. There are other infrastructure constraints which would require to be resolved in relation to watercourses, woodland, active travel, education facilities and safe access to school.

27. Concerns over the slow delivery of homes on existing strategic sites are discussed in Issue 5, and we conclude that there is no justification to identify additional housing allocations for the period up to 2032 on that basis.

28. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, we conclude that

there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Sites in Balmedie could potentially contribute to meeting this shortfall. However, for the reasons set out above, I conclude that bid site FR089 should not be allocated. There are other sites available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, as explained in Issue 5.

29. Given my conclusions on housing, I have not undertaken a detailed assessment of the other uses proposed in bid FR089. No modification is required.

Non-Allocated Bid Site FR116 – Land at Blairton

30. Bid site FR116 lies in countryside between Balmedie and the OP3 allocation and is promoted for 1,650 homes, community uses and a mixed use area; 850 of the homes would be developed within the plan period and the remainder in future years. It is conceived as a distinct village with pedestrian links to Balmedie. Vehicular links would be via the Old Aberdeen Road. The proposal is to include education provision, green transport links and enhanced biodiversity with an ecological park adjacent to the dunes.

31. The proposal would lie to the east of the A90 and therefore not be subject to the barrier of a trunk road. However, matters of concern remain, including landscape and visual impacts on the North East Aberdeenshire Coast Special Landscape Area, impacts on natural heritage, the potential need for recreational management, public transport provision, education provision, and traffic impact on the village. The area is prime agricultural land. I also note that NatureScot has advised that careful consideration be given to how the proposal would relate to surrounding development as it appears to be leading to coalescence (presumably between Balmedie and the Menie development) and to large scale suburban development.

32. Housing is the predominant use in the bid submission and accordingly I have focussed my assessment on this use in the first instance. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, we conclude that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Whilst sites in Balmedie could potentially contribute to meeting this shortfall, there is no justification for a proposal of 850 homes in the plan period, with a further 800 homes identified as a strategic reserve. For the reasons set out above, I conclude that bid site FR116 should not be allocated. There are other sites available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, as explained in Issue 5.

33. Given my conclusions on housing, I have not undertaken a detailed assessment of the other elements of the proposal. No modification is required.

Non-Allocated Bid Site FR128 and New Site N014 – Land at Southfolds Farm

34. New site N014 incorporates bid site FR128. There is no representation promoting bid site FR128 on its own. The site comprises two parcels close to, and to the west of the new grade-separated junction on the A90. The small parcel (bid site FR128) which is closer to the junction is promoted for commercial use, where it would be visually prominent to passing trade, and the larger parcel is for residential use. It could be

considered independently or together with bid site FR089 (land at Keir Farm).

35. As part of this site was not put forward as a development bid, it was not considered at main issues report stage, and therefore not subject to site assessment and public consultation. There is no environmental assessment for the part of the site proposed for housing. The main issues report included a proposal for 20 homes on the small parcel of land now proposed for commercial uses. Officers did not support this proposal, and commercial uses are now being promoted, as an alternative to housing, due to noise from the A90. Limited information has been provided regarding the nature of the proposed uses and no assessments have been submitted in relation to their impact on the transport network or on existing or town centres, in line with policy B1.

36. In the circumstances, I do not have the information required to make a proper assessment of the merits of this proposal. Moreover, this site is not required to meet housing needs, as alternative sites are available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area (see Issue 5). I conclude that bid site FR128 and new site N014 should not be allocated.

37. No modification is required.

Non-Allocated New Site N019 – Land east of North Beach Road

38. New site N019 comprises a site to the north of the village promoted for 10 self-build homes. It is associated with the representation assessed above at paragraph 3 for extension to the settlement boundary. It was not put forward as a development bid and so was not considered at main issues report stage, nor was it subject to site assessment and public consultation. There is no supporting information such as an environmental assessment.

39. In the circumstances, I do not have the information required to make a proper assessment of the merits of this proposal. Moreover, this site is not required to meet housing needs, as alternative sites are available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area (see Issue 5). I conclude that bid site N019 should not be allocated.

40. No modification is required.

Belhelvie

General

41. The concerns raised by Belhelvie Community Council regarding pressure on existing facilities and services from the proposed addition of around 1,800 homes in the community council area are addressed by the requirements set out in the services and infrastructure section of the Belhelvie settlement statement. These detail the types of development which will require to contribute towards specified services and infrastructure, and the mechanisms for initiating infrastructure improvements.

42. Two representations object to the removal of green belt land around Belhelvie. However, the area around the settlement is not designated as green belt, but classified as countryside. Impact on countryside is one of the considerations in site assessments. In

that respect, allocations OP2 and OP3 require perimeter landscape planting to soften the impact of development on the countryside and to define the settlement boundary.

43. No modifications are required.

Site R1 – Reserved for a future community centre

44. Site R1 lies at the northern end of Belhelvie and is occupied by a stone building currently used as a body repair shop with an informal parking area in front. The site has planning permission for the erection of a dwellinghouse and a representation asks for the site reservation to be deleted, explaining that building work has been delayed while an electricity service pole is moved, but is due to start shortly.

45. The council explains that the community council expressed an aspiration for a community centre on this site, that no alternative location has been identified in the village and that the landowner should have been aware of the status of the land from neighbour notification letters.

46. As the council has recently granted consent for an alternative use on the land, there is no justification for retaining the reserved status. An alternative site will need to be found, but that is not a matter which can be resolved by this examination. I therefore recommend appropriate modifications.

Flood Risk

47. SEPA has requested that site OP2 be added to the flood risk bullet point in the interests of consistency. However, given my recommendation below to delete allocation OP2 from the proposed plan, this change is not required.

Services and Infrastructure

48. As I have already indicated in relation to the Balmedie settlement statement, it is not the role of the local development plan to explain the funding arrangements for Scottish Water growth projects. No modification is recommended.

49. Scottish Water has requested some amendments to the strategic drainage and water supply bullet point to explain the circumstances in which it will initiate a growth project and to indicate that a drainage impact assessment may be required. Notwithstanding my recommendations in relation to sites OP2 and OP3, I consider that this information may be useful to potential developers. I recommend a modification to this effect.

50. There is considerable overlap between matters raised by Scotia Homes in relation to contributions towards strategic transport in Belhelvie and general representations on developer contributions addressed under Issue 12. A number of modifications are recommended in Issue 12 which I consider would address the concerns raised by Scotia Homes. These include changing the word “will” to “may” in relation to the requirement for contributions, the inclusion of the five tests set out in paragraph 14 of planning circular 3/2012 in policy RD2 and the requirement to prepare statutory Supplementary Guidance on developer obligations and affordable housing.

51. Insufficient information has been provided in the proposed plan to explain the

required transport infrastructure and justification for developer contributions in relation to specific proposals. Furthermore, the council has explained in its response that it undertakes a review of the need for and scale of any contribution in the light of circumstances at the time the planning application is made. Within this context and in the interests of consistency, I consider that the word “will” should be changed to “may” in the first and third sentences of the strategic transportation bullet point. Modifications to this effect are recommended.

Site OP2 – Land at Cairntack (East) and site OP3 – Land to the east of Cairn View

52. OP2 and OP3 are newly allocated sites for 41 homes and 49 homes, respectively, on adjacent fields to the east of the village. The allocations are expected to include affordable housing but do not make provision for any local services or community facilities.

53. The community council has commented that, although they have no significant objection to these developments as they appear to be a natural extension to the village, they are aware that some residents object in principle to extending the village due to a lack of facilities and the poor road infrastructure.

54. Representations and my site visit have indicated that Belhelvie is a small settlement with no local shops, a little local employment, no community centre (and, in view of my recommendation on site R1, no site for one), a limited bus service, poor active travel provision, including poor pavements and lack of off-road footpaths, and no facilities for teenagers other than a playing field. The additional housing is the only new development proposed in the village. Adding the proposed number of new homes is unlikely to generate significant improvements to services and infrastructure within the village. Under the services and infrastructure section of the settlement statement, the developer contributions which are required towards facilities nearly all relate to Balmedie or Ellon, to both of which there are no direct bus services (other than for school buses). The proposed development is therefore likely to lead to increased car dependency, contrary to one of the plan’s outcomes, and fails to address both the lack of community facilities and the council’s planning objective to help contribute to the overall sense of place in the community. I also note that the strategic environmental assessment summarised the sites as having an overall negative impact.

55. Despite its location within the Aberdeen to Peterhead Strategic Growth Area and the Energetica Corridor, I consider that Belhelvie is not suited to the expansion as proposed. Whilst the allocations contribute to meeting the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider that the benefits, in terms of meeting housing need, would outweigh the adverse impacts resulting from development on these sites.

56. I recommend that the plan be modified to delete allocations OP2 and OP3 from the Belhelvie settlement statement and map. The settlement boundary for Belhelvie should revert to that shown in the existing local development plan. A modification to the relevant table in appendix 6 will also be required to delete the entries for Belhelvie OP2 and OP3. The implications of these deletion for the overall housing land provision are addressed in Issue 5. Changes to the allocation summaries for these sites, requested by NatureScot and others, would not be required.

Blackdog

General

57. The concerns raised by Belhelvie Community Council regarding pressure on existing facilities and services from the proposed addition of around 1,800 homes in the community council area are addressed by the requirements set out in the services and infrastructure section of the Balmedie settlement statement. These detail the types of development which may be required to contribute towards specified services and infrastructure, and the mechanisms for initiating infrastructure improvements. No modification is required.

58. A representation requests an extension of the green belt boundary at the southern end of Blackdog. Scottish Planning Policy recommends that amendments to greenbelt boundaries are made as a result of a comprehensive review of boundaries throughout the green belt; not in an ad hoc way as is being sought here. The council generally draws settlement boundaries tightly around concentrated built up areas and areas which are planned for development, but excluding scattered buildings and clusters, as it has done at the southern end of Blackdog. The present settlement and green belt boundaries conform to those practices and require no modification.

Vision

59. I agree with the council that there is no need to repeat material from the allocation summary for site OP1 in the Vision for Blackdog.

Town Centre

60. This matter is covered under site OP1 below.

Site OP1 – Land At Blackdog

61. I agree that the amendment requested by SEPA would be consistent with the flood risk bullet point. A modification to this effect is recommended.

62. Paragraph 133 of Scottish Planning Policy requires development plans to address any identified need for sites for Gypsy/Travellers. It goes on to state that, where there is a need, LDPs should identify suitable sites for these communities. In response to a further information request (FIR002), the council has explained that a need for additional pitches/sites for Gypsy/Travellers is identified through the housing needs and demand assessment 2017 and the Grampian Gypsy/Traveller Accommodation Needs Assessment 2017. The required provision within allocation OP1 at Blackdog would help meet this need and is consistent with Scottish Planning Policy.

63. The council has explained that the requirement to make provision for a Gypsy/Traveller site at Blackdog is included in the legal agreement attached to the planning permission for the site. It has also indicated that the master plan shows the site located near the employment element of the proposal, not housing. I agree with the council that, by the time the site is provided, a range of local facilities is expected to be available in Blackdog. No modifications are required.

64. Representations have been made urging the retention of woodlands around Blackdog for reasons of habitat, visual amenity, local character, carbon sequestration, air quality, recreation and noise attenuation. Planning permissions in principle have been granted for the area covering site OP1 and are accompanied by an approved masterplan which covers these woodland areas. The masterplan indicates that some of the woodlands are to be retained and others removed for development. The scope of this examination does not include recommending amendments to an approved masterplan. No modifications are required.

65. The approved masterplan for site OP1 includes an economic centre featuring a landmark building to incorporate a regional food hall, hotel and retail units with direct access off the (then proposed) A90/A96 Blackdog junction. Adjacent to this is a village centre comprising a primary school, public amenities and local shops. In December 2017, planning permission in principle was granted for development on the northern half of site OP1 for “mixed use development comprising town centre including regional food hall, retail, leisure and Class 3 uses; ...”. The approved drawings include plans indicating the location of the town centre. The permission has an extended validity of 10 years and is therefore extant.

66. Despite the 2017 consent, the Vision statement in the proposed plan does not mention town centre status for the proposed development on OP1, referring instead to development of a “new village centre”. The allocation summary refers to the 2017 consent, including development of a town centre. But Appendix 2, which lists the town centres within the plan area, does not include Blackdog.

67. From its comments in the main issues report, the issues and actions paper and its schedule 4 response, the council does not dispute town centre status in itself, but rather considers that it should not apply until the development is implemented.

68. Town centre status is important because of the level of policy protection it affords. The allocation summary requiring that “future development of the site should seek to develop in line with the agreed masterplan” would not safeguard town centre status, as the council claims, because the masterplan does not refer to a town centre. Scottish Planning Policy envisages that development plans will support new town centres (page 18, footnote 33) and requires that development plans should define a network of centres, including emerging or new centres (paragraph 61). Clearly, this is necessary as development plans are forward-looking documents and not simply recording the existing position, and to provide the assurance required by developers to commit investment in major schemes. There is no necessity for any application for approval of matters specified in conditions to come forward before the uses granted in the planning permission in principle can be recognised in the proposed plan. The network of centres in Aberdeenshire is set out in Appendix 2; Retail Centres of the proposed plan, which lists town centres as either principal town centres or other town centres. The Blackdog centre, as described in the planning permission, would meet the description of a principal town centre given in Appendix 2.

69. For these reasons, I consider that the Vision statement should refer to the development of a new town centre. The reference in the allocation summary to development being in line with the agreed masterplan should be deleted as it has been superseded by planning permission in principle approvals for the northern and southern

parts of the site, which were accepted as justified despite varying from aspects of the masterplan. Furthermore, Blackdog should be listed in Appendix 2: Retail Centres as a principal town centre – a modification to this effect is included in Issue 3.

70. For the effective operation of policy B1: Town Centre Development, the Blackdog settlement map should indicate the boundary of the proposed town centre. I note that the location of the town centre uses is depicted on the Masterplan Delivery plan, as approved by the planning permission in principle. A modification is recommended.

Non-allocated Bid Site FR057 – Land to the west of the A90

71. This large green belt site occupies a triangle of land south of the A90/A92 junction and is promoted for roadside services. Whilst it is claimed that the nearest services would be in Peterhead, I agree with the council that an equivalent facility could be provided within the OP1 allocation at Blackdog without losing green belt land. The land functions well for its green belt purpose and its development would represent a prominent incursion into open land between Blackdog and Aberdeen eroding their character and landscape setting and identity. Its weak southern boundary could encourage pressure for further development. I also note that Nestrans do not foresee a need for roadside services in this location. No modification is required.

Foveran

General

72. The services and infrastructure section of the settlement statement sets out where new developments will be expected to contribute to sewerage, water, school provision and other services. No modification is required.

Flood Risk

73. I agree with SEPA that there is repetition in the information provided in the flood risk bullet and the allocation summaries for sites OP1 – OP3. It would be appropriate to make the flood risk bullet point more concise. A modification is recommended.

Services and Infrastructure

74. The information provided in the strategic drainage and water supply bullet point refers to a Scottish Water growth project due for completion in 2021. I agree with SEPA that the text should be updated to reflect that the project will be completed before the adoption of the plan. I recommend a modification based on the wording provided by SEPA.

75. The representation promoting a site for a new primary school on land to the south of Blairythan Terrace is addressed under non-allocated bid site FR109 below.

Site OP1 – South of Westfield Farm

76. The ownership of parts of site OP1 is contested by local residents. However, land ownership issues do not generally fall within the remit of the examination. In this case, I note that the council relies on the statement within the masterplan for sites OP1 and OP2 that all the land falls within the ownership of a single family, commenting that

development of the first phase on OP1 was nearly complete at the time of writing. I have no substantive basis to take a different view.

77. The allocation is said to be inappropriate as it would bring development to a settlement with no amenities. However, the masterplan indicates land for a school extension or a replacement community campus school, safer routes to school, a village centre and shop, land for employment uses, amenity open space, and a path network connecting to the wider countryside.

78. Concerns about residential amenity, road capacity, road design, footways and impact on livestock would be addressed in the course of planning applications on the land.

79. No modifications are required.

Site OP2 – West of McBey Way

80. A representation seeks the removal of site OP2 due to concerns regarding drainage, flooding and potential damage to a hedge. I note that SEPA has not raised any matters in relation to allocation OP2 and that drainage and flood risk are addressed in the allocation summary and other relevant sections of the settlement statement. I agree with the council that detailed impacts of development on neighbouring properties would be considered at planning application stage. I do not consider that these matters would justify the deletion of this housing allocation. No modification is required.

81. Site OP2 forms part of the effective land supply in the 2019 housing land audit. Whilst it is expected to contribute towards meeting the housing land requirement for the Aberdeen Housing Market Area in the period up to 2032, it is not an allocation identified to meet the strategic development plan housing allowances.

82. I note that the site is identified as constrained in the 2020 housing land audit for physical and infrastructure reasons. I understand that this relates to a restriction on the number of homes that can be accessed from Blairythan Terrace. However, the allocation summaries for sites OP1 and OP2 refer to the provision of a bridge across the Foveran Burn, which would provide a second access to site OP2 from the north. Furthermore, the settlement map shows an indicative link road between site OP2 and sites OP3/OP4, which may also provide a longer term access solution.

83. Representations promoting bid sites FR067 and FR109 suggest that site OP2 should be reserved for future development, rather than identified as a housing allocation. Whilst I acknowledge that there are currently constraints to development, this site is not a new allocation. If the access constraint can be overcome during the plan period, there would be no reason to delay development. I do not consider it necessary or appropriate to identify this site as a reserved allocation.

84. I conclude that no modifications are required in relation to allocation OP2. The other matters raised in the representations relating to bid site FR067 and FR109 are addressed below.

Site OP3 – South of Turin Way and Site OP4 – Site 2, Land at Blairythan Terrace

85. The strategic environmental assessment has considered the effect in principle of development at these sites on landscape and visual matters. More detailed concerns regarding residential amenity, visual impact and village character would be addressed at planning application stage with assessment against policy P1 (Layout, siting and design). Primary school capacity, surface water and waste water treatment are covered under the services and infrastructure section of the settlement statement, which sets out contributions required for developments. Support for additional school capacity would come from the numbers of children housed in all of the opportunity sites allocated in the proposed plan, rather than just those in OP3 and OP4. The impact of development on house values is not a planning matter.

86. I conclude that sites OP3 and OP4 should be retained in the plan, with no change to the indicative number of houses proposed. No modifications are required.

Non-allocated bid site FR067 – Site 3, Land at Blairythan Terrace. Non-allocated bid site FR109 – Land to south-west of Foveran (northern part only). Site OP3 – South of Turin Way. Site OP4 – Site 2, land at Blairythan Terrace

87. The above combination of sites, under two ownerships, has been promoted in response to the officers' withdrawal of preferred status for bid site FR067 at main issues report stage on the grounds that Blairythan Terrace has insufficient capacity to support traffic generated by FR067 in addition to existing development and development approved on site OP2 (West of McBey Way). As the remaining capacity on Blairythan Terrace is for only 30 dwellings, development of the full allocation of 75 units on OP2 would require either road access north through site OP1, which includes the proposed road bridge over the Foveran Burn, or a new link road south-east to the B777. Since OP2 is constrained on access grounds and cannot contribute to the effective supply, it should be replaced by the above sites.

88. I agree with the representations that for the indicative link road to pass through two agricultural fields with no allocations would present little incentive for its construction. Nor would it be good planning to sever fields, some with prime agricultural land status, solely for access to housing sites.

89. On behalf of the two owners, a concept masterplan has been submitted which shows a link road running through proposed housing development on bid site FR067 and the northern part of bid site FR109, and then via allocations OP3 and OP4 to the B777. Whilst this would address the link road issue, it would involve the development of an additional 124 - 154 homes in Foveran: 49 units on FR067 and 75 - 105 units on the northern part of FR109 (the representations present different figures for FR109).

90. With respect to the argument for a replacement allocation, the housing land requirements identified in the strategic development plan include a generosity allowance to provide an element of flexibility in ensuring that housing supply targets are met. As site OP2 does not contribute towards the strategic development plan allowances, I do not consider that a potential delay to the development of the site would require the identification of a replacement allocation. Even if additional land was required, this would be a matter for the Aberdeen Housing Market Area as a whole. I conclude that the fact that site OP2 is constrained in the 2020 housing land audit would not in itself justify the allocation of bid sites FR067 and FR109.

91. I agree that the allocation of bid site FR067 and part of FR109 may provide an access solution to assist the delivery of site OP2, by providing a link road from the south-east. However, this potential benefit requires to be assessed within the context of other potential impacts. In that respect, the bid sites are greenfield land, including prime agricultural land, where development would extend the village into open countryside and have landscape impacts. I also note that the proposal would represent an additional 124 -154 units over the 245 units allocated in the proposed plan. There would be waste water treatment and school provision constraints, albeit these could potentially be overcome.

92. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Sites in Foveran could potentially contribute to meeting this shortfall. However, for the reasons set out above, I conclude that bid sites FR067 and FR109 (part) should not be allocated. There are other sites available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, as explained in Issue 5.

93. No modification is required.

Non-allocated Bid Site FR109 – Land to south-west of Foveran

94. This is a 60 hectare site whose proposed 580 housing units are considered low density by the council. It would create a linear swathe of development stretching south as far as Rashierieve Foveran, but severed by the recently completed A90 upgrade. It would project over a kilometre into open countryside, potentially resulting in visual coalescence of two distinct settlements and significant landscape impact. Development would involve the loss of prime agricultural land over part of the site.

95. The council considers that housing and employment allocations in the proposed plan would be sufficient for Foveran to play a role as part of the Strategic Growth Area, and that the scale of development proposed in this bid would be excessive. I consider that the allocations are acceptable and together represent an appropriate level of growth for Foveran in the period up to 2032. I note that the proposed units would be more than double those already allocated in the proposed plan and be considerably in excess of the 49 units recommended by officers at main issues report stage as appropriate for the settlement, but subsequently withdrawn for road access reasons.

96. The representation states that the site would include provision of a site for primary education, but I note that the masterplan for the allocated sites OP1 and OP2 offers land either for expansion of the existing school or for a new campus in a more central location. The bid also offers land to assist in the delivery of the southern link road identified in the proposed plan. However, because the plan describes that southern link as a protected future route, there is no requirement to allocate further land in the proposed plan to facilitate its delivery.

97. There would be waste water treatment and school provision constraints, albeit these could potentially be overcome. The strategic environmental assessment, which is challenged by the bid site promoter, comments that the site has an overall mixed impact, but scores negatively due to the scale of development, proximity to existing settlement,

infrastructure required and impact on water quality and landscape.

98. The site is being promoted as compensating for the shortfall in housing land which Homes for Scotland argue will result if the allocations in the proposed plan are not supplemented. In this regard, matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Sites in Foveran could potentially contribute to meeting this shortfall. However, for the reasons set out above, I conclude that bid site FR109 should not be allocated. There are other sites available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, as explained in Issue 5.

99. No modification is required.

Non-Allocated Bid Site FR142 – Land West of A90 (Phase 1), North of Blairythan

100. Site FR142 lies to the north of OP1, which has been partly built and has the same developer. It is promoted for 150 homes, a village centre and community uses, with a view to developing the vision in the masterplan for sites OP1 and OP2. However, it would extend development further from the existing village core. Some of the proposed community facilities are the same as included in the masterplan for OP1 and OP2. The site is categorised as prime agricultural land and is within a waste water hotspot. There would be a primary education provision constraint, albeit this could potentially be overcome.

101. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Sites in Foveran could potentially contribute to meeting this shortfall. However, for the reasons set out above, I conclude that bid site FR142 should not be allocated. There are other sites available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, as explained in Issue 5.

102. No modification is required.

Non-Allocated Bid Site FR143 – Land West of A90 (Phase 2), North of Blairythan

103. Site FR143 lies to the north of FR142, with 140 homes promoted as a second phase to that scheme. As such, it implies an addition to the 150 homes proposed in the first phase. It would take development even further from the existing village core and be difficult to relate to the village form. The site is categorised as prime agricultural land and is within a waste water hotspot.

104. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Sites in Foveran could potentially contribute to meeting this shortfall. However for the reasons set out above, I conclude that bid site FR143 should not be allocated. There are other sites available to meet the

identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, as explained in Issue 5.

105. No modification is required.

Rashierieve Foveran

General

106. Rashierieve Foveran is a small group of dwellings and businesses without a community function, which does not meet the criteria for settlement status. It would not therefore be appropriate to indicate a settlement boundary in the proposed plan.

107. I agree with the council that the existing settlement statement for Rashierieve is sufficient without the addition of key objectives derived from the Main Issue Report.

108. No modifications are required.

Flood Risk

109. SEPA has not explained why it considers that the reference to its flood maps should be deleted. However, the council agrees with the suggested change and I have no reason to take a different view. A modification is recommended.

Services and Infrastructure

110. The representation from Scottish Water does not suggest any alternative or additional wording to the strategic drainage and water supply bullet point. I consider that the amendment requested by SEPA would provide clarification regarding any proposal for private waste water treatment. A modification is recommended.

Site OP1 – Land West of Rashierieve Cottages

111. The allocation description for site OP1 is for “8 live/work residential units”. The subsequent reference to “a mixed-use allocation including live/work units” in the allocation summary is therefore confusing. It can be read as a requirement for both mixed-use and live/work units, a combination which could be difficult to accommodate satisfactorily on the site. From the council’s response, it is clear that the allocation description reflects its intentions, so I recommend an appropriate modification.

Non-Allocated Bid Site FR109 – Land to South West of Foveran

112. An area of some five hectares to the west of site SR1 is promoted for additional land as a future reserve for employment uses, to include landscape screening alongside the A90. The proposed land is greenfield, highly visible from the new road and would need to be screened. The proposed plan has allocated a strategic reserve of employment land to meet needs beyond 2032, which includes site SR1 in the Aberdeen to Peterhead Strategic Growth Area. Table 1 in appendix 1 of the proposed plan demonstrates that the strategic development plan’s employment land targets for the period 2021 – 2032 and the strategic reserve are met for the Aberdeen to Peterhead Strategic Growth Area. There is no requirement for the council to reserve more land.

113. An area of some four hectares to the west of site OP1 is promoted to be allocated for employment uses and strategic landscaping. The proposed land is greenfield, highly visible from the new A90 road and would need to be screened. The proposed plan allocates a generous supply of employment land for the period 2021-2032 to meet the strategic target. There is no requirement for the council to allocate more land.

114. No modifications are required.

Non-Allocated Bid Site FR109 – Land to South West of Foveran (part)

115. Land to the north of SR1 and the A975 is promoted for a housing-led mixed use development with business space, light industry, roadside retail and other commercial uses. It is open land which would be divided from the existing ribbon of development at Rashierieve by the A975, would be highly visible from the new A90 road and would extend out into the countryside. The proposed plan allocates a generous supply of employment land for the period 2021-2032 to meet the strategic target. There is no requirement for the council to allocate more than this.

116. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Sites in Rashierieve Foveran could potentially contribute to meeting this shortfall. However, for the reasons set out above, I conclude that bid site FR109 (part) should not be allocated. There are other sites available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, as explained in Issue 5.

117. No modifications are required.

Reporter's recommendations:

Modify the local development plan by:

Balmedie

1. Replacing the bullet point in the flood risk section of the Balmedie settlement statement on page 391 with:

“- Small watercourses run through or adjacent to the OP1 and OP3 sites. There is also a surface water flood risk on site OP3. Flood risk assessments may be required”

2. Adding the following sentence after the third sentence in the strategic drainage and water supply bullet point in the Balmedie settlement statement on page 391:

“A Drainage Impact Assessment may be required.”

3. Replacing the first two sentences of the second paragraph in the allocation summary for OP1: Land at Balmedie South in the Balmedie settlement statement on page 392 with: “At least two points of access to the site are required.”

4. Reordering the last five sentences in the fourth paragraph of the allocation summary for OP1: Land at Balmedie South in the Balmedie settlement statement on page 392 to read: “A Flood Risk Assessment may be required. Enhancement of the watercourse through re-

naturalisation and removal of any redundant features should be investigated. A 250mm water main runs through the site. Scottish Water should be contacted by the developer to ascertain whether a mains diversion is possible. Scottish Water has indicated that a Drainage Impact Assessment will be required.”

5. Deleting the final paragraph of the allocation summary for OP1: Land at Balmedie South in the Balmedie settlement statement on page 392.

6. Replacing the second sentence of the second paragraph in the allocation summary for OP3: Menie in the Balmedie settlement statement on page 394 with:

“As part of this permission, two phases (Chapters 1A & 1B) were granted with full details, providing community facilities, some holiday accommodation and 82 dwellinghouses.”

7. Replacing the penultimate sentence in the final paragraph of the allocation summary for OP3: Menie in the Balmedie settlement statement on page 394 with:

“A Flood Risk Assessment may be required should development proposals be revised or extant permissions lapse.”

8. Replacing the first two sentences of the fourth paragraph in the allocation summary for site OP3: Menie in the Balmedie settlement statement on page 395 with:

“Development on the site requires to take full account of any potential impact on the nearby Foveran Links Site of Special Scientific Interest and on other environmentally designated sites in the wider area.”

9. Replacing the eighth and ninth sentences of the fifth paragraph of the allocation summary for site OP3: Menie in the Balmedie settlement statement on page 395 with:

“Delivery of any future on-site affordable housing should be integrated into the design of the development to provide a mix of house types and sizes to meet local need.

10. Adding the following sentence at the end of the fifth paragraph of the allocation summary for site OP3: Menie in the Balmedie settlement statement on page 395:

“The ancient woodland site should be protected against loss or detrimental impact in any future planning applications.”

Belhelvie

11. Replacing the fourth sentence of the Vision statement for Belhelvie on page 400 with: “This contribution will be proportionate to the size of the existing community and will be provided through the allocated site.”

12. Deleting the R1 designation for a future community centre from the Belhelvie settlement statement on page 400 and map on page 404.

13. Replacing the first and second sentences in the strategic transportation bullet point in the Belhelvie settlement statement on page 401 with:

“Contributions may be required for cumulative strategic transportation improvements including interventions on the A90 and in Aberdeen City. Allocated site OP1 will need to consider access and connectivity.”

14. Replacing the third sentence in the strategic transportation bullet point in the Belhelvie settlement statement on page 401 with:

“Development may be required to contribute towards improved public transport

infrastructure and the proposed Ellon – Balmedie strategic cycle route”.

15. Replacing the last two sentences of the strategic drainage and water supply bullet point in the Belhelvie settlement statement on page 401 with:

“Scottish Water will initiate a growth project should demand from committed development exceed available capacity and will instigate this on receipt of the 5 Growth Criteria from a developer. A Drainage Impact Assessment may be requested. Early engagement with Scottish Water is encouraged.”

16. Deleting allocations OP2 and OP3 from the Belhelvie settlement statement on page 403 and map on page 404 and amending the settlement boundary to revert to that shown in the existing local development plan.

17. Removing sites OP2 Belhelvie and OP3 Belhelvie from the relevant table in Appendix 6 Housing Land Allocations. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

Blackdog

18. Replacing the second sentence of the first paragraph of the Vision section in the Blackdog settlement statement on page 405 with:

“Due to its proximity to Aberdeen, a planning application for significant expansion of the settlement has been approved for a new town centre, housing and employment opportunities.”

19. Replacing the last sentence of the first paragraph of the Vision section in the Blackdog settlement statement on page 405 with:

“As such, it is important for this settlement to meet the need for strategic housing and employment land in the Strategic Growth Area by delivering 600 new homes and employment land, providing improved local facilities and developing a new town centre on site OP1.”

20. Replacing the second, third and fourth sentences of the first paragraph in the allocation summary for site OP1: Land at Blackdog in the Blackdog settlement statement on page 407 with:

“Planning permission in principle (reference APP/2016/0766) has been granted on the northern part of site OP1: Land at Blackdog for a mixed use development, comprising: a town centre that includes a regional food hall, retail, leisure and other class 3 uses; business and industrial uses (classes 4, 5 and 6); alterations to access from the A90 roundabout; local access, landscaping, car parking, cycle and pedestrian facilities, and low carbon infrastructure. On the southern part of the site, planning permission in principle (reference APP/2016/0767) has been granted for 550 homes, education and community uses, and associated infrastructure.”

21. Replacing the first two sentences of the third paragraph in the allocation summary for OP1: Land at Blackdog in the Blackdog settlement statement on page 407 with:

“Due to the presence of small watercourses running through the site, a Flood Risk Assessment will be required.”

22. Adding to the settlement map for Blackdog (page 408), the boundary of the town centre as granted in planning permission reference APP/2016/0766 and indicated in the approved plan drawing reference 15033GA Version Number B Masterplan Delivery.

Foveran

23. Replacing the flood risk bullet point in the Foveran settlement statement on page 435 with:

“Parts of sites OP1, OP2 and OP3 are located adjacent to the SEPA indicative 1 in 200 flood risk area or have a small watercourse running through or adjacent to the site. A Flood Risk Assessment may be required.”

24. Replacing the last sentence in the strategic drainage and water supply bullet point in the Foveran settlement statement on page 435 with:

“All development will be required to connect to the public waste water system.”

Rashierieve Foveran

25. Replacing the bullet point in the flood risk section of the Rashierieve Foveran settlement statement on page 481 with:

“- OP1 and SR1 have small watercourses running through or adjacent to the sites. A Flood Risk Assessment may be required.”

26. Replacing the last two sentences in the strategic drainage and water supply bullet point in the Rashierieve Foveran settlement statement on page 481 with:

“Any private treatment will require to be built to an adoptable standard. The preference would be for a single waste water treatment works serving the OP1 site with the capacity for SR1 to connect at a future date.”

27. Replacing the second sentence of the first paragraph in the allocation summary for site OP1: Land west of Rashierieve Cottages in the Rashierieve Foveran settlement statement on page 482 with:

“Future road access will be a vital consideration for the site.”

Issue 29	Large Settlements AHMA (Formartine) – Methlick and Tarves	
Development plan reference:	Proposed LDP, Appendix 7C Formartine, Page 449-453 Proposed LDP, Appendix 7C Formartine, Page 491-495	Reporter: Malcolm Mahony
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Methlick PP0111 Neil and Sarah Purdie PP0180 David Foster PP0344 Bill Adie PP0345 Methlick Community Council PP0352 Stuart Kennedy PP0506 James Young PP0809 Arthur Owen Ball PP1046 c a s e CONSULTING Limited PP1047 c a s e CONSULTING Limited PP1048 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage)</p> <p>Tarves PP0120 Michael J Mountford & Iain F Mathers PP0272 Scottish Water PP1165 Steven Moir PP1219 Scottish Environment Protection Agency</p>		
Provision of the development plan to which the issue relates:	Methlick Settlement Statement Tarves Settlement Statement	
Planning Authority's summary of the representation(s):		
<p>Methlick</p> <p><u>General</u></p> <p>A representee has raised concern regarding the allocations proposed in Methlick and has queried whether following a review, with the high number of homes proposed to be allocated, if the housing numbers are cut, they are in reality still above the original plan. Additionally, it was queried whether the high numbers of proposed homes in the Proposed Local Development Plan (PLDP) mean no development will proceed (PP0352).</p> <p>Two representees note no issue with development happening in Methlick but raised concern with the scale of the development proposed and requests that the allocations within Methlick are reviewed to reduce the scale (PP0345 and PP0352). The PLDP includes all four sites with a total of 103 homes allocated (PP0345). The representee indicated that during a meeting with Aberdeenshire Council in 2017, it was raised that 30</p>		

homes would be too many for the settlement. Even if the development were introduced over a 10-year period it would still have a dramatic impact on the settlement (PP0345 and PP0352). There are concerns raised that three of the sites will require access off Sunnybrae (B9170) (PP0345). There will be increased traffic in the area and an increased risk of accidents on Sunnybrae. The increased traffic will also have an impact on the Category B listed bridge across the river Ythan. The increased number of houses will have an impact on a number of services in the settlement including Haddo Medical Practice, Methlick School, Meldrum Academy (PP0345 and PP0352) and also on the water supply and waste water drainage (PP0345).

A representee has raised concern that the PLDP indicates a far greater number of houses are planned in the settlement than that which was indicated in the Main Issues Report (MIR) 2019 for bid sites FR014, FR040, FR046 and FR047. Concerns were raised that the level of housing proposed would impact on infrastructure and services. It was stated that there is insufficient capacity at Methlick sewage and treatment works and that the local primary and secondary schools are forecast to be over capacity in 2022 and no plan is in place to resolve this. Additionally, concern was raised that there is no medical facility in the settlement, and that there is no mention of the impact that the new development in the settlement will have on the medical surgery serving Methlick which is already overstretched. There is no pharmacy or dentist within the settlement. Furthermore, it was stated that public transport is poor, and concerns were raised regarding increased traffic, higher CO2 emissions and detrimental impact on the roads increasing risk of accidents, as well as concern of surface water flooding which will be increased as a result of the proposed development if no mitigation measures are implemented. Appropriate action is required to be taken to ensure that the concerns raised regarding infrastructure and service provision are addressed to accommodate the proposed development in the settlement (PP0180).

Flood Risk

Scottish Environment Protection Agency (SEPA) has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Cottonhillock

A representee was supportive of additional housing in the settlement as long as it is built in a controlled manner. This would then help support the rest of the services in the settlement as over the last few years services have been lost including the surgery, banks and some elements of education on offer at Methlick School. No modification sought (PP0344).

SEPA recommended for site OP1, amending the third sentence in the second paragraph to state that a buffer strip shall be provided along the ephemeral watercourse route (RD0214.B) (PP1219).

A representee has requested the removal of the OP1 site and that its 20-home contribution to the allowances is removed. It is stated that an alternative effective allocation should be identified in the Formartine Aberdeen Housing Market Area. This is on the basis that site is infrastructure and marketability constrained, has had no planning application lodged to deliver the site over the past 7 years, and constraints relate to capacity of waste water treatment works (WWTW) and possible water main reinforcement which will not be resolved without valid planning permission. The representees states that the Council should not rely on a site that has not advanced and that existing constrained sites should not count towards the allowances. This approach to housing delivery is incompetent given the substantial shortfall in allocations to satisfy Scottish Planning Policy (SPP). The representee considers that a precautionary approach should be taken, and a new alternative site should be allocated (PP1048).

Site OP2 – West of Black Craigs

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

A representee was supportive of additional housing in the settlement as long as it is built in a controlled manner. This would then help support the rest of the services in the settlement as over the last few years services have been lost including the surgery, banks and some elements of education on offer at Methlick School. No modification sought (PP0344).

Support was expressed for the inclusion of OP2 as an allocation for 8 houses within Methlick. It was stated that detailed planning applications on the site have recently been pursued and granted for the erection of housing on a plot-by-plot basis and work has commenced – this demonstrates a commitment to deliver the site and evidences demand for housing at this location. The proposed OP2 allocation also provides additional flexibility for the developer for the layout through the inclusion of additional land to the north. The representee stated that there are no unresolvable constraints such as topography, drainage and school provision, and no adverse impacts would be posed to the nearby woodland. The site is well connected to the settlement. The representee has included a number of Appendices in their representation (RD0009.A, RD0009.B and RD0009.C) which provides further detail to support their position. No modification sought (PP0111).

A representee has raised concern that only one affordable home would be allocated across the new proposed allocations. Affordable housing is greatly lacking in Methlick (PP0180).

A representee requested amendment of the OP2 allocation to remove 3 homes as the existing allocation has permission for 5 homes maximising the use of the steep sloping site. The planning permission has been extended suggesting marketability may be a constraint in future (PP1047).

Site OP3 – Land at Sunnybrae Croft

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification

sought (PP1219).

A representee was supportive of additional housing in the settlement as long as it is built in a controlled manner. This would then help support the rest of the services in the settlement as over the last few years services have been lost including the surgery, banks and some elements of education on offer at Methlick School. No modification sought (PP0344).

A representee raised concern that only one affordable home would be allocated across the new proposed allocations. Affordable housing is greatly lacking in Methlick (PP0180).

Site OP4 – Site adjacent to Belmuir Lodge

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP4 (RD0214.B). No modification sought (PP1219).

A representee was supportive of additional housing in the settlement as long as it is built in a controlled manner. This would then help support the rest of the services in the settlement as over the last few years services have been lost including the surgery, banks and some elements of education on offer at Methlick School. No modification sought (PP0344).

NatureScot requested that the allocation summary for site OP4 in Methlick includes a requirement for active travel provision, as it would contribute towards better linking the proposal to the core part of the settlement, it is a large allocation (63 homes) and it would help promote safe and convenient active travel opportunities (in keeping with the PLDP's aims) (RD0255.B) (PP1300).

A representee raised concern that only one affordable home would be allocated across the new proposed allocations. Affordable housing is greatly lacking in Methlick (PP0180).

A representee objected to site OP4 for the allocated 63 homes and requests a reduction in the size of the allocation to 12 homes. It is stated that OP2 has a supported planning application for 5 homes, therefore 63 is an unrealistic allocation for OP4. The density would be aesthetically unacceptable next to the adjacent allocation and would be out of character in a small rural settlement. It would be difficult to provide 2 road access points, and there is no capacity at the waste water treatment works for the scale of development. Given the substantial shortfall in allocations necessary to satisfy Scottish Planning Policy (SPP), the site capacity is unrealistic and overstated. Sites should be delivered in locations where demand exists where housing figures are attainable (PP1046).

A representee has queried whether the site is consistent with paragraph E2.1 Landscape and E1.6 Protected Species (PP0506).

Objection has been received to the inclusion of OP4 for 63 homes (PP0506 and PP0809), which was not supported in the MIR 2019 as bid sites FR046 and FR047 (PP0809). The representee stated that the site is not suitable for development due to its topography and landscape impact, highlights that there are waste water constraints and states that there are other sites in the settlement to adequately meet the housing need and are more preferable in planning terms (PP0809).

A number of concerns are noted regarding the negative impacts that site OP4 would have on the settlement. These include that the local primary and secondary school are nearing maximum capacity and the detrimental effect the site would have on the settlement's sense of place (PP0506 and PP0809), as well as to the character, resulting in a loss to local people, visitors, and the settlement (PP0809). The representee has included an Appendix (RD0148.A) in their representation which provides further detail to support their position (PP0809).

The information contained within the Strategic Environmental Assessment (SEA) is noted as evidence to support the representee's comments in objecting to OP4. These include support for the comments raised in both of the landscape and cultural heritage sections which note negative impacts that the OP4 site would have to the area. It is also noted that the OP4 site could increase localised flooding to properties downstream through surface water run off as well as affecting the private water supplies and causing pollution to a nearby burn (PP0506). Additionally, it is noted that a large number of species including badgers and bats are frequently seen on the site and it is queried whether a wildlife/habitat survey has been completed. The representee raises concern of the negative impact that the site will have on the habitat and wildlife in the local area (PP0506 and PP0809). The representee has included an Appendix (RD0148.A) in their representation which provides further detail to support their position (PP0809).

The OP4 allocation should be removed due to issues with privacy as the new development is elevated therefore looking directly into existing housing and also it would completely change the character of the settlement. It is also noted and accepted that new development in the short term would increase noise and water pollution during construction, but there is concern over the lasting impact of this in what currently is a peaceful location (PP0506).

It is noted that there is no demand for additional housing in the settlement as there are empty properties around the settlement. The settlement, including the local amenity and local facilities and services, does not need to be sustained or supported by further housing (PP0506).

Tarves

General

A representee has requested a minor extension to the settlement boundary at Bain's Park. It is stated that the representee is considering adding a sunroom onto their property, which would reduce the space in the rear of their garden. It is considered that the land beyond the north of their garden fence is wasteland and as such proposes an extension of 10-15 metres to the settlement boundary to allow an extension of their garden (PP1165).

Flood Risk

SEPA has requested that the 'Flood Risk' bullet point removes the last part of the second sentence stating the requirement of Sustainable Urban Drainage Systems (SuDS), as all developments in the Plan require SuDS and not just because of flood risk (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Scottish Water has requested an amendment to the wording in the 'Strategic drainage and water supply' section to reflect that a Growth Project has been initiated and that early engagement with Scottish Water is advised (PP0272).

Site OP1 – The Grange

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Site OP2 – Braiklay Park

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

A representee considers that bid site FR009 should be allocated in the PLDP and the settlement boundary should be extended to accommodate the site. Bid site FR009 should be allocated as an additional opportunity site, or in place of the OP2 site. Meeting local housing need is important within Tarves and this is reflected in Scottish Planning Policy which requires a generous supply of land in each of the housing areas. It is argued that the supply for housing is not being met in Tarves as none of the 2017 LDP allocations have been delivered. The OP2 site was identified as constrained due to marketability in the Housing Land Audit (HLA) 2019 and as such there is merit in removal of this site and allocation of bid site FR009 in its place. The representee has included a number of Appendices (RD0013.A, RD0013.B and RD0013.C) in their representation which provides further detail to support their position (PP0120).

Site OP3 – Land at Braiklay Croft

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

Non-Allocated Site – Bid Site FR009 – Land North of Bain's Park

Bid site FR009 is not allocated in the PLDP, however, objection was submitted for the development of 10-13 home development on this site. This site is located on the most northerly point of the settlement, hence unsuitable for development, given there are other allocated sites in Tarves. No modification sought (PP1165).

A representee considers that bid site FR009 should be allocated in the PLDP and the settlement boundary should be extended to accommodate the site. Bid site FR009 should be allocated as an additional opportunity site, or in place of the OP2 site. The site was noted as being suitable for development in the Main Issues Report 2019 and was even increased in numbers from 10 houses to 13 houses. The site is in a logical area for small scale expansion and is considered to be a brownfield site as it was previously developed.

Development of brownfield land is encouraged by SPP, paragraph 40. This site should therefore have been considered prior to the development of greenfield land in Tarves.

The development would be sympathetic and in line with the Settlement Statement and would round off the settlement and remain sympathetic with the distinctive character and the conservation area. In the MIR the Council noted that it would be suitable to increase the number of units from 10 to 13 units. This is supported and is in line with Policy H1 to deliver at a density of 35 homes per hectare. It is also in line with SPP (paragraph 2 and 29) to make efficient use of the land. The site would support local services which are located within walking distance of the site. This includes Tarves Primary School, which Officers, at the MIR stage, noted that the site would overcome capacity issues through developer obligations.

Meeting local housing need is also important within Tarves and this is reflected in SPP which requires a generous supply of land in each of the housing areas. It is argued that the supply for housing is not being met in Tarves as none of the 2017 LDP allocations have been delivered. It was noted in the Action Programme that the OP1 site was refused planning permission in November 2018 and the HLA. Additionally, the OP2 site was identified as constrained due to marketability in the HLA and as such there is merit in removal of this site and allocation of bid site FR009 in its place.

Ribbon development was raised as a concern at the MIR stage, however Council Officers accepted that development potential to the north was exhausted therefore no further development would take place beyond this site. It was concluded that the site would be consolidated as part of the settlement. It was also argued that the field boundaries could contain development which would be further enhanced by landscaping and planting becoming a defensible boundary to the settlement. The scale of the development is in keeping with the development to the south and is well served by public transport on the B999 which is 280m from the site, allowing the site to be accessed by sustainable means and not solely reliant on private cars. This conforms to the sustainability principles. The representee has included a number of Appendices (RD0013.A, RD0013.B and RD0013.C) in their representation which provides further detail to support their position (PP0120).

Modifications sought by those submitting representations:

Methlick

General

Modify the PLDP to clarify the justification for the proposed allocated sites in the settlement and clarify whether they will be delivered (PP0352).

Modify the PLDP to amend all sites to reduce the number of homes proposed in the settlement from 103 to 30 homes (PP0345).

Modify the PLDP to review the proposed allocated sites in the Methlick Settlement Statement (PP0352).

Modify the PLDP to ensure that appropriate infrastructure and service provision is in place to accommodate the proposed development in Methlick (PP0180).

Site OP1 – Cottonhillock

Modify the PLDP to amend the third sentence in the second paragraph of the OP1 allocation summary to, “A buffer strip shall be provided along the ephemeral watercourse route and shall be integrated positively into the development” (PP1219).

Modify the PLDP to remove site OP1 and remove the 20 homes contribution to the allowances and identify an alternative effective allocation in the Formartine AHMA (PP1048).

Site OP2 – West of Black Craigs

Modify the PLDP to allocate additional affordable housing on site OP2 (PP0180).

Modify the PLDP to amend site OP2 to an allocated site for 5 homes (PP1047).

Site OP3 – Land at Sunnybrae Croft

Modify the PLDP to allocate additional affordable housing on site OP3 (PP0180).

Site OP4 – Site adjacent to Belmuir Lodge

Modify the PLDP to amend the allocation summary for site OP4 to include the following text, “Provision for active travel is required” (PP1300).

Modify the PLDP to allocate additional affordable housing on site OP4 (PP0180).

Modify the PLDP to amend site OP4 to an allocated site for 12 homes and identify an additional allocation for 52 homes on the Formartine part of the Aberdeen Housing Market Area (AHMA) (PP1046).

Modify the PLDP to clarify that site OP4 is compliant with paragraphs E2.1 Landscape and Policy E.6 Protected Species (PP0506).

Modify the PLDP to remove site OP4 (PP0506 and PP0809).

Tarves

General

Modify the PLDP to extend the settlement boundary at Bains Park by 10-15 metres (PP1165).

Flood Risk

Modify PLDP to amend the ‘Flood Risk’ bullet point text to read, “Part of OP3 is at risk of surface water flooding. A Flood Risk Assessment may be required.” (PP1219).

Services and Infrastructure

Modify the PLDP to amend the wording under ‘Strategic drainage and water supply’ to

replace the second sentence, "If required, a growth project will be initiated by Scottish Water once one development meets their five growth criteria" with "Growth project has been initiated by Scottish Water. Early engagement with Scottish Water is advised" (PP0272).

Site OP2 – Braiklay Park

Modify the PLDP to remove site OP2 and allocate bid site FR009 for housing in its place and include the site within the settlement boundary (PP0120).

Non-allocated site – Bid Site FR009 – Land North of Bain's Park

Modify the PLDP to include bid site FR009 for housing and include the site within the settlement boundary (PP0120).

Summary of responses (including reasons) by planning authority:

Methlick

General

Sites OP1, OP2 and OP3 have been assessed as deliverable sites and a good fit for the settlement and adequate to meet the current housing demand (AD0038.D, MIR 2019, pages 58-62). The OP4 site (FR046 and FR047) was not identified as a preferred option in the MIR, however it was agreed at the Special Meeting of Formartine Area Committee on 10 September 2019 that all bid sites should be included in the Settlement Statement for Methlick (AD0141, Formartine Area Committee Meeting Minutes from 10 September 2019, page 11). Bid sites FR046 and FR047 have been combined into a single opportunity site (OP4) due their overlapping boundaries, and as this is a proposed new site that sits within the Aberdeen Housing Market Area, a standard density of 25 homes per hectare has been applied to reach the allocation of 63 homes. In line with Policy H1 Housing Land, the numbers quoted are indicative and at such time as a planning application is submitted for the site, the layout, siting and design may mean that a higher or indeed lower number of dwellings may be come forward (AD0041.A, page 41). The application of a standard density in the Aberdeen Housing Market is intended to provide a degree of certainty for communities on the scale of development that could reasonably be achieved on a site. Further detail on this is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations.

The 'Services and Infrastructure' section and allocation summaries for the sites in the Settlement Statement sets out what development may be required to contribute towards to ensure the development is acceptable in planning terms for all users. Additionally, any impacts on the amenity of nearby properties will be addressed at a planning application stage. In terms of the concerns regarding access and increased traffic, the Council's Roads Service has not raised any concerns regarding the allocations and any requirement for road improvement work or alternative access options would also be a matter for consideration at the planning application stage. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Cottonhillock

Support for the additional proposed housing in the settlement is noted. No change is required.

Taking into consideration SEPA's comments regarding the buffer strip required on OP1 along the ephemeral watercourse route, the Council consider it appropriate to amend the wording accordingly. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not support the removal of site OP1 or the removal of the 20-home contribution to the allowances. Site OP1 was allocated in the LDP 2017 for 20 homes and bid site FR034 for 20 homes was a preferred option in the MIR (AD0038.D, MIR, pages 60-61). SEPA has not objected to the wording in the Settlement Statement under Services and Infrastructure for sewage works. It is also noted that a growth project will be initiated once development meets Scottish Water's five growth criteria and that the developer must contact Scottish Water early in the planning process to initiate a growth project. As such, it is considered that this issue can be resolved, and that infrastructure is not a constraint that cannot be overcome. Additionally, the Council do not consider that marketability would be a constraint that could not be overcome. The site is located within the AHMA, in which marketability is not considered to be a constraint that would impede development coming forward on the site. Additionally, there is an existing effective allocation within the settlement (existing site OP2), on which development has commenced. In light of this, the Council would consider that the constraints on OP1 identified by the representee would be easily overcome within the plan period and as such the site should remain in the PLDP. No change is required.

Site OP2 – West of Black Craigs

Comments from SEPA are noted. No change is required.

Support for the additional proposed housing in the settlement is noted. No change is required.

The Council note the support for site OP2 from the representee. No change is required.

The Council note the representee's concern of the lack of affordable housing in Methlick, however the allocation summary clearly states that "It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and be integrated into the design of the development to provide a mix of house types and sizes to meet local need". As such, all new housing developments of four or more homes must include 25% of the serviced plots for affordable housing according to the definitions in the current Housing Need and Demand Assessment (i.e., housing made available at a cost below full market value, to meet this identified need) (AD0025, HNDA, page 54). No change is required.

The Council note the representee's request regarding the removal of 3 homes on site OP2. It is noted that the site was an Officer's preference in the MIR due to reasons of good connectivity and the existing open space network which could be extended (AD0038.D, MIR, page 60). However, following consultation on the MIR, it was stated within the Issues and Actions Papers that the existing OP2 site should be removed and retained as white land within the settlement boundary (AD0040.D, Issues and Actions Papers, page 59). On consideration at the Special Meeting of Formartine Area Committee, the Committee recommended that site FR014 should be allocated and this was reflected in the PLDP as agreed by Full Council on 5 March 2020 (AD0104, Full Council Minutes 2020, pages 14 and 15). The boundary of the OP2 site has thus been extended to accommodate an additional 3 homes on the site. Currently the 5 homes are contributing to the 5-year effective supply as per the HLA 2019 (AD022, HLA 2019, page 64). Please see Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations for further detail on the delivery and effectiveness of housing allocations. No change is required.

Site OP3 – Land at Sunnybrae Croft

Comments from SEPA are noted. No change is required.

Support for the additional proposed housing in the settlement is noted. No change is required.

The Council note the representee's concern of the lack of affordable housing in Methlick, however the allocation summary clearly states that "It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and be integrated into the design of the development to provide a mix of house types and sizes to meet local need". As such, all new housing developments of four or more homes must include 25% of the serviced plots for affordable housing according to the definitions in the current Housing Need and Demand Assessment (i.e., housing made available at a cost below full market value, to meet this identified need) (AD0025, HNDA, Page 54). No change is required.

Site OP4 – Site adjacent to Belmuir Lodge

Comments from SEPA are noted. No change is required.

Support for the additional proposed housing in the settlement is noted. No change is required.

Taking into consideration NatureScot's comments regarding active travel provision on the site to contribute towards connectivity, the Council consider it appropriate to insert the additional requirement. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council notes the representee's concern regarding the lack of affordable housing in Methlick, however the allocation summary clearly states that "It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing (AD0041.A, page 42). This should be delivered as part of the early phases of development and be integrated into the design of the development to provide a mix of house types and sizes to meet local need". As such, all new housing developments of

four or more homes must include 25% of the serviced plots for affordable housing according to the definitions in the current Housing Need and Demand Assessment (i.e., housing made available at a cost below full market value, to meet this identified need) (AD0025, HNDA, page 54). No change is required.

Methlick is located in the Aberdeen Housing Market Area (AHMA) within a local growth and diversification area. In accordance with the Aberdeen City and Shire Strategic Development Plan (2020) (SDP), the settlement is appropriate for a level of growth related to local needs (AD0016, page 23, and paragraph 3.45). There have been only two new allocations made through the Proposed Plan and one existing allocation extended slightly which is seen to meet local needs within the settlement. Each allocation made in the Plan has been through multiple assessments including the Strategic Flood Risk Assessment, Strategic Environmental Assessment, Development Planning and Management Transport Appraisal Guidance, and the Habitats Regulations Appraisals to ensure the most appropriate sites are allocated for development. The Council's Roads Service has not raised any concerns about the allocation. Any requirement for road improvement work or alternative access options would be a matter to be considered at the planning application stage. Waste water treatment work (WWTW) capacity would not preclude development taking place on the site. It is noted within the Services and Infrastructure section of the Settlement Statement that a growth project at the WWTW would likely require to be initiated once development meets Scottish Water's five growth criteria. Early engagement with Scottish Water is encouraged to address these issues at an early stage of the development process of this site. No change is required.

The OP4 site (FR046 and FR047) was not identified as a preferred option in the MIR, however it was agreed at the Special Meeting of Formartine Area Committee on 10 September 2019 that all bid sites should be included in the Settlement Statement for Methlick (AD0141, Formartine Area Committee Meeting Minutes from 10 September 2019, page 11). Bid FR046 and bid FR047 have been combined into one opportunity site (OP4) due their overlapping boundaries, and as this is a proposed new site that sits within the Aberdeen Housing Market Area, a standard density of 25 homes per hectare has been applied to reach the allocation of 63 homes. This ensures an efficient use of land in line with SPP (AD0012, page 9). In line with Policy H1 Housing Land, the numbers quoted are indicative and at such time as a planning application is submitted for the site, the layout, siting and design may mean that a higher or indeed lower number of dwellings may be come forward, (AD0041.A, page 41). The application of a standard density in the Aberdeen Housing Market is intended to provide a degree of certainty for communities on the scale of development that could reasonably be achieved on a site. Further detail on this is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations. The Council note that the representee highlights that there is no capacity at the waste water treatment works for the scale of the development, however as stated in the settlement statement, a growth project will be initiated once development meets Scottish Water's five growth criteria.

The Services and Infrastructure section and allocation summaries of the Settlement Statement sets out what development may be required to contribute towards to ensure the development is acceptable in planning terms for all users. The allocation summary states that good design principles should be used to mitigate landscape impact which would lessen the landscape character impact as well as the impact on the settlement's sense of place. Additionally, any proposed development on the site will be required to comply with Policy E2 Landscape, (AD0041.A, page 59). It is also stated that a Flood Risk

Assessment may be required for the development. The Council note the representee's concerns regarding impact on habitat and wildlife, however any planning application submitted for the site would require to be in line with Policy E1 Natural Heritage, (AD0041.A, page 57). Furthermore, the design and layout of the proposed development would be assessed at the planning application stage to ensure that there is no undue impact on nearby residential amenity, in line with Policy P1 Layout, Siting and Design, (AD0041.A, page 47). No change is required.

Methlick is located in the Aberdeen Housing Market Area (AHMA) within a local growth and diversification area. In accordance with the Aberdeen City and Shire Strategic Development Plan (2020), the settlement is appropriate for a level of growth related to local needs (AD0016, page 23, and paragraph 3.45) and the proposed allocations are considered appropriate for the settlement. No change is required.

Tarves

General

As part of forming the PLDP, settlement boundaries were updated from the LDP 2017 to reflect the built-up area such as to include developments from planning applications and to include any new proposed allocations. As the boundary at the rear of the gardens at Bain's Park reflect the built-up area and no approved planning applications exist to suggest a change to the settlement boundary should be undertaken, it is not considered appropriate to amend the settlement boundary at this time. No change is required.

Flood Risk

Taking into consideration SEPA's comments regarding SUDs, the Council consider it appropriate to amend the wording accordingly. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Taking into consideration Scottish Water's comments regarding amendment to the wording to reflect that a Growth Project has been initiated, the Council consider it appropriate to amend the wording accordingly. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – The Grange

Comments from SEPA are noted. No change is required.

Site OP2 – Braiklay Park

Comments from SEPA are noted. No change is required.

Comments regarding the allocation of bid site FR009 in addition, or in place of site OP2

are noted. The site was an Officer's preference in the MIR, and it was considered that it could be delivered during the Plan period and consolidated as part of the settlement alongside other recent developments seen in the settlement (AD0038.D, MIR 2019, page 97). Following consultation on the MIR, it was stated within the Issues and Actions Papers that FR009 should be allocated for 13 homes and reference to brownfield development removed to avoid confusion and contradiction with previous decisions and that education and drainage issues could be dealt with through specific planning applications (AD0040.D, Issues & Actions Papers, page 98). On consideration at the Special Meeting of Formartine Area Committee, the committee recommended that site FR009 should not be allocated and this was reflected in the PLDP as agreed by Full Council on 5 March 2020 (AD0104, Full Council Minutes 2020, pages 14 and 15). As such, whilst Officers saw merit in allocating the site, Councillors resolved to agree that the site was not needed in the PLDP. Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Site OP3 – Land at Braiklay Croft

Comments from SEPA are noted. No change is required.

Non-allocated site – Bid Site FR009 – Land North of Bain's Park

The Council does not support allocating bid site FR009 for housing. The objection to the development of this unallocated site is noted. No change is required.

Comments regarding the allocation of bid site FR009 in addition, or in place of site OP2 are noted. The site was an Officer's preference in the MIR, and it was considered that it could be delivered during the Plan period and consolidated as part of the settlement alongside other recent developments seen in the settlement (AD0038.D, page 97). Following consultation on the MIR, it was stated within the Issues and Actions Papers that FR009 should be allocated for 13 homes and reference to brownfield development removed to avoid confusion and contradiction with previous decisions and that education and drainage issues could be dealt with through specific planning applications (AD0040.D, page 98). On consideration at the Special Meeting of Formartine Area Committee, the Committee recommended that site FR009 should not be allocated and this was reflected in the PLDP as agreed by Full Council on 5 March 2020 (AD0104, Full Council Minutes 2020, pages 14 and 15). As such, whilst Officers saw merit in allocating the site, Councillors resolved to agree that the site was not needed in the PLDP. Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make

comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 29. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Methlick

General

3. I consider that my conclusions and recommendations below address the concerns expressed regarding the scale of development in Methlick and its implications for local services.

Site OP1 – Cottonhillock

4. Site OP1 is identified as constrained on marketability and infrastructure grounds in the 2019 and 2020 housing land audits. The site represents phase two of a recently developed site to the north-west. Comments recorded in the 2019 audit note that the market was slow for phase one and that a growth project for a waste water treatment plant is required.

5. The strategic drainage and water supply bullet point on page 449 of the settlement statement explains the steps to be taken to overcome the drainage constraint. I agree with the council that this is a constraint that can be overcome during the plan period.

6. I consider that the site is well positioned in relation to local facilities and existing housing to the north-east and north-west. The ongoing development of site OP2 and promotion of sites OP3 and OP4 suggests that there is market interest in this settlement. Based on the evidence before me, I consider it reasonable to assume that a development of 20 homes can be delivered within the plan period. No modification is required.

7. The amendment suggested by the Scottish Environment Protection Agency (SEPA) would provide clarity on the position of the required buffer strip. A modification is recommended.

Site OP2 – West of Black Craigs

8. The council has indicated that planning permission has been granted for five homes on part of the site. The extension to the site can accommodate an additional three homes which have been identified as contributing towards the strategic development plan allowance for the Aberdeen Housing Market. The site is under construction and no evidence has been provided to indicate that there is a marketability constraint. The requirement for affordable housing is addressed in the allocation summary. I would expect the provision of affordable housing to be in line with policy H2 Affordable Housing. No modifications are recommended.

Site OP3 – Land at Sunnybrae Croft

9. As with allocation OP2, the requirement for affordable housing is addressed in the allocation summary and I would expect the provision of affordable housing to be in line with policy H2 Affordable Housing. No modification is required.

Site OP4 – Site adjacent to Belmuir Lodge

10. Site OP4 occupies a prominent location in the centre of this attractive small village, whose setting in the Ythan valley is key to its sense of place. It was not recommended for allocation in the main issues report, particularly because of its visual prominence and because the steeply sloping site would necessitate that access was made by cutting through the hill, thereby altering the landscape setting of the site. Furthermore, the site allocation summary acknowledges a visual impact on the category-B listed Methlick Bridge. The strategic environmental assessment stated that the site had an overall negative impact (post-mitigation) due to factors including the topography of the site and cultural heritage. NatureScot has noted that the steep gradients would make the site challenging to develop without significant landscape and visual impacts. The main issues report also advised that the allocation was not required to meet local housing demand, and that the community considered development of around 30 homes would be appropriate for the village. The allocations at sites OP1, OP1 and OP3 are for a total of 40 units. The OP4 allocation is for 63 units.

11. It is claimed that protected species use the site for feeding and to access nests, etc. But I note that the strategic environmental assessment considers that impact on biodiversity, flora and fauna would be neutral. Other constraints are referred to in reports and representations, but these could potentially be overcome by site design, planning conditions and developer contributions.

12. I agree with the points set out in paragraph 10 above, and am not persuaded that the adverse landscape and visual impacts and the related effects on the character of the village could be overcome by site design, landscape planting or otherwise, and thereby development would be contrary to policy E2: Landscape of the proposed plan. This leads me to conclude that the allocation is not appropriate for reasons of landscape and visual impact, as confirmed by my site inspection. Whilst the allocation contributes to meeting the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider that the benefits in terms of meeting housing need would outweigh the adverse impacts resulting from development on this site.

13. For these reasons, I recommend that the plan be modified to delete allocation OP4 from the Methlick settlement statement and map. The settlement boundary for Methlick at this location should revert to that shown in the existing local development plan. A modification to the relevant table in appendix 6 will also be required to delete the entry for Methlick OP4. The implications for this deletion for the overall housing land provision are addressed in Issue 5. No other modifications are required for Methlick.

Tarves

General

14. I agree with the council's approach of updating settlement boundaries in its preparation of the proposed plan to reflect planning permissions and other changes. To do so in the absence of any planning permission would be to imply a decision which has

not been made. No modification is required.

Flood Risk

15. I agree with SEPA that sustainable drainage systems would be required, regardless of whether or not there is a risk of flooding. The suggested amendment is therefore justified and I recommend a modification accordingly.

Services and Infrastructure

16. I agree with Scottish Water that the wording of the strategic drainage and water supply should be amended to indicate that a growth project has already been initiated to increase capacity at Tarves waste water treatment works. A modification is recommended.

Site OP2 – Braiklay Park

17. Site OP2 was allocated in the 2017 local development plan. However, its inclusion in the proposed plan is questioned on the basis that it was identified in the Housing Land Audits for 2019 and 2020 as constrained on the basis of marketability. We have concluded in Issue 2 that the principle of using constrained sites towards the strategic development plan “allowances” is consistent with paragraph 4.18 of that plan. However, it is necessary to understand why the council considers that the site can be delivered by 2032.

18. The council states that only those constrained sites which were the subject of bid submissions indicating that the site can come forward within the plan period were allocated in the proposed plan. This is a small site, allocated for 15 homes, in a characterful village with good facilities. On my site visit, I noted that site OP1 (The Grange) for 113 homes, community facilities and employment land is now under construction on the opposite side of Duthie Road to site OP2. In these circumstances, it seems reasonable to assume that site OP2 could be delivered by 2032. No modification is required.

Non-allocated Bid Site FR009 – Land North of Bain’s Park

19. Bid site FR009 for 13 homes is located at the north-western corner of Tarves beyond the settlement boundary. It is being promoted either in place of site OP2 or in addition to the allocated sites in the village. In view of my conclusion on site OP2, it is not required to replace that site. Its alleged brownfield status has been contested and I agree that its temporary use for storage during recent construction of the adjacent housing at Bain’s Park does not necessarily confer brownfield status. The site projects into open countryside, is widely visible and is more distant from the village centre than other housing sites in the settlement.

20. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Sites in Tarves could potentially contribute to meeting this shortfall. However, for the reasons set out above, I conclude that bid site FR009 should not be allocated. There are other sites available to meet the

identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, as explained in issue 5.

21. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

1. Replacing the third sentence in the second paragraph of the allocation summary for OP1: Cottonhillock in the Methlick settlement statement on page 450 with:

“A buffer strip shall be provided along the ephemeral watercourse route and shall be integrated positively into the development.”

2. Deleting allocation OP4: Site adjacent to Belmuir Lodge, Methlick from the Methlick settlement statement and map on pages 452 and 453 and amending the settlement boundary to that shown in the existing local development plan at this location.

3. Removing site OP4, Methlick, from the relevant table in Appendix 6 (Housing Land Allocations) and amending the total figures accordingly (Note – a revised version of appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

4. Deleting the words “as well as Sustainable Drainage Systems” from the flood risk bullet point in the Tarves settlement statement on page 491.

5. Replacing the last two sentences of the strategic drainage and water supply bullet point in the Tarves settlement statement on page 492 with:

“A growth project has been initiated by Scottish Water. Early engagement with Scottish Water is advised.”

<p>Issue 30</p>	<p>Other Settlements AHMA (Formartine) – Barthol Chapel, Collieston, Cultercullen, Hattoncrook, Tipperty, Udney Green, Udney Station, West Pitmillan, Whitecairns and Ythanbank</p>	
<p>Development plan reference:</p>	<p>Proposed LDP, Appendix 7C Formartine, Page 398-399 Proposed LDP, Appendix 7C Formartine, Page 409-411 Proposed LDP, Appendix 7C Formartine, Page 412-413 Proposed LDP, Appendix 7C Formartine, Page 496-499 Proposed LDP, Appendix 7C Formartine, Page 509-511 Proposed LDP, Appendix 7C Formartine, Page 512-514 Proposed LDP, Appendix 7C Formartine, Page 515-517 Proposed LDP, Appendix 7C Formartine, Page 520-522 Proposed LDP, Appendix 7C Formartine, Other</p>	<p>Reporter: Malcolm Mahony</p>
<p>Body or person(s) submitting a representation raising the issue (including reference number):</p>		
<p>Barthol Chapel PP0272 Scottish Water PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian</p> <p>Collieston PP0128 Evelyn Dewar PP0230 Nienke Van Ginkel PP1117 c a s e Consulting Limited PP1219 Scottish Environment Protection Agency</p> <p>Cultercullen PP1219 Scottish Environment Protection Agency PP1407 c a s e Consulting Limited</p> <p>Hattoncrook PP1410 c a s e Consulting Limited</p> <p>Tipperty PP0981 INEOS FPS PP1219 Scottish Environment Protection Agency</p> <p>Udney Green PP1219 Scottish Environment Protection Agency</p> <p>Udney Station PP1032 c a s e Consulting Limited</p>		

PP1219 Scottish Environment Protection Agency
PP1414 c a s e Consulting Limited

West Pitmillan

PP0272 Scottish Water
PP1219 Scottish Environment Protection Agency

Whitecairns

PP0399 Mrs V Fowlie
PP1302 Hamish Mackenzie

Ythanbank

PP0174 Bruce Campbell
PP0181 Gordon Taylor
PP0243 Graham Clark
PP0272 Scottish Water
PP1219 Scottish Environment Protection Agency

Provision of the development plan to which the issue relates:

Barthol Chapel Settlement Statement
Collieston Settlement Statement
Cultercullen Settlement Statement
Tipperty, Udney Green Settlement Statement
Udney Station Settlement Statement
West Pitmillan Settlement Statement
Ythanbank Settlement Statement
Other Formartine Settlements

Planning authority's summary of the representation(s):

Barthol Chapel

Flood Risk

Scottish Environmental Protection Agency (SEPA) has requested, for consistency, adding a new 'Flood Risk' section, which states that a Flood Risk Assessment may be required for site OP1 (RD0214.B) (PP1219).

Services and Infrastructure

Scottish Water has sought inclusion of additional text to the 'Strategic drainage and water supply' section (PP0272).

SEPA have requested that the 'Strategic Drainage and water supply' section be change so that the first sentence is replaced with the following wording for consistency, "There is no public waste water infrastructure in Barthol Chapel." And request the remaining text in this bullet point is removed and added to the OP1 allocation text." sought changes to the text to the 'Strategic drainage and water supply' section (RD0214.B) (PP1219).

NHS Grampian has objected to the failure to make reference to the need for health care facilities under the 'Services and Infrastructure' section. Additional text under this heading has been requested (PP1223).

Site OP1 – Land at Barthol Chapel

SEPA has requested additional text is included to state that a Flood Risk Assessment is potentially required (RD0214.B) (PP1219).

Collieston

Site R1 – To allow the development of community-based enterprises around Slains Kirk Building and the existing community centre

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation/designation summary for site R1 (RD0214.B). No modification sought (PP1219).

A representee stated that they did not object to the inclusion of site R1 but that any development that includes ground works should not be planned on or close to the area of The Rivie, which overlooks the cliff, as it has caused landslip at No. 10 The Cliff and No. 2 (PP0128).

A representee has requested the removal of site R1 as they own the site (PP0230).

Flood risk

SEPA has requested, for consistency, that the following text is added to the bullet point, "Flood Risk Assessments may be required." (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has requested that a new statement on the 'Strategic drainage and water supply' is added to the 'Services and Infrastructure' section with the inclusion of further text (RD0214.B) (PP1219).

A representee has stated that the 'Services and Infrastructure' section is not relevant to the settlement as it refers to contributions towards facilities but there are no allocations in the settlement which will lead to housing to contribute (PP1117).

Cultercullen

Services and Infrastructure

SEPA has requested that a new statement in the section 'Strategic drainage and water supply' is added to the 'Services and Infrastructure' section and the capacity of infrastructure in this settlement is confirmed with Scottish Water (RD0214.B) (PP1219).

A representee has noted that the 'Services and Infrastructure' section is not relevant as it refers to contributions from residential developments towards the provision of various facilities. No residential allocations are identified in the settlement and no development impacts will require to be mitigated by way of contributions (PP1407).

Hattoncrook

Non-Allocated Site – Bid Site FR023 – West Hattoncrook

A representee has requested the allocation of bid site FR023 for 30 homes as there is a shortfall of allocations in the AHMA, the settlement benefits from street lighting, reduced speed limit, a bus route and local shop, the site can be developed without impacting the nearby pipeline safety corridor and can be serviced in terms of foul water. The representee has included an Appendix (RD0271.A) in their representation which provides further detail to support their position (PP1410).

Tipperty

Flood Risk

SEPA has sought changes to the text to the 'Flood Risk' section, recommending that the first 'Flood Risk' bullet point is amended to state that parts of Tipperty are at risk of surface water flooding and fluvial flooding from the Tarty Burn and that Flood Risk Assessments may be required. Additionally, SEPA has requested that should site OP2 stay within the Plan, the second 'Flood Risk' bullet point is simplified for consistency and that an additional third 'Flood Risk' bullet point is added (RD0214.B) (PP1219).

Services and Infrastructure

SEPA have no issues with the 'Strategic drainage and water supply' bullet point in the 'Services and Infrastructure' section (RD0214.B). No modification sought (PP1219).

Site OP1 – Land East of Tipperty Industrial Estate

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has noted that the Forties Pipeline passes through the eastern edge of the allocated site. It welcomes the reference to the presence of the pipeline and requests that this is maintained (PP0981).

Site OP2 – Land to the South of Tipperty Industrial Estate

A representee has noted that the Forties Pipeline passes through the eastern edge of the allocated site. It welcomes the reference to the presence of the pipeline and requests that this is maintained (PP0981).

SEPA has indicated that they would object to this allocation in its current form unless its boundary is amended to exclude the areas expected to flood, and its access through the floodplain is removed, or a detailed Flood Risk Assessment is submitted in support of the site prior to it being allocated (allowing sufficient time for a review and validation assessment). SEPA note that they objected previously at a bid consultation and MIR stage, and argues that at least half of the site includes the functional floodplain of the Tarty Burn and development of the site would be contrary to Scottish Planning Policy (SPP). It could also increase flood risk to nearby areas, and the proposed access is in a floodplain,

which is likely to reduce the capacity of the floodplain (RD0214.B) (PP1219).

SEPA has requested that the allocation summary removes reference to accessing the OP2 site from the A90, as it is on a functional floodplain. SEPA has argued that any development within the Tarty Burn corridor would inhibit the Burn taking its natural course in the long term and objection is lodged to any development proposal that did not include the natural river corridor within the buffer required for this watercourse. As such, access from the A90 south of Newark Cottage is not likely to be appropriate (RD0214.B) (PP1219).

Udny Green

Flood risk

SEPA have no issues with the 'Flood Risk' section (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA have no issues with the 'Strategic drainage and water supply' bullet point in the 'Services and Infrastructure' section (RD0214.B). No modification sought (PP1219).

Site OP1 – Opposite Bronie House

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Udny Station

Flood risk

SEPA have no issues with the 'Flood Risk' section (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA have no issues with the 'Strategic drainage and water supply' bullet point in the 'Services and Infrastructure' section (RD0214.B). No modification sought (PP1219).

Site OP1 – Woodlea East

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Two representees have objected to the allocation of OP1 and suggested bid site FR021 as a replacement (PP1032 and PP1414). The OP1 site is deemed to have unacceptable options for vehicular access and has been tested through the planning system and found to fail (PP1032). The site came into the Housing Land Audit in 2013 and had a detailed planning application in 2017 for 25 houses which was refused by Formartine Area Committee. The application was then appealed to Scottish Ministers who dismissed the appeal. A subsequent planning application was withdrawn by the developer due to

difficulties of obtaining the required visibility splays. Connectivity to the remainder of the settlement is also not possible. The site is simply too small to accommodate the development and there is no viable access point to the site (PP1414).

Non-Allocated Site – Bid Site FR021 – South West of Udney Station

A representee has objected to the allocation of OP1 and suggested bid site FR021 as a replacement. FR021 is deemed to be well connected within the settlement and suitable to deliver housing and employment land while improving connectivity between the settlement and Cultercullen Primary School. It is noted by the representee as having interest from a local developer. FR021 is considered by the representee to benefit from a wooded backdrop. Access into the site can be suitably engineered alongside new bus stops and development at this site would act as a gateway to the settlement. The representee has included an Appendix (RD0189.A) in their representation which provides further detail to support their position (PP1032).

West Pitmillan

Flood Risk

SEPA have no issues with the 'Flood Risk' section (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

Scottish Water has requested additional text is added in the 'Strategic drainage and water supply' statement to state that early engagement with Scottish Water is advised (PP0272).

SEPA has requested minor rewording of the 'Strategic drainage and water supply' statement (RD0214.B) (PP1219).

Site BUS – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS (RD0214.B). No modification sought (PP1219).

Site OP1 – West Pitmillan

SEPA has requested the following wording is added at the start of the second paragraph, "A Flood Risk Assessment may be required due to the possible presence of culverted watercourses on the site." (RD0214.B) (PP1219).

Whitecairns

General

A representee has requested that a small path at Whitecairns should be implemented to enable foot access as it is difficult to walk on the B999. A small path along this stretch would allow access to Belhelvie, Balmedie, Potterton and Newmachar. This would be welcomed by residents with the reduction in speed and volume of traffic with vehicles opting for alternative routes such as the AWPR. The representee has included an

Appendix (RD0257.A) in their representation which provides further detail to support their position (PP1302).

Additionally, the representee has requested extending the 50mph zone through Whitecairns to include Smiddyside (see plan) as the current 50mph zone stops few meters away due to having limited visibility and exiting in fast moving traffic. The representee has included an Appendix (RD0257.A) in their representation which provides further detail to support their position. (PP1302).

Non-Allocated Site – Bid Site FR097 – Land North of Drovers Place

This site has not been given due consideration as the main reasons for not zoning development at this location is that vehicular journeys will be essential for residents, one of the nearby schools is nearing capacity, and that the site is visually prominent. It is argued that it is not visually prominent due to the tree shelter belt surrounding the site. This can be further widened, enhanced and lengthened as required, including alongside the public road on the southern boundary. The school roll at Balmedie is nearing capacity, with high numbers of housing development allocations proposed for the village, but as school bus travel is required then pupils can be taken to Newmachar which is almost the same distance away, or to other schools. The proposed development would create a loop which would be safe for the bus to come into the settlement and leave without having to reverse – at present it pulls into the junction which is not safe. Although vehicular journeys would be required, this is not seen as particularly disadvantageous to the site comparable with other settlements that have been given high numbers of housing allocations such as Foveran, which also has no amenities other than a primary school. Whitecairns is on a regular bus route which would be strengthened by the allocation of development. Whitecairns is also close to the AWPR, meaning shorter commutes to other employment areas, and taking vehicles off narrow 'back roads' is critical for wider road safety. The MIR mentioned drainage issues however the existing drainage arrangements for the settlement could be expanded. The Community Council have been consulted and has intimated its support for the proposals. The site could also be extended to allow for a mixed-use housing and employment site. The representee has included an Appendix (RD0056.A) in their representation which provides further detail to support their position (PP0399).

Ythanbank

Services and Infrastructure

Scottish Water has requested additional text for the 'Strategic drainage and water supply' statement (PP0272).

SEPA has requested replacing the text of the 'Strategic drainage and water supply' statement for consistency (RD0214.B) (PP1219).

Site OP1 – Michaelmuir Croft

SEPA has requested the following is added to the allocation text, "A single waste private water treatment plant, built to an adoptable standard, will be required for this site." (RD0214.B) (PP1219).

A representee has raised concerns in relation to traffic safety issues, as cars exceed the

speed limit when driving past the proposed OP1 site. The settlement has two sharp corners, and concern was raised regarding the access at the proposed OP1 site. Concern was also raised regarding pedestrians using this part of the road to access Shallowplough Woods and further traffic from the proposed development emerging onto the road increasing safety risk. It was considered that traffic calming measures should be introduced and an extended 30mph speed limit area implemented with an extension of the pavement to the same point (PP0243).

A representee has requested that site OP1 is removed. This is on the basis that the proposed development of 5 homes would require homes to be built in a non-linear fashion to the road which contradicts the ribbon development pattern in the settlement. Concern was raised of the increased risk of accidents as the development is located on a blind bend and that speeding is an existing issue in the settlement. Additionally, concern was raised regarding drainage and potential flooding on the site. The representee has suggested that if development is to be considered in this area, then it should be for a maximum of 2 homes and on the roadside to complement the existing linear ribbon pattern of development in the settlement (PP0174).

Non-Allocated Site – New Site N020 – Site 1, Land west of the Unclassified Road from Ythanbank to Mill of Schivas, Non-Allocated Site – New Site N021 – Site 2, Land west of the Unclassified Road from Ythanbank to Mill of Schivas and Non-Allocated Site – New Site N022 – Land east the Unclassified Road from Ythanbank to Mill of Schivas

A representee has requested that additional housing sites be identified in Ythanbank, proposing a total of 6 additional homes across 3 sites. Site N020 proposes 3 homes, site N021 proposes 2 homes, whilst site N022 proposes 1 home. It is stated that these sites offer a logical continuation and opportunity for self-build plots. Additionally, the areas would provide large gardens with good distances between buildings and open views of the countryside. The proposal would also meet community aspirations as outlined in the Settlement Statement Vision. The representee has included two Appendices (RD0019.A and RD0019.B) in their representation which provides further detail to support their position (PP0181).

Modifications sought by those submitting representations:

Barthol Chapel

Flood Risk

Modify the PLDP to include a new 'Flood Risk' section that reads, "Due the presence of a small watercourse a Flood Risk Assessment may be required for site OP1." (PP1219).

Services and Infrastructure

Modify the PLDP to amend the 'Strategic drainage and water supply' section to add after the first sentence, "A single waste water treatment plant of sufficient capacity is required to serve all properties within the development and shall be of a standard that can be adopted by Scottish Water." (PP0272).

Modify the PLDP to replace the first sentence in the 'Strategic drainage and water supply' bullet point from, "There are no waste water treatment works for Barthol Chapel" to "There

is no public waste water infrastructure in Barthol Chapel.” (PP1219).

Modify the PLDP to include a new statement on Health and care facilities that reads, “Health and care facilities: All residential development must contribute towards the creation of additional capacity at health facilities in Fyvie/Oldmeldrum Medical Group to allow for additional capacity.” (PP1223).

Site OP1 – Land at Barthol Chapel

Modify the PLDP to move the last three sentences in the ‘Strategic drainage and water supply bullet point’ to the allocation summary of site OP1, “A single waste water treatment plant of sufficient capacity is required to serve all properties within the development and shall be of a standard that can be adopted by Scottish Water. Single individual waste water discharges would not be permitted. Early engagement with Scottish Water is advised.” (PP1219).

Collieston

Site R1 – To allow the development of community based enterprises around Slains Kirk Building and the existing community centre

Modify the PLDP to remove site R1 (PP0230).

Flood Risk

Modify the PLDP to add a new sentence to the ‘Flood Risk’ section to read, “Flood Risk Assessments may be required.” (PP1219).

Services and Infrastructure

Modify the PLDP to include a new statement on ‘Strategic drainage and water supply’ to read, ‘Strategic drainage and water supply’: Due to the presence of a designated bathing water beach at Collieston, any development will require to connect to the public waste water network.” (PP1219).

Modify the PLDP to remove the ‘Services and Infrastructure’ section from the Settlement Statement (PP1117).

Cultercullen

Services and Infrastructure

Modify the PLDP to include a new statement on ‘Strategic drainage and water supply’ with the capacity of infrastructure in this settlement confirmed with Scottish Water (PP1219).

Modify the PLDP to remove the ‘Services and Infrastructure’ section from the settlement statement (PP1407).

Hattoncrook

Non-Allocated Site – Bid Site FR023 – West Hattoncrook

Modify the PLDP to include bid site FR023 for 30 houses (PP1410).

Tipperty

Flood Risk

Modify the PLDP to amend the first 'Flood Risk' bullet point from, "A small watercourse and the Tarty Burn present increased risk of flooding. A Flood Risk Assessment may be required" to "Parts of Tipperty are at risk of surface water flooding and fluvial flooding from the Tarty Burn. Flood Risk Assessments may be required." (PP1219)

Modify the PLDP to amend the second 'Flood Risk' bullet point from, "Approximately 50% of site OP2 is at risk from flooding from the Tarty Burn which is at 'Bad' status due to its poor physical condition which should be addressed through any development on the site. Development should not commence in the area at flood risk and a Flood Risk Assessment will be required to accurately determine the developable area and floor levels.

Enhancement of this straightened watercourse through naturalisation and removal of any redundant features should be investigated, and a buffer strip provided to allow sufficient space for the Burn to naturally realign. This may need to be up to 50% of the site" to "Approximately 50% of site OP2 as at risk of flooding from the Tarty Burn. A Flood Risk Assessment will be required to determine the developable area and finished floor levels." (PP1219).

Modify the PLDP to amend the 'Flood Risk' section to include a new third bullet point that reads: "A Flood Risk Assessment will be required for OP1 site, large areas of which experience surface water flooding." (PP1219).

Site OP2 – Land to the South of Tipperty Industrial Estate

Modify the PLDP to remove site OP2, unless the site boundary is amended to exclude the areas at risk of flooding and the access is amended, or a detailed Flood Risk Assessment is undertaken to ascertain flood risk (PP1219).

Modify the PLDP to remove the statement in the allocation summary for site OP2 that states that access will be taken from the A90 (PP1219).

Udny Station

Site OP1 – Woodlea East

Modify the PLDP to remove site OP1 (PP1032 and PP1414).

Non-Allocated Site – Bid Site FR021 – South West of Udny Station

Modify the PLDP to allocate bid site FR021 for 40 homes and business land in place of site OP1 (PP1032).

West Pitmillan

Services and Infrastructure

Modify the PLDP to amend the 'Strategic drainage and water supply' statement to add a new sentence at the end to read, "Early engagement with Scottish Water is advised." (PP0272).

Modify the PLDP to amend the 'Strategic drainage and water supply' statement to change the last sentence from, "All sites in West Pitmillan will connect ..." to "All sites in West Pitmillan to connect ..." (PP1219).

Site OP1 – West Pitmillan

Modify the PLDP to amend the allocation summary of site OP1 to include at the start of paragraph two, "A Flood Risk Assessment may be required due to the possible presence of culverted watercourses on the site" (PP1219).

Whitecairns

General

Modify the PLDP to identify a provisional core path of network path along the B999 (PP1302).

Modify the PLDP to extend the 50mph zone through Whitecairns (PP1302).

Non-Allocated Site – Bid Site FR097 – Land North of Drovers Place

Modify the PLDP to allocation bid site FR097 in the LDP for 30 homes (PP0399).

Modify the PLDP to allocate bid site FR097 in the LDP for 30 homes plus additional land for employment (PP0399).

Ythanbank

Services and Infrastructure

Modify the PLDP to amend the 'Strategic drainage and water supply' statement to include, "A single adoptable waste water treatment plant of sufficient capacity should be pursued, and investigation into ground water pollution may be required." (PP0272).

Modify the PLDP to amend the 'Strategic drainage and water supply' statement from, "There is no public waste water treatment works in Ythanbank. There is water available, however early engagement with Scottish Water is advised. The Scottish Environment Protection Agency (SEPA) will need to be consulted and full authorisation and relevant licensing sought for private treatment. Early discussions with SEPA may be required as approval of individual waste water discharges is unlikely. A single adoptable waste water treatment plant of sufficient capacity should be pursued, and investigation into ground water pollution may be required" to "There is no public waste water infrastructure in Ythanbank. There is water available, however, early engagement with Scottish Water is advised." (PP1219).

Site OP1 – Michaelmuir Croft

Modify the PLDP to add text to the allocation summary to read, “A single waste private water treatment plant, built to an adoptable standard, will be required for this site.” (PP1219).

Modify the PLDP to introduce traffic calming measures for site OP1, including a reduction in the speed limit to 30mph and an extension of the footpath (PP0243).

Modify the PLDP to remove site OP1 and if further development is to be considered in the settlement, a maximum of 2 homes should be allocated on the roadside (PP0174).

Non-Allocated Site – New Site N020 – Site 1, Land west of the Unclassified Road from Ythanbank to Mill of Schivas, Non-Allocated Site – New Site N021 – Site 2, Land west of the Unclassified Road from Ythanbank to Mill of Schivas and Non-Allocated Site – New Site N022 – Land east the Unclassified Road from Ythanbank to Mill of Schivas

Modify the PLDP to allocate N020 for 3 homes (PP0181).

Modify the PLDP to allocate N021 for 2 homes (PP0181).

Modify the PLDP to allocate N022 1 home (PP0181).

Summary of responses (including reasons) by planning authority:

Barthol Chapel

Flood Risk

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council notes Scottish Water’s comment, but their modification to the ‘Strategic drainage and water supply’ statement is the same as it is written in the PLDP. The last three sentences in the ‘Strategic drainage and water supply’ bullet point will be moved to the allocation summary of site OP1 in light of SEPA’s comments. No change is required.

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NHS Grampian’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land at Barthol Chapel

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Collieston

Site R1 – To allow the development of community-based enterprises around Slains Kirk

Building and the existing community centre

Comments from SEPA are noted. No change is required.

Comments on ground works are noted, but given the scale of this designation, it is not a matter for the LDP and can be considered at such time as a detailed proposal comes forward. No change is required.

The Council notes the comments regarding land ownership at Slains House, but no map or plan was provided with the representation to clarify their landownership. Site R1 was identified to reflect the community's aspiration to protect land to allow community-based enterprises around the disused Slains Kirk Building and the existing community centre (MIR, AD0038.D, page 24). In addition, as part of the pre-MIR engagement with community councils, there was a request to include Slains House and the converted steading (see Formartine Community Council's notes, AD0144.A, page 7). A planning application was approved in 2009 for a community hall that covered land to the east of the road within site R1 (APP/2008/2856). This resulted in a large extension of the settlement boundary from the LDP 2017. As it is not known where all the community-based proposals will go, it was necessary to reserve a large site and protect the coastal setting of Collieston from other development. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement, which will require to be appropriately assessed by the Council, in accordance with the relevant policies of the PLDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Cultercullen

Services and Infrastructure

The Council confirms it has liaised with Scottish Water (AD0139), and that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement which will require to be appropriately assessed by the Council in accordance with the relevant policies of the PLDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Hattoncrook

Non-Allocated Site – Bid Site FR023 – West Hattoncrook

The Council does not support allocating bid site FR023 for 30 homes. This site was not identified as a preferred site in the MIR (MIR, AD0038.D, page 126). Services in Hattoncrook are limited to a small shop, the scale of the development would be an excessive increase in the size of the settlement (currently 16 homes), and it would have a detrimental impact on the wider landscape and setting of the settlement. Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Tipperty

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land East of Tipperty Industrial Estate

Comments from representees, including SEPA are noted. No change is required.

Site OP2 – Land to the South of Tipperty Industrial Estate

Comments from representees are noted. No change is required.

The Council notes SEPA's objection due to flooding concerns affecting half the site but does not agree with removing this site. This site is next to Tipperty Industrial Estate and it is within the Energetica Corridor, which is an important initiative to co-locate employment, residential and leisure uses. This proposal will help to enhance the employment opportunities in this location. Safeguards for flooding are proposed in the allocation summary, which states a Flood Risk Assessment will be required. This can be examined further at the planning application stage. It is noted that the site plan that was submitted for this site as part of the Call for Sites bid submission (as bid site FR070) does not show their site at risk from 1 in 200 and 1 in 100-year flood events (bid submission FR070 Land South of Tipperty Industrial Estate, AD0119, 'LDP - Site Plan'). No change is required.

It is accepted that the statement on access in the allocation summary is misleading. A non-notifiable modification is proposed to state that access will be taken from the A90 through Tipperty Industrial Estate, which is not at risk from flooding. This is set out in the List of Non-Notifiable Modifications.

Udny Green

Flood Risk, Services and Infrastructure and Site OP1 – Opposite Bronie House

Comments from SEPA are noted. No change is required.

Udny Station

Flood Risk and Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Woodlea East

Comments from SEPA are noted. No change is required.

The Council does not support the removal of site OP1. The Council's Transportation Service did not object to the initial planning application (APP/2017/0489) on this site. It was refused planning permission due to insufficient information and the most recent planning application on this site (APP/2020/1629) is pending determination. The Council's Transportation Service has yet to comment on this planning application. The MIR Issues and Actions Paper notes the main issue for this site was creating an appropriate design layout that imported the employment land (MIR Issues and Actions paper, AD0040.D, pages 108 to 110). This employment element has been removed in the PLDP and the site is proposed for only 35 homes. Considering the continued interest to develop this site and removal of the employment requirement, no change is required.

Non-Allocated Site – Bid Site FR021 – South West of Udny Station

The Council does not support allocating bid site FR021 for 40 homes and business land. This site was identified as a reserved site in the MIR, but it is not suitable for immediate development (MIR, AD0038.D, page 112). However, there are concerns regarding its scale, as it would result in overdevelopment and double the size of Udny Station, and it would be a prominent extension to the settlement when there has not been a need identified. In response to the MIR, NatureScot expressed concerns with the large size of the bid site FR021, as it would reduce cohesion of this small settlement and extend development outwith the subtle confines of the broad hill land to the east. They also recommended the majority of the site should be left undeveloped (MIR Issues and Actions Paper, AD0040.D, pages 108 to 110). In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

West Pitmillan

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site BUS – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Site OP1 – West Pitmillan

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Whitecairns

General

The comments from the representee are noted. Whitecairns currently does not have a settlement statement within the plan as there are no protected or opportunity sites, and it is not proposed that this will change. The request to identify a small path along the B999 and extending the 50mph zone is therefore not something that the LDP can achieve. No change is required.

Non-Allocated Site – Bid Site FR097 – Land North of Drovers Place

The Council does not support allocating bid site FR097 for 30 homes, plus additional land for employment. It was noted in the Main Issues Report that even though the development relates well with the existing houses within Whitecairns the scale of the development would not be an acceptable extension to Whitecairns. Concerns were also raised with regards to the visual impact, education provision and the unsustainable location for development, (MIR, AD0038.D, page 129). These concerns remain valid and it is not considered appropriate to allocate land for development in this location. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Ythanbank

Vision

The Council notes the following non-notifiable notification has been made to the PLDP to update the fourth sentence of the second paragraph of the Vision to remove reference to the 'Community Council' and make reference to only the 'community' for consistency with the rest of the PLDP.

Services and Infrastructure

The Council notes Scottish Water's comment, but their modification to the 'Strategic drainage and water supply' statement is the same as it is written in the PLDP. However, the Council proposes to amend this statement in light of SEPA's comment as a non-

notifiable modification, which includes adding a reference to a single private waste water treatment plant to site OP1 (see below).

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Michaelmuir Croft

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The concerns raised regarding traffic and pedestrian safety issues associated with site OP1 are noted. However, site access and road infrastructure are both issues which would be looked at in more detail through any planning application that is submitted on the site. Additionally, the 'Services and Infrastructure' section of the Settlement Statement states, under 'Local transport infrastructure', that "all development may be required to contribute towards footway extensions, upgrades and crossing facilities, cycle infrastructure and public transport provision". As such, as discussed above, at a time when a planning application is submitted on this site, it will be assessed as to whether any of these services and infrastructures will be required. No change is required.

The Council note the representee's request for the removal of site OP1. Whilst the bid for this site (FR019) was submitted for 4 homes, for consistency across the PLDP, only development of 5 homes or more are proposed to be allocated in settlements (Issues and Actions papers, AD0040.D, page 115). However, as stated in policy H1, capacities of sites are based on an indicative capacity at this stage (PLDP, AD0041.A, paragraph H1.3, page 41). With regards to the concern raised regarding the pattern of development, the Council do not consider the site to be contradictory to the settlement pattern. The site offers a logical continuation to the existing settlement pattern and the allocation summary states that the house design should be in keeping with the existing character of the village and recent development patterns and as such the Council do not consider that site OP1 would compromise the current development pattern in the settlement. Concerns regarding infrastructure such as road infrastructure, drainage and flooding would be looked at in more detail through any planning application that is submitted on the site. The Council note that the allocation summary also states that appropriate drainage solutions may be required to mitigate against any surface water flooding. No change is required.

Non-Allocated Site – New Site N020 – Site 1, Land west of the Unclassified Road from Ythanbank to Mill of Schivas, Non-Allocated Site – New Site N021 – Site 2, Land west of the Unclassified Road from Ythanbank to Mill of Schivas and Non-Allocated Site – New Site N022 – Land east the Unclassified Road from Ythanbank to Mill of Schivas

The Council does not support allocating new site N020 for 3 homes; new site N021 for 2 homes; and new site N022 for 1 home. Allocations made within the plan are not generally considered for less than 5 houses. Additionally, these sites were not put forward as development bids so were not considered as such at the MIR stage, nor subject to site assessment and public consultation. The representation contains site location plans but does not include any supporting information such as an environmental assessment to allow a detailed evaluation of the suitability of the proposal. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and

sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 30. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Barthol Chapel

Flood Risk

3. The Barthol Chapel settlement statement in the proposed plan does not include a flood risk section. I agree with the Scottish Environment Protection Agency (SEPA) that this is necessary as a flood risk assessment may be required for site OP1. A modification is recommended.

Services and Infrastructure

4. SEPA has requested amendments to the strategic drainage and water supply bullet point. I note that the wording suggested by Scottish Water is the same as that included in the proposed plan. I consider that the first sentence of this bullet point should be reworded in the interests of consistency. I agree that the remaining text should be moved to the allocation summary for OP1, as this is the site it refers to. Modifications to this effect are set out below.

5. NHS Grampian objects to the absence of a health and care facilities bullet point in the Barthol Chapel settlement statement. Policy RD2.14 in the proposed plan indicates that it may be appropriate to seek contributions towards health and care facilities. Whilst NHS Grampian has indicated that there is a need to create additional capacity at health facilities in the Fyvie/Oldmeldrum Medical Group, it has not been demonstrated that financial contributions from development at Barthol Chapel would meet the tests of Circular 3/2012. I consider that it would be helpful to make prospective developer aware of the potential need for contributions towards health and care facilities. However, the wording suggested by NHS Grampian should be amended to indicate that such contributions ‘may’ be required rather than ‘must’. A modification to this effect is recommended.

Site OP1 – Land at Barthol Chapel

6. The changes requested by SEPA in relation to flood risk and strategic drainage and

water supply are addressed in the sections above. No further modifications are required.

Collieston

Site R1 - To allow the development of community-based enterprises around Slains Kirk Building and the existing community centre

7. I note the concerns raised regarding ground stability on reserved site R1. I agree with the council that this is not a matter which requires to be addressed through the local development plan.

8. As I have not received any documentation regarding the extent of the land ownership associated with Slains House, I have no basis for considering the removal of site R1. No modification is required.

Flood Risk

9. In the interests of consistency, I consider that the flood risk bullet point should also indicate that flood risk assessment may be required. A modification is recommended.

Services and Infrastructure

10. I agree with the council that a services and infrastructure section is necessary. Whilst there are no allocations identified in the plan, planning applications may be submitted in or adjacent to Collieston. No modification is required.

11. The Collieston settlement statement in the proposed plan does not include a bullet point on strategic drainage and water supply. I agree that the wording suggested by SEPA is necessary, given the presence of a designated bathing water beach. A modification is recommended.

Cultercullen

12. There is also no strategic drainage and water supply bullet point in the Cultercullen settlement statement. In response to SEPA's representation, the council has consulted Scottish Water who have indicated that there is limited capacity at the existing waste water treatment works. Scottish Water would initiate a growth project if required, once development meets their five growth criteria. A modification is recommended to include this information in the plan.

13. As with the Collieston settlement statement, whilst there are no allocations identified in the plan, planning applications may be submitted in or adjacent to Cultercullen. I agree with the council that a services and infrastructure section is necessary. No modification is required.

Hattoncrook

Non-Allocated Bid Site FR023 – West Hattoncrook

14. Bid site FR023 is a large field on the edge of the small cluster of buildings which comprises West Hattoncrook. It is being promoted for 30 homes, either in its entirety to

meet what is claimed to be a housing land shortfall of several thousand houses in the Aberdeen Housing Market Area, or in two phases for 8 and 22 units.

15. The site projects into open countryside and is visible over a wide area, having an adverse landscape impact. Prime agricultural land would be lost. Its development for 30 homes would be inappropriate in relation to this small cluster of 18 or so dwellings, which has few community facilities and is severed by the A947. As such, it is not a sustainable location for the proposed development. Phasing would not alter those considerations.

16. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Whilst the bid site lies within that housing market area, for the reasons set out above, I conclude that bid site FR023 should not be allocated. There are other sites available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, as explained in issue 5. No modification is required.

Tipperty

Flood Risk

17. I agree that the first bullet point in the flood risk section should be amended to more fully describe the nature of the flood risk. A modification is recommended.

18. SEPA has objected to the allocation of site OP2 (land to the south of Tipperty Industrial Estate) for employment land at Tipperty in its current form for reasons of flood risk. It says the site should not be allocated until the boundary is changed to exclude the functional floodplain of the Tarty Burn or until a detailed flood risk assessment has been validated. Otherwise, it is contrary to Scottish Planning Policy. Development could also increase flood risk elsewhere and reduce the capacity of the flood plain. In addition to flood risk, approximately 50% of the site lies within the natural river corridor of the Tarty Burn, which is currently at bad status in the River Basin Management Plan, due to poor hydromorphology. Any development within this corridor would further inhibit the Burn from taking its natural course in the long term. SEPA indicates that the findings of a future flood risk assessment might require it to confirm that the site is not suitable for development and therefore object to the principle of development at planning application stage.

19. The council has responded that the whole site should remain as an allocation and a flood risk assessment is already required in the allocation statement. It quotes the promoter's statement in its Call for Sites submission that the site is not shown in 1:200 or 1:100 year flood events in SEPA flood risk map.

20. As it stands, the proposed allocation is contrary to Scottish Planning Policy, given that most of the site lies within the functional flood plain of the Tarty Burn. Moreover, sites should not be allocated where there is doubt as to whether a significant proportion, or possibly all, of the site is unsuitable for development. The council has not provided any reasons which would over-ride these policy and practical objections. With respect to the proportion of the site subject to high risk of flooding, I prefer the expert opinion of SEPA to the promoter's statement.

21. In its response to a further information request (FIR015), SEPA has provided a plan for site OP2 showing an amended boundary, which would exclude the areas expected to flood. As this would overcome the problems identified by SEPA and would achieve compliance with Scottish Planning Policy, I am recommending that the boundary of allocation OP2 be amended to align with that shown on SEPA's plan, with the caveat that a flood risk assessment will be required to confirm the scope of development at the site. As SEPA points out, this assessment could further reduce the scope of development at the site. Modifications will also be required to the allocation summary and the entry for Tippetty OP2 in table 2 in appendix 1 (employment land allocations) to accurately reflect the reduced site area.

22. I accept that SEPA's other objection regarding the location of the access point could potentially be satisfied by the council's suggestion for an access through the adjacent industrial estate, or by access through site OP1 (Site 1, land east of Tippetty Industrial Estate).

23. As these changes would mean that the Tarty Burn floodplain no longer fell within the site boundary, the second bullet point under Flood Risk and the second paragraph of the allocation summary would no longer apply.

Udny Station

Site OP1 – Woodlea East

24. Planning permission has recently been granted for the erection of 43 residential units and two business units on site OP1. I therefore consider it appropriate to retain the allocation in the plan. No modification is required.

Non-allocated bid site FR021 – South-west of Udny Station

25. Bid site FR021 for 40 homes is promoted as a replacement for site OP1. In view of my comments on OP1, there is no need for a replacement allocation. The bid site is much larger than OP1 and, as the council points out, its development would double the size of the settlement. It would project prominently into open countryside with adverse landscape implications. No need for further expansion of the settlement has been demonstrated. No modification is required.

West Pitmillan

Services and Infrastructure

26. SEPA and Scottish Water have both requested amendments to the strategic drainage and water supply bullet point. I consider that these changes would provide clarification on this matter and recommend modifications accordingly.

Site OP1 – West Pitmillan

27. SEPA has indicated that there may be culverted watercourses in the site. I therefore agree that it would be prudent to indicate that a flood risk assessment may be required. A modification is required.

Whitecairns

General

28. Identifying a path along the B999 and extending the speed limit fall outwith the scope of local development plans and this examination.

Non-Allocated Bid Site FR097 – Land North of Drovers Place

29. Bid site FR097 is promoted for 30 homes and employment land. Existing tree belts would screen any development from three sides. It would, however, represent a large extension to a small cluster of buildings which has no community facilities and would therefore be highly dependent on vehicular journeys. As such, it is not a sustainable location for development. The suggestions about use of a bus loop would be dependent on agreement with operators, which cannot be assumed. As the representation indicates, if the bid site were developed, there could be pressure for the remainder of the land within the tree belts to be developed for employment use, with the same disadvantage of lack of local facilities. Waste water treatment, water quality and education provision are constraints, albeit they could possibly be overcome. I note the favourable response from the community council, but am satisfied that the proposed site does not meet the plan's aspirations, particularly for sustainable communities. No modification is required.

Ythanbank

Services and Infrastructure

30. SEPA and Scottish Water have both requested amendments to the strategic drainage and water supply bullet point. I consider that these changes would provide clarification on this matter and recommend a modification to this effect.

Site OP1 – Michaelmuir Croft

31. SEPA has suggested additional text to explain the waste water treatment requirements for this site. I agree that this information would be helpful and recommend a modification on this matter.

32. The traffic, road safety, drainage and flooding issues raised in relation to Site OP1 would be considered in detail when any planning application was submitted. The allocation for five homes is indicative and based on a standard applied throughout the plan area. The site allocation summary expects that recent development patterns will be respected. No modification is required.

Non-Allocated New Sites - N020 Site 1, Land west of the unclassified road from Ythanbank to Mill of Schivas; N021, Site 2, Land west of the unclassified road from Ythanbank to Mill of Schivas; and N022, Land east of the unclassified road from Ythanbank to Mill of Schivas.

33. Each of these sites is promoted for fewer than five houses, whereas the plan does not generally consider allocations of this size. As they were not submitted as development bids, they were not considered at main issues report stage nor were they subject to site

assessment and / or public consultation. No environmental assessment or other supporting information to allow a detailed evaluation has been submitted. As such, I am not in a position to consider allocation of these sites. No modifications are required.

Reporter's recommendations:

Modify the local development plan by:

Barthol Chapel

1. Adding a new sub-heading: "Flood Risk" with the following new bullet point to the Barthol Chapel settlement statement on page 398:

"- Due to the presence of a small watercourse, a Flood Risk Assessment may be required for site OP1."

2. Replacing the strategic drainage and water supply bullet point in the Barthol Chapel settlement statement on page 398 with:

"- There is no public waste water infrastructure in Barthol Chapel."

3. Inserting the following new last bullet point in the services and infrastructure section of the Barthol Chapel settlement statement on page 398:

"- Health and care facilities: Residential development may be required to contribute towards the creation of additional capacity at health facilities in Fyvie/Oldmeldrum Medical Group".

4. Inserting the following new second paragraph to the allocation summary for OP1: Land at Barthol Chapel, Inverurie in the Barthol Chapel settlement statement on page 399:

"A single waste water treatment plant of sufficient capacity is required to serve all properties within the development and shall be of a standard that can be adopted by Scottish Water. Single individual waste water discharges would not be permitted. Early engagement with Scottish Water is advised."

Collieston

5. Adding the following new second sentence to the flood risk bullet point in the Collieston settlement statement on page 410:

"Flood Risk Assessments may be required."

6. Adding the following new second bullet point to the services and infrastructure section of the Collieston settlement statement on page 410:

"- Strategic drainage and water supply: Due to the presence of a designated bathing water beach at Collieston, any development will require to connect to the public waste water network."

Cultercullen

7. Adding the following new second bullet point to the services and infrastructure section of the Cultercullen settlement statement on page 412:

"- Strategic drainage and water supply: There is limited capacity at the existing waste water treatment works. Scottish Water will initiate a growth project if required, once development meets their five growth criteria."

Tipperty

8. Replacing the first bullet point in the flood risk section of the Tipperty settlement statement on page 496 with:

“Parts of Tipperty are at risk of surface water flooding and fluvial flooding from the Tarty Burn. Flood Risk Assessments may be required.”

9. Deleting the second bullet point in the Flood Risk section of the settlement statement for Tipperty on page 496.

10. Amending the allocation description for site OP2 (land to the south of Tipperty Industrial Estate) (page 498) with the revised site area, as per modification 14 below.

11. Amending the entry for Tipperty OP2 in table 2 in appendix 1 (employment land allocations) to reflect the revised site area for this allocation.

12. Replacing the third and fourth sentences in the first paragraph of the allocation summary for OP2 (land to the south of Tipperty Industrial Estate) on page 498 with:
“Access will be taken from the existing industrial estate or via site OP1 (Site 1, land east of Tipperty Industrial Estate). A Flood Risk Assessment will be required to accurately determine the developable area of the site and floor levels.”

13. Deleting the second paragraph of the allocation summary for OP2 (land to the south of Tipperty Industrial Estate) on page 498.

14. Amending the settlement map on page 499 to adjust the extent of allocation OP2 (land to the south of Tipperty Industrial Estate) to align with the triangular area shown by the red line on the map supplied with SEPA’s response to Further Information Request FIR015. (The settlement boundary should be adjusted accordingly.)

West Pitmillan

15. Replacing the word ‘will’ with ‘to’ in the last sentence of the strategic drainage and water supply bullet point in the West Pitmillan settlement statement on page 515 to read:
“All sites in West Pitmillan to connect to the public sewerage system in Foveran once the growth project is complete.”

16. Adding the following new sentence to the end of the strategic drainage and water supply bullet point in the West Pitmillan settlement statement on page 515:
“Early engagement with Scottish Water is advised.”

17. Adding the following new first sentence to the second paragraph in the allocation summary for OP1: West Pitmillan in the West Pitmillan settlement statement on page 516:
“A Flood Risk Assessment may be required due to the possible presence of culverted watercourses on the site.”

Ythanbank

18. Replacing the text in the strategic drainage and water supply bullet point in the Ythanbank settlement statement on page 520 with:

“There is no public waste water infrastructure in Ythanbank. There is water available, however, early engagement with Scottish Water is advised.”

19. Adding the following new last sentence to the allocation summary for OP1:

Michaelmuir Croft in the Ythanbank settlement statement on page 521:

“A private single waste water treatment plant, built to an adoptable standard, will be required for this site.”

<p>Issue 31</p>	<p>Other Settlements RHMA (Formartine) – Cuminestown, Daviot, Fyvie, Garmond, Kirkton of Auchterless, Rothienorman, St Katherines and Woodhead</p>	
<p>Development plan reference:</p>	<p>Proposed LDP, Appendix 7C Formartine, Page 488-490 Proposed LDP, Appendix 7C Formartine, Page 414-416 Proposed LDP, Appendix 7C Formartine, Page 444-445 Proposed LDP, Appendix 7C Formartine, Page 446-448 Proposed LDP, Appendix 7C Formartine, Page 518-519 Proposed LDP, Appendix 7C Formartine, Page 441-443 Proposed LDP, Appendix 7C Formartine, Page 484-487 Proposed LDP, Appendix 7C Formartine, Page 417-418</p>	<p>Reporter: Andrew Sikes</p>
<p>Body or person(s) submitting a representation raising the issue (including reference number):</p>		
<p>Cuminestown PP0075 Monquhitter Amenities Association PP0200 Sharon Duncan PP0248 Kayleigh Baron PP0293 Kelly Davidson PP0382 Robert Ironside PP0816 Una Gill PP1113 c a s e Consulting Limited PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian</p> <p>Daviot PP0058 Meldrum, Bourtie and Daviot Community Council PP0098 Barry Howard PP0171 Michael Skitmore PP1072 c a s e Consulting Limited PP1134 Meldrum, Bourtie and Daviot Community Council PP1219 Scottish Environmental Protection Agency</p> <p>Fyvie PP1219 Scottish Environmental Protection Agency PP1343 Historic Environment Scotland</p> <p>Garmond PP1092 c a s e Consulting Limited PP1219 Scottish Environmental Protection Agency</p> <p>Kirkton of Auchterless PP1219 Scottish Environmental Protection Agency</p>		

<p>PP1223 NHS Grampian</p> <p>Rothienorman PP0030 Kevin Simpson PP1219 Scottish Environmental Protection Agency</p> <p>St Katherines PP0173 Adrian Harvey PP0272 Scottish Water PP0390 John Sleigh PP0393 HP Sleigh and Son PP0662 AJ Rennie Limited PP1094 c a s e Consulting Limited PP1219 Scottish Environmental Protection Agency</p> <p>Woodhead PP1058 c a s e Consulting Limited PP1219 Scottish Environmental Protection Agency</p>	
<p>Provision of the development plan to which the issue relates:</p>	<p>Cuminestown Settlement Statement Daviot Settlement Statement Fyvie Settlement Statement Garmond Settlement Statement Kirkton of Auchterless Settlement Statement Rothienorman Settlement Statement St Katherines Settlement Statement Woodhead Settlement Statement</p>
<p>Planning authority's summary of the representation(s):</p>	
<p>Cuminestown</p> <p><u>Vision</u></p> <p>A representee has commented that the description of shops in plural and a regular public transport system are inaccurate (PP0293).</p> <p><u>Flood Risk</u></p> <p>Scottish Environmental Protection Agency (SEPA) has requested minor changes to the wording for allocation OP1 (RD0214.B) (PP1219).</p> <p><u>Site BUS – Safeguarded for business uses</u></p> <p>SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS (RD0214.B). No modification sought (PP1219).</p> <p><u>Services and Infrastructure</u></p> <p>SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).</p>	

NHS Grampian have objected to the failure to reference the need for health care facilities under the Services and Infrastructure section (PP1223).

Site OP1 – Land to the North/West of Teuchar Road

A representee has requested that the area surrounding the BT building is protected to allow for ease of access to the BT building (PP0293).

SEPA commented that allocation summary for OP1 could be more succinct (RD0214.B) (PP1219).

A representee has expressed support for site OP1 and potentially an increase in proposed numbers, but has requested the removal of the following:

- Text relating to constraints affecting the site until post-2031 and required phasing as there is no evidence for this;
- Text relating to the potential suitability of self-build plots as it is likely that any developer would develop the whole site together and type of delivery would be assessed through submission of a planning application;
- Text relating to the requirement for supporting studies such as surveys and assessments as these would be addressed through the planning process;
- Text relating to a requirement for a combined access strategy as the two bid sites are now combined; and
- Text relating to conclusions that the developable area of the site may be smaller than the allocation as this can be addressed through the planning process. The representee has included a number of Appendices (RD0051.A, RD0051.B and RD0051.C) in their submission which provides further detail to support their position (PP0382).

A number of representees have objected to site OP1 (PP0075, PP0200, PP0248, PP0293, PP0816 and PP1113). Reasons cited include:

- Development of 60 homes is considered to be too much for the scale of the settlement which has insufficient local business to support the allocation. Fewer houses may be acceptable (PP0075).
- Development will affect local wildlife, put pressure on capacity of the local school, affect local services which are currently strained, affect the capacity of the public sewer, flooding issues and due to the increase in traffic which will have safety and residential amenity impacts (PP0200 and PP0248).
- Development will compromise privacy (PP0200, PP0248, PP0816 and PP0293) and affect the amenity of existing residents along Main Street (PP0200).
- The site cannot be accessed by vehicles safely (PP0248 and PP0293) or accessed by pedestrians via the lane adjacent to the shop safely with further concerns about security of the use of this lane for the shop and possible impacts on deliveries for the shop (PP0816).
- The allocation is not a realistic marketable prospect that that the proposed numbers should be allocated elsewhere (PP1113).

Daviot

General

Representees have agreed with the decision not to allocate any sites for housing in Daviot as the settlement is sensitive to further development in terms of infrastructure and character (PP0098) with specific comment also relating to the marketability of further houses at the present time (PP0171). No modification sought (PP0098 and PP0171).

Meldrum, Bourtie and Daviot Community Council has agreed with the PLDP that there are no allocated sites for housing in Daviot as there is insufficient infrastructure to accommodate the bid sites and development would affect the character of the settlement. No modification sought (PP0058 and PP1134).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

A representee has stated that the 'Services and Infrastructure' section for Daviot should be removed as there are no housing allocations in the settlement that would result in developer contributions (PP1072).

Non-Allocated Sites – Bid Site FR018 – West of Wellpark and Bid Site FR101 – Land West of Daviot

A representee has agreed with the decision not to allocate bid sites FR018 and FR101 – a view which the representee considered to be consistent with the majority of local Daviot residents. It was considered that bid sites FR018 and FR101 would change the character of the settlement, with 42 additional homes felt to be disproportionate with the scale of the settlement – particularly within the current economic context. The development of both bid sites would require the development of Prime Agricultural Land and concern was raised regarding the safety of pedestrians and road users. It was stated that there is insufficient capacity at the waste water treatment works for additional development. Additionally, it was noted that the Scottish Government did not allow for the development across the road from bid site FR101 to go ahead two years ago. No modification sought (PP0171).

Fyvie

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site R1 – For a public transport mini-interchange hub and Site R2 – For access associated with OP1

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summaries for sites R1 and R2 (RD0214.B). No modification sought

(PP1219).

Site OP1 – North East of Peterwell Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Historic Environment Scotland (HES) has commented that the impact of development on the allocated site OP1 on archaeological finds for the Battle of Fyvie battlefield is likely to be low but the potential impact on the battlefields special qualities requires further assessment. Impacts on the understanding of the battlefield landscape are unlikely but potential impacts on key landscape characteristics and cumulative impacts should still be assessed, with mitigation and enhancement considered in line with guidance (RD0266.A) (PP1343).

Garmond

Flood risk

SEPA has requested the removal of the 'Flood Risk' section (RD0214.B) (PP1219).

Services and Infrastructure

SEPA requested the removal of the last sentence from the 'Strategic drainage and water supply' statement (RD0214.B) (PP1219).

A representee has stated that the 'Services and Infrastructure' section should be removed because there are no housing allocations in the settlement that would result in developer contributions (PP1092).

Kirkton of Auchterless

Flood Risk

SEPA requested the removal of the 'Flood Risk' section as all developments require SuDS not just because of flood risk (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has requested additional text is added to the 'Strategic drainage and water supply' statement on the feasibility of private water systems (RD0214.B) (PP1219).

NHS Grampian has objected to the failure to reference the need for health care facilities under the Services and Infrastructure section. They have proposed alternative text (PP1223).

Site R1 – For a playpark and Site R2 – For a new car park

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summaries for sites R1 and R2 (RD0214.B). No modification sought (PP1219).

Site OP1 – Kirkton of Auchterless

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Rothienorman

Flood Risk

SEPA has requested that the second 'Flood Risk' bullet point is removed, as the requirements for site OP2 are in the allocation summary do not require to be highlighted in the 'Flood Risk' section to be consistent with the rest of the Plan (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has requested that additional text which states that there is limited capacity at Rothienorman waste water treatment works is added to the 'Strategic drainage and water supply' section, to ensure consistency with the rest of the Plan (RD0214.B) (PP1219).

Site OP1 – Site to West of Blackford Avenue

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has stated that within the Issues and Actions Papers for Rothienorman, SEPA highlighted that there is limited capacity at Rothienorman Waste Water Treatment Works and as such a developer would require to initiate a growth project with Scottish Water to develop the site in whole. The representee states that this comment was not actioned and therefore SEPA's comments require to be included within the PLDP for the relevant proposals (PP0030).

A representee has highlighted that the Main Issues Report 2019 stated that "...waste capacity are current constraints that would require to be resolved before the site could come forward but do not prohibit the site from being identified as a preferred option" and that "waste water treatment capacity is currently constrained". The representee considers that this needs to be noted for the relevant proposals within the PLDP (PP0030).

Site OP2 – Site West of Forge Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

A representee has stated that within the Issues and Actions Papers for Rothienorman, SEPA highlighted that there is limited capacity at Rothienorman Waste Water Treatment Works and as such a developer would require to initiate a growth project with Scottish Water to develop the site in whole. The representee states that this comment was not actioned and therefore SEPA's comments require to be included within the PLDP for the relevant proposals (PP0030).

A representee has highlighted that the Main Issues Report 2019 stated that "...waste

capacity are current constraints that would require to be resolved before the site could come forward but do not prohibit the site from being identified as a preferred option” and that “waste water treatment capacity is currently constrained”. The representee considers that this needs to be noted for the relevant proposals within the PLDP (PP0030).

St Katherines

Services and Infrastructure

Scottish Water has requested replacement text under the ‘Strategic drainage and water supply’ statement (PP0272).

SEPA has requested the removal of the first four sentences of the ‘Strategic drainage and water supply statement and replaced with alternative text (RD0214.B) (PP1219).

Site OP1 – Cromlet Park West

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has requested to increase the allocation of OP1 to 15 homes to reflect planning permission and there is sufficient demand (PP0662).

A representee has requested the removal of site OP1 as there is insufficient services to support the allocation in the settlement and the vehicular access from the A947 is not safe (PP0173).

Site OP2 – Land North of St Katherines

Representees have indicated their support for the allocation of 35 houses at OP2 as an application for 15 houses will be approved subject to Section 75 being signed and there is developer interest (PP0393 and PP0662). Additional comments from one of the representees also stated that further housing will help with high infrastructure costs, that the housing will help with the Fyvie school roll and that a new junction is proposed on the A947 to improve safety (PP0390).

Representees have indicated their support for the allocation of business land at OP2 as there is interest in uptake (PP0393) and it will provide local work (PP0390 and PP0662).

SEPA has requested text is added to the allocation summary on the need for a private waste water treatment plant (RD0214.B) (PP1219).

Representees have requested the removal of site OP2, one of which stating that the housing allocation in Fyvie is sufficient to support the school roll and noting the Reporter’s conclusions for not supporting under the previous plan (PP1094) with the other stating that there are insufficient services to support the allocation in the settlement and the vehicular access from the A947 is not safe (PP0173). A representee has included an Appendix (RD0191.A) in their representation which provides further detail to support their position (PP1094).

A representee has requested the removal of site OP2’s employment land allocation as it is

deemed not to be viable, there is insufficient infrastructure to support it and it would be incongruous with surroundings (PP0173).

Woodhead

Flood risk

SEPA has requested the addition of a 'Flood Risk' section (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has requested a statement on 'Strategic drainage and water supply' is added to this section for consistency stating there is no public waste water infrastructure in Woodhead (RD0214.B) (PP1219).

A representee has stated that the 'Services and Infrastructure' section should be removed because there are no housing allocations in the settlement that would result in developer contributions (PP1058).

Modifications sought by those submitting representations:

Cuminestown

Vision

Modify the PLDP to review the description of shops and the transport system in the Vision (PP0293).

Flood Risk

Modify the PLDP to reword the Flood Risk bullet point from, "Parts of OP1 are susceptible to flooding. A Flood Risk Assessment will be required." to "Parts of OP1 are susceptible to fluvial flooding from the Teuchar Burn. A Flood Risk Assessment will be required." (PP1219).

Services and Infrastructure

Modify the PLDP to include a new statement on health and care facilities to read, "Health and care facilities: All residential development must contribute towards the creation of additional capacity at health facilities in Turriff Medical Practice to allow for additional capacity." (PP1223).

Site OP1 – Land to the North/West of Teuchar Road

Modify the PLDP to include protected area around BT building if allocation OP1 is agreed (PP0293).

Modify the PLDP to make the allocation summary more succinct (PP1219).

Modify the PLDP to increase allocation from 60 to 70 homes (PP0382).

Modify the PLDP to remove reference within the allocation summary relating to the constraints of the site until post-2031 and required phasing (PP0382).

Modify the PLDP to remove reference within the allocation summary relating to potential suitability of self-build plots (PP0382).

Modify the PLDP to remove reference within the allocation summary relating to a requirement for supporting studies such as surveys and assessments (PP0382).

Modify the PLDP to remove reference within the allocation summary relating to a requirement for a combined access strategy (PP0382).

Modify the PLDP to remove reference within the allocation summary relating to conclusions that developable area of the site may be smaller than the allocation (PP0382).

Modify the PLDP to reduce allocation OP1 from 60 to 10 homes (PP0075).

Modify the PLDP to remove site OP1 (PP0200, PP0248, PP0293, PP0816 and PP1113) and identify an alternative opportunity site elsewhere (PP1113).

Modify the PLDP to remove pedestrian use of the lane adjacent to the shop for site OP1 (PP0816).

Daviot

Services and Infrastructure

Modify the PLDP to remove the 'Services and Infrastructure' section for Daviot (PP1072).

Fyvie

Site OP1 – North East of Peterwell Road

Modify the PLDP to include a requirement for an assessment of potential impacts from development on key landscape characteristics and cumulative impacts with regards to the Battle of Fyvie battlefield (PP1343).

Garmond

Flood Risk

Modify the PLDP to remove the 'Flood Risk' section (PP1219).

Services and Infrastructure

Modify the PLDP to remove the last sentence of the 'Strategic drainage and water supply' bullet point (PP1219).

Modify the PLDP to remove the 'Services and Infrastructure' section (PP1092).

Kirkton of Auchterless

Flood Risk

Modify the PLDP to remove the 'Flood Risk' section (PP1219).

Services and Infrastructure

Modify the PLDP to add the following text to the 'Strategic drainage and water supply' statement, "Private systems may not be feasible due to unsuitable site conditions." (PP1219).

Modify the PLDP to include a new statement on health and care facilities to read, "Health and care facilities: All residential development must contribute towards the creation of additional capacity at health facilities in Fyvie/Oldmeldrum Medical Group to allow for additional capacity." (PP1223).

Rothienorman

Flood Risk

Modify the PLDP to remove the second 'Flood Risk' bullet point which states, "A buffer strip will be required adjacent to the watercourse on the eastern boundary of the OP2 site which should be integrated positively into the development. Enhancement of this straightened watercourse through re-naturalisation and removal of any redundant features will require to be investigated." (PP1219).

Services and Infrastructure

Modify the PLDP to amend the 'Strategic drainage and water supply' statement to include a new additional first sentence that reads, "There is limited capacity at Rothienorman Waste Water Treatment Works." (PP1219).

Site OP1 – Site to West of Blackford Avenue

Modify the PLDP to amend the allocation summary for site OP1 to include the wording, "It is required to initiate a growth project with Scottish Water in order to develop the full site. Waste water treatment capacity is currently constrained." (PP0030).

Modify the PLDP to amend the allocation summary for site OP1 to take cognisance of waste water treatment constraints that require to be resolved prior to the site coming forward for development (PP0030).

Site OP2 – Site West of Forgue Road

Modify the PLDP to amend the allocation summary for site OP2 to include the wording, "It is required to initiate a growth project with Scottish Water in order to develop the full site. Waste water treatment capacity is currently constrained." (PP0030).

Modify the PLDP to amend the allocation summary for site OP2 to take cognisance of waste water treatment constraints that require to be resolved prior to the site coming

forward for development (PP0030).

St Katherines

Services and Infrastructure

Modify the PLDP to amend the 'Strategic drainage and water supply' statement to include between the first and fifth sentences, "A single waste water treatment plant sufficient to accept waste water from all properties within the development will be a Scottish Environmental protection Agency (SEPA) requirement. The waste water treatment plant is to be of a standard that can be adopted by Scottish Water. It is unlikely SEPA would approve any proposals for single individual waste water discharges." (PP0272).

Modify the PLDP to remove the first four sentences of the 'Strategic drainage and water supply' that currently reads as, "There is no public waste water treatment works in St Katherines. A single waste water treatment plant sufficient to accept waste water from all properties within the development will be a Scottish Environment Protection Agency (SEPA) requirement. The waste water treatment plant is to be of a standard that can be adopted by Scottish Water. It is unlikely SEPA would approve any proposals for single individual waste water discharges." and replace with "There is no public waste water infrastructure in St Katherines." (PP1219).

Site OP1 – Cromlet Park West

Modify the PLDP to increase allocation of OP1 from 5 homes to 15 homes (PP0662).

Modify the PLDP to remove OP1 allocation (PP0173).

Site OP2 – Land North of St Katherines

Modify the PLDP to amend the allocation summary of site OP2 to read, "A single waste water treatment plant, built to an adoptable standard, will be required for this site. It will be preferable for the provision of one treatment plant to service both OP1 and OP2." (PP1219).

Modify the PLDP to remove OP2 allocation (PP0173 and PP1094).

Woodhead

Flood Risk

Modify the PLDP to add a 'Flood Risk' section with the following text, "Parts of Woodhead are susceptible to surface water flood risk. Flood Risk Assessments may be required." (PP1219).

Services and Infrastructure

Modify the PLDP to add a 'Strategic drainage and water supply' statement that reads, 'Strategic drainage and water supply': There is no public waste water infrastructure in Woodhead." (PP1219).

Modify the PLDP to remove the 'Services and Infrastructure' section (PP1058).

Summary of responses (including reasons) by planning authority:

Cuminestown

Vision

The Council notes the issues raised by the representee. The Vision presents a snapshot in time, and statements can become out of date at any time. The Council accepts there is only one shop, although there is a hairdresser. The Council confirms that it intends to address this comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

However, the Council disagrees amending the text regarding public transport. Bus services for Turriff and the wider area stop in Cuminestown, but services may be reduced with the coronavirus pandemic. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site BUS – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NHS Grampian's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land to the North/West of Teuchar Road

The Council note the representee's request that the area surrounding the BT building is protected for its ease of access. However, access arrangements will be an issue considered during the planning application stage. No change is required.

Support for site OP1 is welcomed, but with potential flood issues affecting the site, increasing the allocation is not supported. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

The Council agrees with making the allocation summary more succinct and removing the statement which states that part of the site could not be delivered to post 2031, the need for a combined access strategy and on the statement on the developable area of the site, as this is unknown. However, the Council does not agree with removing the reference to

the assessments required as this is highlighted in other site allocations where there could be potential issues, e.g. flooding. Additionally, the Council does not agree with removing reference to self-build plots as the site presents opportunities for this, however it is considered that the allocation text relating to self-build plots could be made more succinct. If the Reporter is minded, to make an amendment, then the Council recommend that the allocation summary of site OP1 could be modified to read as follows:

“This is a newly allocated site. The layout should complement the linear pattern of the settlement and a masterplan will be required. The masterplan should consider merits of incorporating opportunities for self-build plots into the site. The delivery of the site should ensure ecological benefits such as informal recreational development along the Teuchar Stank, for example, and the provision for an active travel route. Phasing should begin with development along the Teuchar Road. Improved footway provision to an adoptable standard is required on the B9170 Auchry Road linking to the existing network. Pedestrian permeability to Main Street should also be provided. Footway provision will be required on Teuchar Road linking the site to the existing network.

Due to the Teuchar Burn running through the site, a Flood Risk Assessment will be required. A buffer strip will be required adjacent to the watercourse which should be positively integrated into the development and would be an opportunity to enhance the riparian habitat. The buffer strip will need to allow sufficient space for restoration of the burn. Enhancement of the watercourse through re-naturalisation and removal of any redundant features should be investigated. An Archaeological Survey and Drainage Impact Assessment may also be required.

It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and be integrated into the design of the development to provide a mix of house types and sizes to meet local need.”

The Council does not support the removal of site OP1. It complements the linear pattern of the settlement and is therefore a logical extension. The allocation of 60 homes is considered an appropriate scale for the settlement. It replaces site OP1 that was allocated for 50 homes in the Aberdeenshire Local Development Plan 2017 (LDP 2017). It is not likely to affect existing services and facilities in the settlement, as the school roll will have taken account of the former site OP1, but developer obligations can be sought if there is a need. Impact on wildlife is noted, but the land is currently farmed and a buffer strip along the Teuchar Skank watercourse is required. There is also the opportunity to enhance this watercourse, which has been straightened. There are multiple access opportunities into this site from the north and south, and the need for pedestrian links in the allocation summary. The issue of marketability is subjective, and this is a new site. Issues on privacy can be considered at the masterplan and/or planning application stage, but as the site slopes down towards the Teuchar Skank, it is not an issue for the LDP to consider. No further changes are required.

Daviot

General

Comments from the representees are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement, which will require to be appropriately assessed by the Council, in accordance with the relevant policies of the PLDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Non-Allocated Sites – Bid Site FR018 – West of Wellpark and Bid Site FR101 – Land West of Daviot

The Council does not support allocating bid site FR101. Comments from the representee are noted. No change is required.

Fyvie

Flood Risk, Services and Infrastructure, Site R1 – For a public transport mini-interchange hub and Site R2 – For access associated with OP1

Comments from SEPA are noted. No change is required.

Site OP1 – North East of Peterwell Road

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address Historic Environment Scotland's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Garmond

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement, which will require to be appropriately assessed by the Council, in accordance with the relevant policies of the PLDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Kirkton of Auchterless

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NHS Grampian's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Sites R1 – For a playpark, Site R2 for a new car park and Site OP1 – Kirkton of Auchterless

Comments from SEPA are noted. No change is required.

Rothienorman

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Site to West of Blackford Avenue

Comments from SEPA are noted. No change is required.

The Council notes the representees comments regarding additional wording relating to the limited capacity at the waste water treatment works at Rothienorman, a growth project requiring to be initiated and current constraints requiring to be resolved prior to development coming forward. However, comments received from SEPA confirm that they have no issues with the allocation text for site OP1 with regards to flooding, strategic drainage or water supply. SEPA has requested additional text is added to the 'Strategic drainage and water supply' section which the Council intends to address through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications. The Council considers that this text will sufficiently address the representee's concerns regarding any capacity concerns at the waste water treatment works for Rothienorman. No change is required.

Site OP2 – Site West of Forgue Road

Comments from SEPA are noted. No change is required.

The Council notes the representees comments regarding additional wording relating to the limited capacity at the waste water treatment works at Rothienorman, a growth project requiring to be initiated and current constraints requiring to be resolved prior to development coming forward. However, comments received from SEPA confirm that they have no issues with the allocation text for site OP2 with regards to flooding, strategic

drainage or water supply. SEPA has requested additional text is added to the 'Strategic drainage and water supply' section which the Council intends to address through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications. The Council considers that this text will sufficiently address the representee's concerns regarding any capacity concerns at the waste water treatment works for Rothienorman. No change is required.

St Katherines

Services and Infrastructure

The Council notes Scottish Water's comment, but their modification to the 'Strategic drainage and water supply' statement is the same as it is written in the PLDP. The second, third and fourth sentences in the 'Strategic drainage and water supply' bullet point will be removed and a shorter statement on a single waste water treatment plant will be added to the allocation summary of site OP2 in light of SEPA's comments. No change, in light of Scottish Water's comments, is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Cromlet Park West

Comments from SEPA are noted. No change is required.

This site received Full Planning Permission on 09/12/2019 for 15 homes. In light of the approved planning application (APP/2019/0175) and for clarity, the Council considers that the allocation could be updated to reflect the approved consent for 15 homes. As such, if the Reporter is minded, to make an amendment, then the Council recommend that the allocation for site OP1 could be modified to an allocation for 15 homes and Table 1 and Table 2 of Appendix 6 updated so as site OP1 in St Katherines reflects the allocation for 15 homes. Additionally, in light of the recent approved consent and the requirement for a bus layby and village gateway, if the Reporter is minded, to make an amendment, then the Council recommend that the first paragraph of the allocation summary for site OP1 could be modified to read:

"This site was previously allocated as site OP1 in the LDP 2017. The site has Full Planning Permission for 15 homes (planning application reference APP/2019/0175). Access to the site will require to be provided to OP2 and the unclassified road running along the southern boundary of the site. A new adoptable footway will require to be provided to the A947 and the provision of a bus layby and village gateway. Active travel links should also be provided from within the development to the surrounding countryside to increase sustainable travel within Aberdeenshire, and in particular with the services in the neighbouring village of Fyvie. The design of the homes on the site should be respectful to the setting of the village and to neighbouring housing styles".

The Council does not agree to removing this allocation. It currently has planning permission for 15 homes and its purpose is to support services in other settlements, including Fyvie Primary School, which has a falling school roll (see School Roll Forecast 2019, AD0110, page 5). The Council's Transportation Service has not objected to this allocation but identified the need for all development to contribute to speed reducing measures, a new access on the A947 and providing an adoptable footway to the A947 bus

stops. This is highlighted under the 'Services and Infrastructure' section in the Settlement Statement. No change is required.

Site OP2 – Land North of St Katherines

Support for the site is welcomed. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The OP2 site (bid site FR098) was not identified as a preferred option in the MIR, however it was agreed at the Special Meeting of Formartine Area Committee on 10 September 2019 that the bid site was to be included in the Settlement Statement for St Katherines (see Special Meeting of FAC 10/09/2019 Meeting Minutes, AD0141, page 15). Concerns raised regarding a lack of services and infrastructure available to support the allocation of both housing and employment are noted. However, the 'Services and Infrastructure' section and allocation summaries of the Settlement Statement sets out what development may be required to contribute towards to ensure the development is acceptable in planning terms for all users, and any issues relating to infrastructure would be assessed at the planning application stage. Furthermore, access arrangements and any impact on surrounding amenity would also be considered at the planning application stage. No change is required.

Woodhead

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement, which will require to be appropriately assessed by the Council, in accordance with the relevant policies of the PLDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the proposed plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the provisions of the proposed plan, or which simply make comments that do not seek modifications to the proposed plan. Therefore, unless these relate to an issue which is unresolved, they are not addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as 'non-notifiable modifications' to the settlement statement. However, where such matters arise from representations made to the proposed plan they require to be considered as part of the examination. I therefore address these as appropriate below.

Cuminestown

Vision

3. A representation seeks a modification to the vision statement to correctly note that the settlement is served by one shop. The representation also challenges the statement that the settlement is served by regular public transport. The council is content to modify the statement to make reference to there being one shop in Cuminestown rather than a number. However, it maintains its position regarding public transport services, adding that the frequency of services may be reduced as a consequence of the pandemic.

4. As I noticed at my site inspection, there is indeed just one shop in Cuminestown; a local convenience store located on main B9170. In the interests of accuracy, I agree that the proposed plan should be modified as suggested by the council. I also noticed that the settlement is served by a regular bus service. Although services are not particularly frequent, the local bus operator provides a regular service. No modification is required in response to this aspect of the representation.

Flood Risk

5. In the interests of consistency and accuracy, I agree with the Scottish Environment Protection Agency (SEPA) that the settlement statement should be modified to reflect the nature of the flood risk at site OP1. I therefore recommend a modification to the 'flood risk' bullet point below as sought by SEPA.

Services and Infrastructure

6. NHS Grampian seeks a modification in respect of developer contributions towards medical facilities in Turriff. I note that the council agrees that the settlement statement should be modified as requested. Policy RD2 (paragraph RD2.14) in the proposed plan states that it may be appropriate to seek contributions towards health and care facilities. Whilst NHS Grampian has indicated that there is a need for additional capacity at health facilities in Turriff Medical Practice, it has not been demonstrated that financial contributions from development at Cuminestown would meet the tests of Circular 3/2012. I note that the inclusion of a health and care facilities bullet point would be consistent with other settlement statements. However, I consider that the wording suggested by NHS Grampian should be amended to indicate that there may be a requirement for contributions towards the creation of additional health care capacity in Turriff, in line with policy RD2. A modification to this effect is recommended below.

Site OP1 (land north-west of Teuchar Road)

7. A representee argues that the site is ineffective, should be removed from the proposed plan and an alternative site identified to address the shortfall in the strategic development plan allowance for the Rural Housing Market Area. In addition, a number of representations from local residents seek the removal of the site from the proposed plan; citing adverse impacts of development on amenity, nature conservation interests and

essential services. They also highlight the site's tendency to flood. Conversely, a representation on behalf of the landowner seeks modifications to the allocation summary to better reflect development intentions for the site, including an increase in the site allocation to 70 houses. While the council considers that the site should remain part of the proposed plan, it comments that the allocation summary could be modified to correct and address the concerns of the landowner. It considers, however, the allocation of the site for 60 houses appropriate.

8. I have not been presented with specific evidence to demonstrate that the site is incapable of being made effective, despite its tendency to flood and the limitations in drainage infrastructure to support new development. The settlement strategy notes the requirement for development proposals to be supported by flood risk and drainage assessments, among others, to address these matters. It also notes the requirement for developers to engage with Scottish Water.

9. With regard to the long-term lack of demand for new housing in Cuminestown, as we discuss in Issue 2 (paragraph 23), simply removing allocations with a marketability constraint from the proposed plan and replacing them with sites in marketable locations would not be consistent with the spatial strategy of the strategic development plan, nor that of the proposed plan. My observation is, subject to flooding and drainage issues being resolved, the allocated site appears more readily developable than that at Chapel Brae West; it is well-located and accessible; provides opportunities to connect and integrate with the existing settlement pattern; and, would incorporate an enhanced and re-naturalised watercourse within the overall development of the site. For these reasons, I consider that the site should remain part of the proposed plan.

10. The landowner argues that the site is deliverable and capable of being developed as a whole; not as two separate sites as first proposed. As such, the landowner seeks modifications to the allocation summary to remove references to part of the site being long-term constrained requiring development to be phased, the provision of self-build plots and a combined access strategy. With the exception of retaining a reference to the provision of self-build plots, the council is content to amend the allocation summary and has suggested alternative text for my consideration. On the basis of the supporting information that accompanies the representation and my site inspection, I am satisfied that the site is capable of being developed as a whole and, as such, a combined access strategy would not be required. I do, however, consider it appropriate to retain reference to self-build plots as this is a form of housing specifically promoted by the proposed plan. In the absence of detailed assessments, I also consider it appropriate to retain the site allocation at 60 houses. I recommend a modification below to the allocation summary based on the text provided by the council.

11. I consider the site sufficiently large to ensure that the amenity of existing residents is safeguarded; the matters of concern can be addressed through the preparation of the required masterplan and subsequent planning applications.

Daviot

12. The proposed plan does not identify any development opportunities in Daviot. As such, a representee suggests that the whole section entitled 'Services and Infrastructure' should be deleted from the settlement statement. However, I agree with the council that development proposals may nonetheless come forward within or adjacent to the settlement, which will require to be assessed for their impact on existing services and

infrastructure. In such circumstances, it is appropriate for the plan to identify mitigation measures that may be required to address the effects of new development. No modification required.

Fyvie

OP1 (land north-east of Peterwell Road)

13. Historic Environment Scotland (HES) notes that the Inventory of Historic Battlefields identifies allocated site OP1 as lying within the battlefield boundary of the Battle of Fyvie (BLT22) of 1644. While the potential impact of development on any archaeological remains dating back to the battle is likely to be low, it adds that the potential impact of development on the special qualities of the battlefield should be assessed. The council is content to amend the allocation summary by adding a sentence on this matter. In this regard, I consider that the proposed plan should be modified to highlight the need for an assessment to be undertaken in accordance with guidance set out HES' Historic Battlefields guidance. I recommend a modification below that more accurately reflects the advice and requirements of HES.

Garmond

14. The proposed plan does not identify any development opportunities in Garmond. As such, a representee suggests that the whole section entitled 'Services and Infrastructure' should be deleted from the settlement statement. However, as with a similar representation in respect of Daviot, development proposals may nonetheless come forward within or adjacent to the settlement, which will require to be assessed for their impact on existing services and infrastructure. In this regard, I did notice a number of potential infill development opportunities during my inspection. In such circumstances, it is appropriate for the proposed plan to identify mitigation measures that may be required to address the effects of new development. No modification is required.

15. SEPA states that the settlement statement incorrectly identifies the need for a flood risk assessment to accompany development proposals in Garmond. Similarly, the strategic drainage and water supply statement contains an incorrect statement attributed to SEPA. In each case, SEPA seeks the removal of the incorrect advice from the proposed plan. Given that there appears to be no risk of flooding in Garmond and SEPA does not require to be consulted on drainage matters, I recommend that the settlement statement is modified to remove the incorrect statements, as sought.

Kirkton of Auchterless

16. SEPA seeks modifications to the 'Flood Risk' and 'Services and Infrastructure – strategic drainage and water supply' sections of the settlement statement; to remove an unnecessary reference to the provision of SuDS and clarify why it may be necessary to upgrade the St Donan's Cottages Sceptic Tank, respectively. With regard to the first matter, SEPA rightly notes that all development is required to incorporate SuDS, not just that which is affected by flooding. I agree that placing such a statement under the title 'flood risk' is misleading and should be removed. On the second matter, I agree that the addition of the suggested sentence makes clear that the upgrade of the sceptic tank is required as private systems may not be suitable due to ground conditions in the settlement. I recommend the modifications sought by SEPA below.

17. NHS Grampian seeks a modification to the settlement statement in respect of medical

facilities in Fyvie/ Oldmeldrum that serve the village. I note that the council agrees that the settlement statement should be modified, as requested. Policy RD2.14 in the proposed plan states that it may be appropriate to seek contributions towards health and care facilities. NHS Grampian has indicated that there is a need for additional capacity at health facilities in Fyvie/ Oldmeldrum Medical Group. However, it has not been demonstrated that financial contributions from development at Kirkton of Auchterless would meet the tests of Circular 3/2012. Whilst the inclusion of a health and care facilities bullet point would be consistent with other settlement statements, I consider that the wording suggested by NHS Grampian should be amended to indicate that there may be a requirement for contributions towards the creation of additional health care capacity in Fyvie/ Oldmeldrum. A modification to this effect is recommended.

Rothienorman

18. SEPA highlights that the advice contained in the second bullet point under the heading 'Flood Risk' is also found in the allocation summary for allocated site OP2. It adds, in the interests of consistency the bullet point should be removed. SEPA also seeks a modification to the 'Strategic drainage and water supply' bullet point to note that there is limited capacity at the Rothienorman waste water treatment works. With regard to the first point, as a site specific matter and in the interests of consistency, I agree that the bullet point under 'Flood Risk' should be removed from the proposed plan. With regard to the second point, the limited capacity at the waste water treatment works to serve new development is a matter of fact that would be helpful to a prospective developer in the preparation of proposals. For these reasons, I agree that the settlement statement should be amended as sought by SEPA and recommend modifications below.

19. The recommended modifications discussed above also address the matters raised by Mr Simpson with respect to sites OP1 (site to west of Blackford Avenue) and OP2 (site west of Fogue Road). No further modifications are required.

St Katherines

Services and Infrastructure

20. Scottish Water's suggested wording for the strategic drainage and water supply bullet point is the same as that in the proposed plan. However, SEPA has requested a modification to replace the first four sentences with "There is no public waste water infrastructure in St Katherines", in the interests of consistency. I note that the council is content to make the changes suggested by SEPA. I agree that such an amendment would be appropriate, in line with the approach taken in other settlement statements and my suggested modification to remove allocation OP2. I recommend a modification to this effect.

Site OP1 (Cromlet Park West)

21. Since the preparation of the proposed plan, planning permission has been granted for the development of 15 houses on site OP1. The council agrees that the capacity of the site allocation should be updated to reflect this position. It also suggests some amendments to the allocation summary to refer to the transport and environmental improvements required as part of this permission.

22. I agree that as planning permission has been granted for 15 homes, the capacity of

the site shown in the plan should be increased. The 2019 housing land audit, which forms the base supply for this plan, includes five homes on this site. Consistent with changing the capacity of this allocation, I consider that the additional 10 homes should be identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032. A change would be required to Appendix 6 to show the change in the overall capacity of site OP1 St Katherines and 10 homes counting towards the strategic development plan allowance for the Rural Housing Market Area. The implications of this change for the overall housing land provision are addressed under Issue 5.

23. As the site has the benefit of planning permission, there is no justification to delete the allocation. The information provided in the services and infrastructure section of the settlement statement in the proposed plan indicates how any impacts on existing services would be addressed. I consider that the additional text, which the council has suggested be inserted into the allocation summary for OP1, would be helpful to explain the transport improvements to be delivered as part of the planning permission. However, given my recommendation below in relation to site OP2, I have amended the sentence which refers to providing access to this site. Modifications on these matters are set out below.

Site OP2 (land north of St Katherines)

24. I note that the site has been the subject of development interest in the past and its allocation for housing and employment uses considered as part of the examination of the existing plan; which recommended that the site should be removed from the plan. I also note that the strategic environmental appraisal of the proposed plan concludes that development of the site would give rise to negative landscape impacts which would be difficult to mitigate. In addition, the Issues and Actions Paper sets out the reasons why the site should not be allocated for development, noting in particular the lack of service provision to support new development and adverse landscape effects. The Main Issues Report reiterates these concerns and adds that the lack of service provision would result in any development being highly car dependent. Despite these concerns, the Formantine Area Committee resolved to promote the site for housing and employment use in the proposed plan.

25. Within the context described above, representations strongly argue that the site should be removed from the proposed plan. In doing so, one representee directs me to the reporter's conclusions set out in the examination report of the existing plan to support his contention that the site should also be removed from the proposed plan. The landowner explains that its allocation for development would help address the high infrastructure costs associated with the development of site OP1, which he states should be regarded as a first phase of development.

26. Having reviewed the submissions, my observation is that the context within which the site is being promoted is broadly the same as that which was in place at the time of the existing plan's preparation and examination. These can be summarised as follows; national and development plan policy promote patterns of development that reduce the need to travel and ensure that walking, cycling and public transport are available as attractive choices; the promotion of brownfield land as a first opportunity for development, wherever possible; a small settlement set in open countryside where residents depend on their cars to access public services and essential amenities; and, weak market demand for housing. A notable difference is the approval of detailed planning permission for 15 houses on site OP1 in December 2020. At the time of my site inspection in March 2022 work had yet to

commence.

27. Despite the approval of planning permission for housing on site OP1, I consider site OP2 unsuitable for housing and employment uses. Firstly, as I indicate above, the site is open and exposed when viewed from the north and west. Although the allocation summary makes reference to the need for significant landscaping to mitigate the effects of development, I agree with the conclusions of the strategic environmental appraisal concludes, that such effects would be difficult to mitigate.

28. Secondly, development of the site would be inconsistent with the policy principles of Scottish Planning Policy 2014 (paragraph 270) and the development plan (strategic development plan, paragraph 2.3 and existing local development plan, page 7). Given its location, residents and employees of any future development on the site would be highly dependent on their cars for transport. I note that the development of site OP1 includes the provision of a footpath to a new north-bound bus lay-by on the A947 to access the half-hourly bus services that serve the village. However, I do not consider that such measures address the fundamental issue that the site is poorly located in relation to essential services and facilities.

29. Thirdly, in this instance, I place little importance on the argument that the development of the site would help sustain primary school facilities in Fyvie. My reading of the 2019 roll is that Fyvie primary school has one of the larger rolls in the Turriff Academy catchment area and that this is set to continue over the forecast period. Furthermore, although the roll at Fyvie primary school is set to fall, this is in the context of a general reduction in all rolls of primary schools that feed into the Academy. Finally, the proposed plan allocates site OP1, land north-east of Peterwell Road, Fyvie for 30 houses, which this examination considers acceptable and will assist in sustaining school facilities in the village.

30. Taking all these matters together, I conclude that development of site OP2 would give rise to adverse landscape effects and erode the rural character of the area. There is also a lack of services to support new development, which would inevitably lead to residents and employees being highly reliant on private cars for transport.

31. The site is identified as contributing 35 houses towards the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032. The allocation would also provide one hectare of employment land. However, as the site is not located within a strategic growth area, it is not required to contribute to the employment land targets set out in the strategic development plan.

32. For the reasons outlined above, I do not consider that the benefits, in terms of meeting housing need or land for employment purposes, would outweigh the adverse impacts resulting from development on this site.

33. I recommend that the plan be modified to delete allocation OP2 from the St Katherines settlement statement and map. The settlement boundary for St Katherines should revert to that shown in the existing local development plan at this location. A modification to the relevant tables in Appendix 1 (employment land allocations) and Appendix 6 (housing land allocations) will also be required to delete the entry for St Katherines OP2. The implications of this deletion for the overall housing land provision are addressed in Issue 5.

34. In light of my recommendations above, I do not need to consider the representation from SEPA in relation to site OP2.

Woodhead

35. SEPA seeks modifications to the settlement statement to add text relating to flood risk and public waste water infrastructure. As statements of fact, I consider that the addition of text sought by SEPA on these matters would be helpful to the reader of the proposed plan. I recommend modifications below.

36. The proposed plan does not identify any development opportunities in Woodhead. As such, a representee suggests that the whole section entitled 'Services and Infrastructure' should be deleted from the settlement statement. However, as with a similar representations seeking the removal of guidance in settlement statements where no sites are promoted for development, proposals may nonetheless come forward within or adjacent to the settlement which will require to be assessed for their impact on existing services and infrastructure. In such circumstances, it is appropriate for the proposed plan to identify mitigation measures that may be required to address the effects of new development. No modification required.

Reporter's recommendations:

Modify the local development plan by:

Cuminestown

1. Amending the word 'shops' to 'shop' in the fourth line of the vision paragraph in the Cuminestown settlement statement on page 414.

2. Replacing the Flood Risk bullet point in the Cuminestown settlement statement on page 414 with:

"• Parts of site OP1 are susceptible to fluvial flooding from the Teuchar Burn. A flood risk assessment will be required."

3. Adding the following new bullet point to the services and Infrastructure section of the Cuminestown settlement statement on page 414:

"• Health and care facilities: Residential development may be required to contribute towards the creation of additional capacity at Turriff Medical Practice."

4. Replacing the allocation summary for site OP1 in the Cuminestown settlement statement on page 415 with:

"OP1: Land to the north-west of Teuchar Road. Allocation: 60 homes

This is a newly allocated site. The layout should complement the linear pattern of the settlement. A masterplan will be required, which should consider the merits of incorporating opportunities for self-build plots into the development of the site. The development should also incorporate ecological benefits, for example, informal recreational development along the Teuchar Stank and the provision of an active travel route. Phasing should begin with development along the Teuchar Road. New and improved footway provision to an adoptable standard is required on the B9170 Auchry Road and Teuchar Road with links to the existing network. Pedestrian permeability to Main Street should also

be provided.

Due to the Teuchar Stank running through the site, a Flood Risk Assessment will be required. A buffer strip adjacent to the watercourse should be provided and positively integrated into the development. The buffer strip should allow sufficient space for the watercourse to be restored through its re-naturalisation. The removal of any redundant features should be investigated and opportunities to enhance the riparian habitat should be explored. An Archaeological Survey and Drainage Impact Assessment may also be required.

It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and be integrated into the design of the development to provide a mix of house types and sizes to meet local need.”

Fyvie

5. Deleting the second sentence of the first paragraph of the allocation summary for site OP1 (land north east of Peterwell Road) in the Fyvie settlement statement on page 442 and replacing it with four new sentences. The beginning of the first paragraph would then read:

“This is a new allocation. The site lies within the Battle of Fyvie battlefield boundary, as shown on the Inventory of Historic Battlefields. While the potential impact of development on archaeological remains dating back to the battle is likely to be low, the potential effects of development on the special qualities of the battlefield should be assessed. The assessment should consider the effects of development on key landscape characteristics, including cumulative effects. If necessary, development proposals should include appropriate mitigation and enhancement measures in accord with Historic Environment Scotland’s Historic Battlefields guidance. New development may also affect the setting of Fyvie Castle Inventory Garden and Designed Landscape. However, site OP1...”

Garmond

6. Deleting the ‘Flood Risk’ title and bullet point in their entirety from the Garmond settlement statement on page 444.

7. Deleting the final sentence of the ‘Strategic drainage and water supply’ bullet point under the heading ‘Services and Infrastructure’ from the Garmond settlement statement on page 444.

Kirkton of Auchterless

8. Deleting the ‘Flood Risk’ title and bullet point in their entirety from the Kirkton of Auchterless settlement statement on page 446.

9. Adding the following new second sentence to the ‘Strategic drainage and water supply’ bullet point under ‘Services and Infrastructure’ in the Kirkton of Auchterless settlement statement on page 446:

“Private systems may not be feasible due to unsuitable ground conditions.”

10. Adding the following new heading and bullet point under ‘Services and Infrastructure’ in the Kirkton of Auchterless settlement statement on page 446:

“Health and care facilities: Residential development may be required to contribute towards

the creation of additional capacity at the Fyvie/ Oldmeldrum Medical Group facilities.”

Rothienorman

11. Removing the second bullet point under the heading ‘Flood Risk’ from the Rothienorman settlement statement on page 484.

12. Adding the following sentence to the beginning of the ‘strategic drainage and water supply’ bullet point under ‘Services and Infrastructure’ in the Rothienorman settlement statement on page 485:

“There is limited capacity at Rothienorman Waste water Treatment Works.”

St Katherines

13. Replacing the first four sentences of the ‘strategic drainage and water supply’ bullet point under the heading ‘Services and Infrastructure’ in the St Katherines settlement statement on page 488 with:

“There is no public waste water infrastructure in St Katherines.”

14. Replacing the title and first paragraph of the allocation summary for OP1 (Cromlet Park West) in the St Katherines settlement statement on page 489 with:

“OP1: Cromlet Park West
Allocation: 15 homes

This site was previously allocated as site OP1 in the LDP 2017. The site has Full Planning Permission for 15 homes (planning application reference APP/2019/0175). Access to the site will be from the unclassified road running along the southern boundary of the site. A new adoptable footway will require to be provided to the A947 and the provision of a bus layby and village gateway. Active travel links should also be provided from within the development to the surrounding countryside to increase sustainable travel within Aberdeenshire, and in particular with the services in the neighbouring village of Fyvie. The design of the homes on the site should be respectful to the setting of the village and to neighbouring housing styles.”

15. Amending the entry for St Katherines OP1 in the relevant table in Appendix 6 to increase the site capacity to 15 and add 10 homes to the “Local Growth RHMA” column. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

16. Deleting allocation OP2 Land north of St Katherines from the St Katherines settlement statement on page 489 and map on page 490 and amending the settlement boundary to revert to that shown on page 345 in the existing local development plan.

17. Deleting the entry for St Katherines OP2 from table 2 in Appendix 1 Employment Land Allocations on page 99.

18. Deleting the entry for St Katherines OP2 from the relevant table in Appendix 6 Housing Land Allocations. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

Woodhead

19. Adding a new 'Flood Risk' heading after the final paragraph of the 'Natural and Historic Environment' section and bullet point in the Woodhead settlement statement on page 518 to read:

"Flood Risk

- Parts of Woodhead are susceptible to surface water flood risk."

20. Adding the following new 'Strategic drainage and water supply' bullet point and text to the 'Services and Infrastructure' section in the Woodhead settlement statement on page 518:

"Strategic drainage and water supply: There is no public waste water infrastructure in Woodhead."

Issue 32	Blackburn	
Development plan reference:	Proposed LDP, Appendix 7D Garioch, Page 528-531	Reporter: Sinéad Lynch
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>PP0005 Kevin Cowieson PP0009 Andrew Mckeown PP0010 Carol Ogston PP0011 Michael and Lorraine Burns PP0017 Caroline Woodford PP0044 Ian Woolley PP0047 Gareth Lean PP0054 Laura Simpson PP0056 Keith Smith PP0252 Marshall Farms Ltd PP0253 Marshall Farms Ltd PP0277 David Ross PP0301 Roger Twist PP0335 Mr and Mrs Thomson PP0883 Julian Mercer PP0934 Stewart Milne Homes PP0976 Goldrose No 2 Ltd PP1126 CHAP Group (Aberdeen) Ltd PP1219 Scottish Environment Protection Agency PP1241 Nestrans</p>		
Provision of the development plan to which the issue relates:	Blackburn Settlement Statement	
Planning authority's summary of the representation(s):		
<p><u>Site R1 – For allotments/community growth space</u></p> <p>Two representees have indicated support for the inclusion of site R1. Development of the site for allotments would meet an aspiration of the community and go some way to meeting the shortfall of community growing space available in the locality (PP0047 and PP0883).</p> <p>Scottish Environment Protection Agency (SEPA) has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation of R1 (RD0214.B). No modification sought (PP1219).</p> <p>A number of representees object to inclusion of site R1 (PP0005, PP0009, PP0010, PP0011, PP0017, PP0044, PP0054, PP0056, PP0277, PP0301 and PP0335). A range of reasons were cited including that:</p>		

- There are concerns surrounding site delivery in terms of access, accessibility and parking (PP0005, PP0009, PP0010, PP0011, PP0017, PP0044, PP0054, PP0056, PP0277, PP0301 and PP0335), particularly in terms of access to Scottish Water's pumping station (PP0009, PP0011, PP0044 and PP0054).
- The area is significantly important open space and is used by dog walkers and as a children's play area (PP0009, PP0010, PP0017, PP0044, PP0054, PP0056, PP0277, PP0301 and PP0335).
- The steep topography and existing group conditions make the site unsuitable for allotments (PP0005, PP0017, PP0044, PP0054, PP0056, PP0277, PP0301 and PP0335).
- There would be adverse impact on neighbouring residential amenity (PP0005, PP0009, PP0044, PP0054 and PP0056).
- It is not clear how the existing path network would be affected (PP0005, PP0009 and PP0017).
- There are mature trees within the site (PP0009).
- The proposed use may impact upon local drainage arrangements (PP0017, PP0044, PP0301 and PP0335).
- The site lacks services to support allotments, i.e., water and electricity (PP0044).
- Allotments are old fashioned and not required (PP0054).
- The site is not sustainable (PP0301).
- There is insufficient information provided in the Proposed Local Development Plan (PLDP) (PP0005).
- The site should be reinstated as protected land as per the Local Development Plan (LDP) 2017 (PP0009, PP0017 and PP0044).
- An alternative site for allotments could be established at Burn Park adjacent to the river as there is plenty space there and it is away from residential areas. This area could also benefit from being tidied up (PP0010).
- Provision for allotments should be delivered as part of site OP1 (PP0017, PP0044 and PP0301).

Site BUS – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation of BUS, (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA request that for consistency the additional text is added to the second 'Flood Risk' bullet point to state that a Flood Risk Assessment may be required (RD0214.B) (PP1219).

Services and Infrastructure

Nestrans has confirmed that they are attempting to get clarity from Transport Scotland on their proposals for an update of the A96 in Blackburn (RD0227.A). No modification sought (PP1241).

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Caskieben

A representee has expressed support for the inclusion of site OP1 for 240 homes. The site is in the most appropriate location for housing within the settlement, as accepted through previous Local Development Plan-making processes, the Main Issues Report (MIR) and now the Proposed Local Development Plan (PLDP). The higher number of homes allocated is welcomed, given that Blackburn is within a Strategic Growth Area (SGA), on the basis that final numbers will be determined through detailed consideration in line with housing policy. The representee has included two Appendices (RD0036.A and RD0036.B) in their representation which provides further detail to support their position (PP0253).

SEPA has recommended that reference to the Black Burn is removed in the allocation as the western part of the site is over 100m away from the Black Burn and is replaced with text requiring a buffer strip (RD0214.B) (PP1219).

Three representees believe that site OP1 should be removed on the basis that it is not deliverable and has remained largely constrained since its allocation in 2012 (PP0934, PP0976 and PP1126). Another option suggested would be to reallocate site OP1 as a reserved site, until it can be demonstrated that the known (ownership) constraint has been overcome, but this is on the proviso that an alternative site is allocated to cover the lost housing numbers from the effective land supply (PP1126).

A representee questions the rationale of increasing the capacity of site OP1 from the 150 homes stated in the development bid to 268 homes. Concern is expressed that using a broad-brush method to artificially increase its capacity is at odds with the Council's focus on allocating sites that are capable of delivery within the period of the PLDP (PP1126).

Non-Allocated Site – Bid Site GR005 – Land at Kinellar Estate

A representee requests that bid site GR005 be allocated for 50 homes, employment land and community uses. The representee has indicated that the landowners at both bid sites GR005 and GR033 are interested in working together to ensure the future of Blackburn is properly masterplanned for a high quality, sustainable community. The bid site would provide sufficient capacity to meet future housing need and deliver services and infrastructure in the settlement, relieving pressure on existing facilities identified in the Settlement Statement. Westward expansion of Blackburn is logical as it is adjacent to employment uses, could be phased adjacent to the existing settlement boundary, can accommodate a mix of uses contributing to sustainability of the town, existing core path on bid GR033 provides connectivity and there are constraints to development at all other sides of the settlement. The site is within the 1.6km accessibility threshold for walking/cycling to facilities contained in Planning Advice Note (PAN) 75, with core paths and bus services within 400m and is not more remote than OP1; Historic Environment Scotland (HES) has not objected to the allocation and potential impact on the listed building would be addressed by any masterplan; OP1 is also on prime agricultural land; protected species would be protected with new landscape planting opportunities and woodland can be retained with buffer strips incorporated similar to OP1. The presence of the Health and Safety Executive (HSE) consultation zone does not preclude the development of employment, facilities and open space on this site. The sites have appropriate topography, have defensible boundaries, do not flood, waste water treatment works (WWTW) has a growth project triggered, school has capacity, no requirement for access onto the trunk road, provide more natural green space, and would not be out of character in the landscape. The representee has included an Appendix (RD0180.A) in their representation

which provides further detail to support their position (PP0976).

Non-Allocated Site – Bid Site GR033 – Land at Hillhead of Glasgoego

Two representees requests that bid site GR033 be allocated for 300 homes (PP0934 and PP0976). It is argued that the site should be included to address the shortfall in housing land supply and provide effective land in accordance with the Strategic Development Plan (SDP) Spatial Strategy. The site supports and benefits from existing services and employment available in Blackburn and will deliver a high-quality development in the right location. Constraints associated with the site can be overcome or suitably mitigated. The representee has included an Appendix (RD0177.A) in their representation which provides further detail to support their position (PP0934).

Non-Allocated Site – Bid Site GR085 – Land East of Cairntradlin

A representee requests that bid site GR085 be allocated for 108 homes. It is argued that GR085 fits with Scottish Planning Policy (SPP) principles, will assist in meeting a predicted housing land allocation shortfall likely to occur in the LDP 2021 period, is deliverable in the short-term and is not encumbered by any development constraints. The housing would take cognisance of the HSE pipeline consultation zones and the site will not be split due to the Transco pipeline like other bids. It is contained by a natural bowl like landscape, and it follows the existing pattern of housing development in Blackburn making it an appropriate expansion of the settlement. The representee highlights that Blackburn is located immediately north of the A96 and within the Aberdeen to Huntly SGA, and it is the closest settlement to Aberdeen making it a prime location for further housing allocations. The Council has previously acknowledged that the Aberdeen to Huntly SGA, has not performed as anticipated with delivery of housing, and it will not be affected by the dualling of the A96. Blackburn boasts several local facilities, as well as an industrial estate, but that new housing will be needed to support them, reporting that the school role is forecast to decline in the future. The representee disagrees with the MIR assessment of site GR085 that it would elongate the settlement. There is little difference between this site and OP1 in terms of walking distances. Site GR085 relates well to, and benefits from strong connections to the existing settlement services and centre. The Strategic Environmental Assessment (SEA) of OP1 and GR085 are similar, but that it could be argued that site GR085 could have a more positive than site OP1 post mitigation, particularly in terms of landscape. The representee has included a number of Appendices (RD0196.A, RD0196.B and RD0196.C) in their representation which provides further detail to support their position (PP1126).

Non-Allocated Site – Bid Site GR088 – Land North of Site P5, Caskieben

A representee requests that bid site GR088 be allocated as a Future Opportunity Site (FOP) to come forward if there is demand for further housing during the Plan period. It is argued that there is clear demand for further housing in Blackburn due to its proximity to Aberdeen City and being within an SGA. This demand is evidenced by allocation of site OP1, with land to the northwest of OP1 being a logical location for future housing. The representee highlights that Planning Officers' comments made within the MIR regarding landscape and visual impact, flood risk, and detachment from the settlement can be addressed. The site was supported by Officers at the MIR stage and there is no reason why the site could not be identified as a FOP/reserved site. The representee has included two Appendices (RD0035.A and RD0035.B) in their representation which provides further detail to support their position (PP0252).

Modifications sought by those submitting representations:

Site R1 – For allotments/community growth space

Modify the PLDP to remove site R1 (PP0005, PP0011, PP0054, PP0056, PP0277 and PP0335).

Modify the PLDP to remove site R1 and reinstate protected land designation (PP0009, PP0044 and PP0301).

Modify the PLDP to remove site R1 and reserve land at Burn Park for allotments (PP0010).

Modify the PLDP to remove site R1 and include land for allotments as part of site OP1 (PP0017, PP0044 and PP0301).

Flood Risk

Modify the PLDP to include the following text to the second 'Flood Risk' bullet point, "A Flood Risk Assessment may be required." (PP1219).

Site OP1 – Caskieben

Modify the PLDP to remove the third sentence in the first paragraph, "A buffer strip is required to preserve the nature conservation value of the Black Burn and the woodlands of the "Sycamores" and Caskieben Road." and the seventh sentence "Enhancement of the Black Burn through re-naturalisation and removal of any redundant features, requires to be investigated." and replace with "A buffer strip will be required adjacent to the small watercourse that runs through the site which should be integrated positively into the development. The buffer strip will need to allow sufficient space for restoration of the straightened watercourse. Enhancement and removal of any redundant features will require to be investigated." (PP1219).

Modify the PLDP to remove site OP1 (PP0934, PP0976 and PP1126).

Modify the PLDP to reallocate site OP1 as a FOP/reserved site (PP1126).

Modify the PLDP to clarify the rationale of increasing the capacity of site OP1 from the 150 homes stated in the development bid to 268 homes (PP1126).

Non-Allocated Site – Bid Site GR005 – Land at Kinellar Estate

Modify the PLDP to include bid site GR005 for 50 homes, employment land and community uses (PP0976).

Non-Allocated Site – Bid Site GR033 – Land at Hillhead of Glasgoego

Modify the PLDP to include bid site GR033 for 300 homes (PP0934 and PP0976).

Non-Allocated Site – Bid Site GR085 – Land East of Cairntradlin

Modify the PLDP to include bid site GR085 for 108 homes (PP1126).

Non-Allocated Site – Bid Site GR088 – Land North of Site P5, Caskieben

Modify the PLDP to include bid site GR085 as a FOP/ reserved site for housing (PP0252).

Summary of responses (including reasons) by planning authority:

Site R1 – For allotments/community growth space

Support expressed for site R1 is noted along with comments from SEPA.

The Council notes that there are concerns surrounding the proposed allocation. The designation summary makes it clear that until such time as the proposed allotments/community growing space comes forward that the site should be maintained as open space. A number of matters raised by representees could be addressed through Development Management procedures at such time as a detailed proposal comes forward. Detailed assessment has not been undertaken by Officers as to the suitability of other locations proposed by representees. As such, it is not considered appropriate to suggest an alternative site for allotments at this stage. Aberdeenshire Council believes it appropriate to reserve the site as proposed. No change is required.

Should the Reporter be minded, to make an amendment to reinstate the protected land designation and not identify an alternative site within the settlement, then the Council recommend that the Settlement Statement Vision could be modified to read, “To meet a community aspiration development of allotments/community growing space of an appropriate scale and location within the settlement may be supported should a suitable site be identified during the Plan period.”

Site BUS – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

Services and Infrastructure

Comments from Nestrans and SEPA are noted. No change is required.

Site OP1 – Caskieben

Support expressed for site OP1 is noted.

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

The Council acknowledges that site OP1 has been allocated since 2012 but has yet to be delivered. However, the Council maintains that the preference, at this time, is to focus development towards, the east of the settlement (see MIR Issues and Actions Papers,

Issue 96 Blackburn, AD0040.E, page 8). Progress has been made in that the ownership constraint is no longer applicable to the site (see HLA 2019, AD0022, page 69). Should the site not come forward during the early part of the Plan period, the Council would, at that point, be minded, to pursue alternative site(s) including undertaking necessary studies and discussions with relevant stakeholders to establish if and where development should be directed in Blackburn. For the meantime, efforts will be made by the Council's Planning and Environment Service Delivery Team to facilitate delivery of the OP1 site. No change is required.

The site capacity has been amended to better reflect the scale of development that could be reasonably achieved on the site. In the Aberdeen Housing Market Area, the Council have applied a standard density of 25 homes per hectare to existing undeveloped opportunity sites as well as new sites. At the time of the MIR, applying this density to site OP1 resulted in a possible development of 268 homes. However, following consideration of responses to the MIR, an area of land was removed from the developable area which had the effect of reducing the available capacity to 240 homes (see MIR Issues and Actions Papers, Issue 96 Blackburn, AD0040.E, page 8-10). The allocation capacity is indicative and further consideration will be required at such time as a development proposal comes forward. No change is required.

Non-Allocated Site – Bid Site GR005 – Land at Kinellar Estate

The Council does not support allocating bid site GR005 for 50 homes, employment land and community uses. Bid site GR005 was not identified as preferred option in the MIR 2019 (see MIR 2019, Appendix Garioch, AD0038.E, page 10). Indication that the landowners of bid sites GR005 and GR033 would be willing to work together to deliver development is noted and is welcomed by the Council. However, as outlined in the Issues and Actions Papers (AD0040.E, page 8-10), concern exists from both HES and NatureScot (Scottish Natural Heritage). It is maintained that it is not appropriate to allocate bid site GR005 in the LDP. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR033 – Land at Hillhead of Glasgoego

The Council does not support allocating bid site GR033 for 300 homes. Bid site GR033 was not identified as a preferred option in the MIR 2019 (see MIR 2019, Appendix Garioch, AD0038.E, page 10). As noted above and outlined in the Issues and Actions Papers development for the forthcoming Plan period should be focused on the eastern side of the settlement, (AD0040.E, page 8-10). Following delivery, or any substantial removal of site OP1 following a future review of the LDP, consideration should be given as to the appropriateness for development allocation(s) to the west of the settlement. Future allocation of site GR033, or part thereof, will require further consideration as part of a future Plan review to establish need for such an allocation and to ensure that constraints can be overcome and/or suitably mitigated against. For the time-being however, it is not deemed appropriate to allocate site GR033 in the LDP. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR085 – Land East of Cairntradlin

The Council does not support allocating bid site GR085 for 108 homes. Bid site GR085 was not identified as a preferred option in the MIR 2019 (see MIR 2019, Appendix Garioch, AD0038.E, page 10). It is maintained that development at this location would elongate the settlement away from the settlement core. As noted above, and within the Issues and Actions Papers, our preference at this stage is to focus development to the east of the settlement followed, potentially, by development to the west. Promotion of sites to the north of the settlement is our least preferred option at this time (see MIR Issues and Actions, AD0040.E). In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR088 – Land North of Site P5, Caskieben

Bid site GR088 was identified as a reserved option in the MIR 2019 (see MIR 2019, Appendix Garioch, AD0038.A, page 9). As outlined in the Issues and Actions Papers FOP sites/ strategic reserve housing land have not been identified in the PLDP (AD0041.A, page 86-87). As such there is no need to identify bid site GR088 as a FOP site. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Reporter’s conclusions:

Preliminary matters

1. The examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the Blackburn settlement statement. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Site R1 – For allotments/community growth space

3. Site R1 is an area of landscaped open space accessed from established residential areas to the south and east. It lies on the north-western edge of Blackburn, with open countryside to the north and west. The site incorporates parts of the existing footpath network in the area and at the time of my site inspection appeared well used as open space for recreation. It is identified in the existing plan as designated protected land, “to conserve the landscape/setting, which contributes to the green network”.

4. There are a number of representations seeking the removal of the allocation, based on

concerns regarding the loss of open space, footpaths, landscaping, accessibility and parking issues. Alternative locations for allotments/community growing space have been suggested, including at site OP1 (Caskieben).

5. I agree that, as an assessment of potential sites has not been undertaken for the settlement, it would not be appropriate to identify a site-specific allocation at this stage in the plan process.

6. The council has suggested that allocation R1 could be deleted, with the site reverting to a protected land designation. In addition, the council has suggested that a general aspiration for allotments/community growing space could be added to the vision section instead. I am satisfied that the suggested amendments to the site allocation and the vision section would provide an appropriate approach to the future provision of allotments/community growing space and allow potential sites to be considered in consultation with the local community. I also agree that site R1 should revert to a protected land designation, “to conserve the landscape/setting, which contributes to the green network”, as shown in the current local development plan. Modifications to this effect are set out below.

Flood Risk

7. The Scottish Environment Protection Agency (SEPA) has requested that additional text is added to the second ‘Flood Risk’ bullet point to state that a flood risk assessment may be required. I consider that the modification requested by SEPA would provide clarification on flood risk matters for allocation BUS and OP1. A modification on this matter is recommended.

Site OP1 – Caskieben

8. Site OP1 Caskieben is a large open site located to the south-east of the settlement. At the time of my site visit, it was in agricultural use. The site is bound to the east and north by substantial trees and planting, to the south and west by established residential development and the Black Burn and to the north/north-west by further agricultural land, which is the subject of bid proposal GR088.

9. The site is allocated for 240 homes, 190 of which would contribute towards meeting the strategic development plan allowance for the Aberdeen Housing Market Area.

10. There have been a number of representations objecting to the continued allocation of this site and suggesting alternatives in or adjacent to Blackburn. The representations note that the site has been allocated since 2012 and has been identified as constrained in the housing land audits carried out since then. The constraint was noted as being one of ownership, which may limit transport access options for the site. A representee questions the rationale of increasing the capacity of site OP1 from the 150 homes stated in the development bid.

11. The council advises that the ownership constraint has been resolved and that the site is expected to begin to deliver homes in the early part of the plan period. The site capacity reflects the standard density applied to sites within the Aberdeen Housing Market Area and changes to the developable area of the site.

12. I find that this approach to site density is consistent with paragraph 4.8 in the strategic development plan, which states that “land brought forward for housing must be used efficiently”. The exact number of houses to be built on the site will be decided at planning application stage. No substantive evidence has been provided to show that the assumed density cannot be delivered on this site. No modification is required.

13. I am satisfied that the constraint relating to ownership has been resolved, and the owner of the site indicates that discussions are taking place with a housebuilder, with the intention of delivering the site within the plan period. I note that the submissions relating to both allocated and bid sites in Blackburn refer to the strong demand for housing in this location and the need for homes in Blackburn. I consider that this demand should contribute towards enabling the delivery of site OP1, now that the ownership constraint has been resolved.

14. I note the representation from SEPA, which recommends removal of the reference to the Black Burn, as the site boundary for OP1 is over 100 metres from the burn itself. SEPA has suggested alternative wording for inclusion in the allocation summary, which I agree would more accurately address matters relating to the small watercourse, which runs through the site. Modifications are recommended below.

Non-Allocated Bid Site GR088 – Land North of Site P5, Caskieben

15. A representation seeks to have bid site GR088 allocated in the plan as a future opportunity site for 50 homes. The council had identified the site as a reserved option in the Main Issues Report. However, at the proposed plan stage, the council decided not to include future opportunity (or reserved) sites.

16. Representations relating to the principle of identifying future opportunity sites in the plan are addressed under Issue 2. This concludes that, whilst the strategic development plan allows the plan to make provision for sites for the period 2033 – 2040, there is no requirement to do so. We therefore find that the council’s decision not to include future opportunity sites in this plan is in accordance with the strategic development plan.

17. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, we conclude that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area.

18. The allocation summary for site OP1 refers to possible future expansion to the northwest, and this is to be incorporated into the layout, design and siting of development on site OP1. This suggests that development on bid site GR088 may be supported in future, if required. However, as no evidence has been provided to suggest that the site would be deliverable in the period up to 2032, I do not consider that bid site GR088 could be relied upon to address the shortfall in housing land in the Aberdeen Housing Market Area. No modification is required.

Non-Allocated Bid Site GR085 – Land East of Cairntradlin

19. A representation has been submitted seeking an allocation for residential development on land east of Cairntradlin. This site lies to the north of the settlement and straddles the B979, with the majority of the site lying to the west of the road. At the time of

my site inspection, the site appeared to be in agricultural use.

20. The site lies adjacent to the northern settlement boundary of Blackburn, with established residential development to the south. To the north, east and west of the proposed site is agricultural land and open countryside.

21. The supporting information submitted for bid site GR085 addresses matters relating to proximity to local facilities, site opportunities and constraints and provides an indication of development parameters. It states that the site is free from constraints, is being promoted by an established house builder, and could deliver up to 108 homes in the plan period.

22. The strategic environmental assessment identifies mainly neutral effects, with the exception of the loss of prime agricultural land and a Health and Safety pipeline consultation zone. I am satisfied that, in line with Policy PR1 (Protecting Important Resources), the loss of prime agricultural land may be justified if required to meet strategic housing needs and there are no reasonable alternative sites. The representation advises that by concentrating development to the west of the site, it is possible to minimise the impact of the Transco pipeline.

23. At the Main Issues Report stage of the plan preparation process, the council did not support the allocation of the site, as it was considered remote from the key services and the centre of the village. The constraints in the form of the loss of prime agricultural and the pipeline were noted.

24. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, we conclude that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I acknowledge that this site could potentially contribute to meeting this shortfall.

25. However, given the availability of other sites to meet the strategic development plan allowance for the Aberdeen Housing Market Area (see Issue 5), I do not consider that the loss of prime agricultural land would be justified. Furthermore, I have insufficient information before me to reach a conclusion on the implications of the pipeline consultation zone. I therefore conclude that this site should not be identified as a housing allocation. No modification is required

Non-Allocated Bid Site GR005 – Land at Kinellar Estate

26. This site is the subject of a representation which suggests that it could be developed in conjunction with bid site GR033 which lies to the west, north and east of GR005. The representation seeks a mixed use development for the site, including 50 homes, employment and community uses.

27. Bid site GR005 lies to the west of Blackburn, and to the north-west of the Kinellar roundabout and the A96. It comprises the Category B listed Kinellar House and grounds, with substantial wooded areas and a designed landscape.

28. The representation states that the site lies adjacent to allocated and existing employment land; it is logical westward expansion of Blackburn; it is free from constraints;

Historic Environment Scotland has not objected to the proposal; there are no landscape issues and the woodland would be retained; and it is a viable alternative to site OP1. It advises that the pipeline only impacts a small corner to the west of the site which could be addressed through appropriate land uses.

29. The strategic environmental assessment identifies mainly neutral and negative effects. The loss of a small area of prime agricultural land, the Health and Safety pipeline consultation zone, the impact on Kinellar House and the scheduled ancient monument are noted. At the Main Issues Report stage, the council did not support the allocation of the site, as it was considered that there could be a negative impact on Kinellar House and the wider designed landscape.

30. Whilst the representation suggests that there has been no objection from Historic Environment Scotland, I note (from the Issues and Actions Paper) that both Historic Environment Scotland and NatureScot had raised concerns regarding the proximity of Kinellar House. These concerns relate to the potential impact of development on both the house and the designed landscape. No evidence has been submitted with the representation to show how these concerns could be addressed.

31. Based on the information before me, I conclude that that development on this site would have a detrimental impact on Kinellar House and its designed landscape. Given the availability of other sites to meet the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider that meeting housing need would outweigh the negative environmental effects. No details have been provided in relation to the scale, siting or nature of employment or community uses to allow me to assess these.

32. I conclude that this site should not be allocated. No modification is required.

Non-Allocated Site Bid Site GR033 – Land at Hillhead of Glasgoego

33. Representations seek the allocation of bid site GR033 for 300 homes and associated infrastructure in this plan. The site lies to the west of Blackburn, on land to the north of the B979 and a business allocation. To the north of the site is open countryside, to the east is established residential development and the new primary school, and to the west is Kinellar House and its designed landscape and woodlands. At the time of my site inspection, the site appeared to be in agricultural use.

34. The representee has submitted a comprehensive indicative development strategy illustrating the potential phasing and delivery of the site. A Transport Appraisal has been carried out, which has identified options for access, and information has been provided to address the constraints identified by the council. The representations emphasise the track record of delivery from the house builder promoting this site.

35. The representations suggest that site OP1 remains constrained and that there is significant unmet demand for housing in Blackburn that will remain unmet unless an alternative site is allocated in this plan.

36. The strategic environmental assessment identifies mainly neutral effects arising from the proposed development, with the exception of the loss of prime agricultural land and the Health and Safety pipeline consultation zone.

37. At the Main Issues Report stage of the plan preparation process, the council did not support the allocation of the site, as it was considered that the scale of development proposed was too great and there would be a potential loss of trees. I note that the extent of site GR033 has been reduced in response to the council's comments at Main Issues Report stage. However, the Issues and Actions Paper concludes that there are still a number of constraints and development in this plan period should be focussed on the eastern edge of Blackburn and site OP1.

38. The council has indicated that, should site OP1 fail to progress, then consideration could be given to changing the strategy for Blackburn to allow development to the west of the settlement. However, the evidence before me suggests that site OP1 would be deliverable in the plan period and therefore a change in strategy would not be justified at this time.

39. I conclude that housing development on this site could potentially be accommodated with limited environmental impact. However, it would result in a significant westward extension of the settlement involving the loss of prime agricultural land, which would not be justified, given the availability of other sites to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I note that the representee is confident that the potential pipeline constraint can be overcome. However, the position of the Health and Safety Executive on this matter is unknown and I have insufficient information before me to reach a view on this matter.

40. In conclusion, I agree with the council that the allocation of this site would not be justified at this time. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

1. Inserting the following new second paragraph to the introductory vision section on page 528:
"To meet a community aspiration, development of allotments/community growing space of an appropriate scale and location within the settlement may be supported, should a suitable site be identified during the Plan period."
2. Inserting the following new entry under the protected land section of the settlement features table on page 528:
"P9 To conserve the landscape/setting, which contributes to the green network."
3. Deleting the reserved land section (including reservation R1) from the settlement features table on page 528.
4. Replacing the R1 designation with protected land designation P9 on the Blackburn settlement map on page 531.
5. Adding the following sentence to the second bullet point of the flood risk section on page 528:
"A Flood Risk Assessment may be required."
6. Removing the third sentence (A buffer strip.....Caskieben Road) in the first paragraph of

the allocation summary for OP1 Caskieben on page 530.

7. Replacing the existing seventh sentence (Enhancement of the Black Burn... investigated) in the first paragraph of the allocation summary for OP1: Caskieben on page 530 with the following three sentences:

“A buffer strip will be required adjacent to the small watercourse which runs through the site and which should be integrated positively into the development. The buffer strip will need to allow sufficient space for restoration of the straightened watercourse.

Enhancement and removal of any redundant features will require to be investigated.”

Issue 33	Insch	
Development plan reference:	Proposed LDP, Appendix 7D Garioch, Page 551-554	Reporter: Sinéad Lynch
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>PP0019 John Stuart Murrial Ltd PP0092 Diana Barnard PP0093 William John Blackwood PP0194 Hayden Charles Killoh PP0272 Scottish Water PP0472 Scotia Homes and Drumrossie Developments PP0473 Scotia Homes and Drumrossie Developments PP0618 Mr and Mrs Dix PP0863 Bennachie Community Council PP1219 Scottish Environment Protection Agency PP1241 Nestrans</p>		
Provision of the development plan to which the issue relates:	Insch Settlement Statement	
Planning Authority's summary of the representation(s):		
<p><u>General</u></p> <p>Nestrans has indicated that they are undertaking option appraisal work aiming to improve accessibility at Insch Railway Station. They are also seeking improvements to rail services at Insch as part of a second phase of Aberdeen to Inverness improvements. No modification sought (RD0227.A) (PP1241).</p> <p>Bennachie Community Council (BCC) has requested that a network of safe recreation routes be planned to link communities in the BCC area is included in the PLDP (PP0863).</p> <p><u>Vision</u></p> <p>A representee has requested the wording from the LDP 2017 regarding the household waste and recycling centre be reinstated. It is not appropriate for the existing site to continue in operation, and the Council should provide alternative facilities for Insch that would accommodate both existing and future requirements. The HWRC at Market Street is not an appropriate location, has an adverse impact on residential amenity of nearby residents and does not meet SPP in terms of sustainability. This has not been properly followed through in terms of the Council's Waste Strategy, and the Reporter's recommendations from the last LDP ignored. It is misleading to promote the Insch HWRC as the "Market Street car park" (PP0618).</p>		

Site R1 – For environment and access improvements

Scottish Environment Protection Agency (SEPA) has confirmed that that they have no flooding, strategic drainage or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

A representee stated that development of any type on site R1 would have an impact on neighbouring property. The area to the east of the site should not be used as an access point due to flood risk and noise. It was noted that there are existing boundary issues, subject to legal action. The representee has included an Appendix (RD0024.A) in their representation which provides further detail to support their position (PP0194).

Site R2 – For a town park

SEPA has confirmed that that they have no flooding, strategic drainage or water supply issues with the designation summary for site R2 (RD0214.B). No modification sought (PP1219).

Site R3 – For the enhancement of the walkways

SEPA has confirmed that that they have no flooding, strategic drainage or water supply issues with the designation summary for site R3 (RD0214.B). No modification sought (PP1219).

Site R5 – For town centre environmental improvements

SEPA has confirmed that that they have no flooding, strategic drainage or water supply issues with the designation summary for site R5 (RD0214.B). No modification sought (PP1219).

Site R6 – For a replacement primary school

A representee has requested that site R6 be relocated elsewhere. Development would affect the view of Dunnydeer Hillfort. The road infrastructure would not cope, Denwell Road has no parking and is in the main route into Insch from the A96. The crossroads at the end of Denwell Road/Drumrossie Street is already unable to cope with traffic flow. It is considered that the site is inappropriate for a new larger school (PP0092).

SEPA have noted that they have not been invited to comment on the site previously in the Plan process. There is a small watercourse through the centre of the site and on the north west boundary, and Valentine Burn is on southern boundary. A FRA may be required and buffer strips will be required alongside the watercourses. Enhancement of the straightened watercourses and removal of any redundant features will require to be investigated. This is why the text was requested to be added into the 'Flood Risk' section. No change is required.

Flood Risk

SEPA has requested the second bullet point of the 'Flood Risk' section is amended to remove the reference to SEPA and the Shevock and add site R4 to note that a detailed flood study by Aberdeenshire Council has confirmed that sites OP1 and R4 are at

significant risk of flooding (RD0214.B) (PP1219).

SEPA also request the third 'Flood Risk' bullet point is amended to remove the reference to SEPA and state that a Flood Risk Assessment (FRA) will be required for site R4. SEPA reports that a recent flood study for Inch has shown that both the existing hospital and the site for the extension are at high risk of flooding and this risk will increase in future because of climate change. States, unless flood prevention measures are brought forward to give long-term protection to Inch, then a relocation of the hospital may be a more sustainable approach in the long-term. Any development on this site must demonstrate it will not increase flood risk to neighbouring properties and be constructed to be flood resistant (RD0214.B) (PP1219).

Additionally, SEPA requests a new 'Flood Risk' bullet point is added to state that a Flood Risk Assessment may be required for sites OP3, R6 and BUS, buffer strips will be required along with enhancement of any straightened watercourses and removal of any redundant features will require to be investigated (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Scottish Water has requested that the following text be inserted under 'Strategic drainage and water supply', "There is currently sufficient capacity at Inch Waste Water Treatment Works. A Drainage Impact Assessment may be required to address network issues. Early engagement with Scottish Water is recommended." (PP0272).

Site OP1 – Land at North Road

SEPA has indicated that they wish to object to site OP1 unless the allocation summary states that if the extant permission lapses it is unlikely any further development proposal would be permissible due to new flood risk information being provided by the Council Flood Study for Inch. SEPA has suggested further consultation would be required with the Council's Flood Risk and Coast Protection Team as the detailed Flood Study has concluded that the site is at higher risk than was presented in the developer's Flood Risk Assessment (RD0214.B) (PP1219).

Two representees, including BCC, have objected to inclusion of site OP1. Reasons cited include:

- Development would cause overlooking and affect privacy and property value (PP0093).
- Development would impinge on the view of Dunnydeer (PP0093).
- No consideration has been made of how the boundary wall would be addressed (PP0093).
- Flood risk issues, details of which were not known at the time of the previous LDP (PP0863).
- The site could create potential traffic congestion problems associated with the planned road junction, and the operation of the railway level crossing on the B9002, the detail of this issue was unknown at the time of the previous LDP. BCC has identified a potential increase in traffic volume going through Inch associated with either of the options for the planned dualling of the A96, which would exacerbate

predicted traffic congestion problems in Insch associated with the planned junction required for site OP1, the detail of this issue was unknown at the time of the previous LDP (PP0863).

Site OP2 – Hillview South Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

Site OP3 – North of Insch Business Park

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

Non-Allocated Site – Bid Site GR015 – South of Insch Railway Station

Concerned that bid GR015, which was a designated as a reserved site in the MIR 2019, is not allocated in the PLDP. Site GR015 would see the natural growth of Insch in a southerly direction and provide approximately 60 homes with 25% as affordable housing, employment land, and much needed parking at Insch Railway Station, which is supported by Network Rail and would enhance sustainable transport linkages. In addition, it would provide green space for allotments, a defensible boundary and linkages to North Road, railway station and village facilities. The proposer is keen to promote volunteer and community interests, e.g. a farm shop/coffee shop. The MIR 2013 noted the site is well located but would be considered more favourable if there was a mixed element, which this proposal now provides. This site allows for the long-awaited improvements to Insch Railway station, which is considered one of the least accessible stations in Scotland and is one of the Planning Objectives for the village, notably “to improve accessibility at Insch Railway Station”. A Nestrans study identified parking to the south of Platform 1 as an option (PP0019).

Concerns have been raised about the GR015 site due to the lack of access to the station from the south side. The site is detached from the rest of the settlement and lacks direct vehicular access from within the settlement. Network Rail and Nestrans recently secured funding to provide DDA-compliant access linking the existing northern station building and car park with the southern platform. The planned enhancements further amplify the case that development on GR015 should not be supported. No modification sought. (PP0472).

Non-Allocated Site – Bid Site GR029 – Land at Drumrossie West, Drumrossie and Denwell Farm

A representee has requested that bid GR029 be allocated for a phased housing-led mixed-use development with retail/commercial, community uses, open space/landscaping and associated infrastructure (598 homes and 175sqm ground floor retail/commercial unit). All or part of the allocation should be included in the 2021 LDP. The proposed phasing in the masterplan has been updated since the development bid and MIR stages with the first phase situated on GR029a north of a recent development. The phasing was amended to allow for a more compact pattern of development in the initial phases and would allow for a linear park through the site. If allocations were to be made, they should follow the suggested phasing of the masterplan (PP0473).

Part of the site was preferred at the MIR stage for future housing (GR029a and GR029c), but no part of the site is included in the Proposed Plan as it was noted there was no intention to reserve future opportunity sites as the Strategic Development Plan considers there is sufficient allocations in the Rural Housing Market Area. Inch is in the Strategic Growth Area (SGA) where previously in the settlement statement there was an objective to meet housing need for the wider SGA, but this was removed from the PLDP and no new housing allocated. This is unacceptable as it is not going to solve the lack of affordable housing in the area and Huntly has delivered no housing for the wider SGA (PP0473).

Inch is an attractive area for housing with good connections with the A96 which has a project by the Scottish Government to dual. There are improvements being made to both the railway station and the line infrastructure at the station. Both of these will increase the capacity for regional travel. The conclusions of the Issues and Actions Papers are not accepted as it notes that GR029 does not merit allocation as there is sufficient housing allocations elsewhere in the RHMA. Each area has different needs, and some areas are better suited for development so the RHMA should not be seen as one area. The Issues and Actions paper consider that there is little justification for new housing but at the 2017 LDP the Reporter considered that there was significant and continuing demand for new housing in Inch. Since the 2012 LDP there has been a limited release of housing land. Therefore, the comment that Inch needs to consolidate from recent development is not accepted (PP0473).

Capacity issues at the Primary School are noted by the developer and discussions have happened with the Education Service and the Delivery Team. Site R6 is reserved for a new school and this site would be able help deliver the school in a gradual manner. Consultations have happened with the Council's Developer Obligations Team to discuss the options of capacity. Inch has excellent community provisions which could be enhanced by additional development (PP0473).

Due to the proposed phasing of the site is proposed at a similar pace to the recent growth of the town and the questioning of this in the MIR is not accepted. The impact on the townscape and landscape would be mitigated through phasing with the layout and design being of high quality with a strong commitment to extensive green and open space to help minimise impact. The recent housing to the west was completed by the same developer which was commended at the Design Awards. Strategic landscaping is proposed to further minimise the visual impact of the development and promoting biodiversity enhancement. There will be loss of prime agricultural land, but it is considered acceptable in terms of SPP as the development forms an essential component of the Settlement Strategy which was acknowledged by the Reporter in 2017. There may be increased traffic, and this was noted as a concern by respondents to the MIR. Access to and through the development have been planned with the intention of mitigating against congestion in local traffic circulation. Any further mitigation would be considered as part of a planning application. Also, there is an undersupply of affordable housing perceived to be an issue in Inch by the Council and local community, but the site would provide affordable housing in accordance with relevant policies in the Plan. The representee has included a number of Appendices (RD0075.A – RD0075.I) in their representation which provides further detail to support their position (PP0473).

Non-Allocated Site – Site OP2 (as identified in the LDP 2017) – Land at South Road

A representee has requested that site OP2 from the 2017 LDP be re-allocated in the LDP.

Insch has good connections by road and rail which is an advantage in terms of marketability potential. The site is in a logical location for future expansion of the Insch Railway Station platform and other facilities and with suitable means of access as existing. The site presents an opportunity for the remediation of brownfield land. The site OP2 in the 2017 LDP is not proposed to be carried forward in its current allocation as a Planning Permission in Principle (APP/2014/1334) was refused on the site. The OP2 site, as per the 2017 LDP, is the ideal place to provide infrastructure for the railway station and should be carried forward into the 2021 LDP as a reserved/ safeguarded site for the expansion of car parking at the station and any other infrastructure deemed necessary for the continued viability of the station. The representee has included a number of Appendices (RD0074.A – RD0074.E) in their representation which provides further detail to support their position (PP0472).

Modifications sought by those submitting representations:

General

Modify the PLDP to include the idea for a network of recreation routes in the BCC area be added to the proposed LDP as an aspiration or Vision statement to cover the BCC area (PP0863).

Vision

Modify the PLDP to revert the wording regarding the household waste and recycling centre back to what it appeared like in the 2017 LDP to state, "A site for a new household waste and recycling centre is required. The Council is in the process of identifying a site suitable for a new centre." (PP0618).

Site R1 – For environment and access improvements

Modify the PLDP to ensure that the area to the east of the R1 site is not used as an access point. (PP0194).

Site R6 – For a replacement primary school

Modify the PLDP to remove site R6 and identify a more suitable location for the site (PP0092).

Flood Risk

Modify the PLDP to remove text in the second 'Flood Risk' bullet point, "SEPA has indicated that site OP1 is at significant risk of flooding from the Shevock." and replace with "A detailed Flood Study, by Aberdeenshire Council, has confirmed the sites OP1 and R4 are at significant risk of flooding." (PP1219).

Modify the PLDP to amend text for the third 'Flood Risk' bullet point to read, "SEPA has indicated that a further detailed Flood Risk Assessment will be required for site R4 which will need to demonstrate any development proposed is designed to be capable of remaining fully operational and accessible during an extreme flooding event and will not increase flood risk elsewhere." (PP1219).

Modify the PLDP to add a new 'Flood Risk' bullet point, "Due to the presence of small watercourses running through or adjacent to the site, a Flood Risk Assessment may be required for sites OP3, R6 and BUS. Appropriate buffer strips will be required alongside the watercourses. Enhancement of any straightened watercourses and removal of any redundant features will require to be investigated." (PP1219).

Services and Infrastructure

Modify the PLDP to add wording under 'Strategic drainage and water supply' to read, "Early engagement with Scottish Water is recommended." (PP0272).

Site OP1 – Land at North Road

Modify the PLDP to add the following text to the allocation summary for site OP1, "If the extant permission lapses it is unlikely any further development proposal would be permissible due to new flood risk information being provided by the Council's Flood Study for Inch." (PP1219).

Modify the PLDP to remove site OP1 (PP0093 and PP0863).

Non-Allocated Site – Bid Site GR015 – South of Inch Railway Station

Modify the PLDP to include Bid Site GR015 to be allocated for 60 homes, employment land and parking for Inch Railway Station (PP0019).

Non-Allocated Site – Bid Site GR029 – Land at Drumrossie West, Drumrossie and Denwell Farm

Modify the PLDP to include bid site GR029 as an opportunity site for a phased housing-led mixed-use development with retail/commercial, community uses, open space/landscaping and associated infrastructure (598 residential units and 175sqm ground floor retail/commercial unit) (PP0473).

Non-Allocated Site – Site OP2 (as identified in the LDP 2017) – Land at South Road

Modify the PLDP to allocate the site classified as OP2 in the 2017 LDP for an amended use as safeguarded/reserved for expansion of Inch Railway Station, car parking or any other associated infrastructure (PP0472).

Summary of responses (including reasons) by planning authority:

General

Comments from Nestrans in relation to accessibility at Inch Station and improvements to rail services are noted. No change is required.

The aspiration for a network of paths connecting the area within the Community Council area is noted. This is something that would have been better to have been introduced as an idea earlier in the process to allow people to comment on the specific proposal. It would seem that it would be more appropriate for this to come through a Local Place Plan which in turn could then be introduced into a future LDP. The Local Place Plan regulations are still to be released by the Scottish Government, but local place plans are a way of a

community highlighting what they would like to see in their area which future LDPs would need to take cognisance of, this forming part of the Town & Country Planning (Scotland) Act 2019. No change is required.

Vision

The text in the LDP 2017 Vision related to identifying a site for a new Household Waste Recycling Centre (HWRC) is outdated and is no longer required following a review of all HWRCs. The Council's Waste Strategy initially proposed to close the site in Inch and not replace it, however, during the public consultation on the Strategy, the final Strategy retained the Inch site at reduced opening hours. The Waste Strategy was approved by the Infrastructure Services Committee in January 2019 (AD0112). Inch is well served by HWRCs in nearby towns such as Inverurie and Huntly whose sites are open 7-days a week. No change required.

Site R1 – For environment and access improvements

SEPA comments are noted. No change required.

Concerns regarding the use of the R1 site are noted. Any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan. Additionally, concerns were raised in relation to flood risk, SEPA have commented to note that they have no flood risk issues with the site, therefore no change is required.

Site R2 – For a town park, Site R3 – For the enhancement of the walkways and Site R5 – For town centre environmental improvements

SEPA comments are noted. No change required.

Site R6 – For a replacement primary school

SEPA comments are noted. No change required.

Concerns regarding the location of a new school are noted. The site has been identified in the Plan since the 2012 LDP (AD0031.E, page 14-15) and remains to be the Council's position to have this land for the option for a new school. Issues relating to roads and transportation would be assessed when a planning application was submitted to ensure that an appropriate and safe solution was agreed. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

Services and Infrastructure

SEPA comments are noted. No change required.

The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

Site OP1 – Land at North Road

Concerns relating to the OP1 site are noted. Any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan. Additionally, issues relating to infrastructure, including roads and flood risk would be assessed at the planning application stage through consultation with the relevant stakeholders. Also, as noted within the Housing Land Audit 2019 the site is effective with programmed completions of housing units until 2025 (AD0022, page 122). It is therefore considered to be appropriate to maintain the allocation of the OP1 as the issues raised within the representations can be addressed at the planning application stage. No change is required.

Site OP2 – Hillview South Road and Site OP3 – North of Insch Business Park

SEPA comments noted. No changes required.

Non-Allocated Site – Bid Site GR015 – South of Insch Railway Station

The Council does not support allocating bid site GR015 for 60 homes, employment land and parking for Insch Railway Station. Bid site GR015 was not identified as preferred option in the MIR 2019 (see MIR 2019, Appendix Garioch, AD0038.E, page 36) due to uncertainty over identifying a solution to providing access to the southern platform of the railway station. As such it is not clear whether the solution, included as part of bid GR015, would be taken forward. Until such time as this matter is resolved it is not considered appropriate to allocate the bid in the Proposed LDP. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR029 – Land at Drumrossie West, Drumrossie and Denwell Farm

The Council does not support allocating bid site GR029 as an opportunity site for a phased housing-led mixed-use development with retail/commercial, community uses, open space/landscaping and associated infrastructure (598 residential units and 175sqm ground floor retail/commercial unit). Bid site GR033 was not identified as preferred option in the MIR 2019 (see MIR 2019, Appendix Garioch, AD0038.E, page 36). Part of bid GR029 was identified as a reserved option in the MIR as a possible future opportunity site (FOP). On the basis that the LDP 2021 is no longer expected to show FOPs on the Settlement Statement maps, there is no need to reserve any part of this site for future development. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. As such it is not necessary to allocate any part of bid GR029 in the Proposed LDP. No change is required.

Non-Allocated Site – Site OP2 (as identified in the LDP 2017) – Land at South Road

The Council does not support allocating Site OP2 (as identified in the LDP 2017) for an

amended use as safeguarded/reserved for expansion of Inch Railway Station, car parking or any other associated infrastructure. The OP2 site, as identified in the 2017 LDP, was not carried forward into the PLDP due to the basis of non-delivery. The site remains within the settlement boundary of Inch which allows for an infill opportunity on the site should a suitable proposal come forward. Any infill proposal that comes forward would be determined against relevant policies in the Plan.

It is noted that the representee would like to retain an allocation on the site boundary of OP2 as defined in the 2017 LDP but to change what the site is allocated for. It has been requested that the site be reserved/safeguarded for an expansion to Inch Railway station car park and associated infrastructure. These proposals could still be considered without the need to safeguard or reserve the site specifically for the purpose at this stage. Should, in the future, there be a critical or strategic need for this land to be reserved then a development bid could be submitted to a future LDP. Additionally, although this site was previously included in the LDP it was for an alternative use. No development bid was submitted for its new use at the call for sites stage and therefore it was not considered as such at the MIR stage, nor subject to site assessment and public consultation. It is therefore not seen as appropriate to safeguard the site for the uses proposed. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of this plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to the Inch settlement statement. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

General

3. The Bennachie Community Council has made a representation seeking linkages between communities in the area by safe cycling and walking routes.
4. Paragraph 228 in Scottish Planning Policy states that "local development plans should safeguard access rights and core paths, and encourage new and enhanced opportunities for access linked to wider networks." I agree with the council that the local development plan is not a framework or tool to promote footpaths, cycleways and active travel networks within and between settlements. There are other council documents, such as the Core Path Plan and the Outdoor Access Strategy, which would fulfil this role. However, the local development plan does protect existing routes, promote good access from new development to these routes and, where appropriate, promote the enhancement or extension of existing routes as part of development proposals. No modification is required.

Vision

5. A representation seeks to have the wording from the 2017 local development plan reinstated in this plan. The 2017 plan states that a new household waste and recycling centre is required and the council is in the process of identifying a site suitable for a new centre. A new facility to replace the existing one is sought elsewhere in Insch.

6. The proposed plan states (page 553) that all development in Insch will be required to comply with standards for recycling and waste facilities, and that development may be required to contribute towards strategic recycling and waste infrastructure that benefit residents within its catchment. I note Insch is served by facilities at Huntly and Inverurie. The council's Waste Strategy, which was adopted in 2019, has reduced the opening hours of the facility in Insch but it remains open.

7. I find that, in terms of waste, the 2019 Waste Strategy provides a more up to date position than the 2017 local development plan. It is appropriate for this to be reflected in the proposed plan. As there is no requirement for an alternative facility for Insch in the strategy, I am satisfied that no modification is needed to the plan.

Site R1 – For environment and access improvements

8. Site R1 is an area of open space to the south of the town centre, bi-sected by the Shevock burn. It is identified in the proposed plan as reserved land site R1, for environment and access improvements.

9. A representation advises that there is currently a legal dispute regarding a boundary issue relating to land which forms part of R1. In addition, concern is raised regarding the potential for flooding of the subject property on Rannes Street, should development take place. A modification is sought which would ensure that the eastern part of R1 is not used for access.

10. Matters relating to boundary disputes cannot be addressed in a local development plan. Should the outcome of any such dispute affect the current parameters of site R1, then the site could be amended in the next local development plan. I note that when consulted, the Scottish Environment Protection Agency (SEPA) did not raise concerns regarding flooding on site R1, but the potential flood risk associated with adjacent site R4 is discussed further below. As there is not a firm development proposal for the site, it is not yet clear where exactly access would be.

11. The concerns raised in the representation, about the potential impact on existing residential development in the area, are site-specific matters that are more appropriately addressed at planning application stage. Designation R1 reserves the land for environment and access improvements, not built development. I would expect the impact of any future proposals (including access arrangements) on the amenity, character and appearance of the area to be assessed against relevant policies such as policy P1 (Layout, Siting and Design) and P2 (Open Space and Access in New Development). No modification to the plan is required.

Site R6 – For a replacement primary school

12. Site R6 lies to the north of the town and is intended to accommodate a new primary school to replace the existing school. The site has been identified for a new primary

school since the 2012 local development plan. A representation has requested that the proposed new school be located elsewhere, due to concerns reading the loss of views of the Dunnydeer hillfort and traffic concerns. Appropriate developer contributions are also a concern.

13. The impact of development proposals on amenity, character and appearance of the area, including traffic and road safety would be assessed in relation to relevant policies such as policy P1 (Layout, Siting and Design) and policy P2 (Open Space and Access in New Development). Views from private households are not a planning matter. Appropriate contributions would be sought from qualifying development towards education provision in the area. I am satisfied that site R6 remains suitable for the provision of a new primary school. No modification to the plan is required.

Flood Risk

14. SEPA has requested an amendment to the flood risk section on page 552 of the plan. The amendment would address the finding of the recent Inch flood study undertaken by the council and which concluded that allocated sites in Inch would need to be considered in terms of resilience to flooding and climate change. The council agrees with the representation. I find that the proposed modifications would add clarity to the plan and the position on flood risk in the settlement. A modification to the flood risk section is set out below.

Services and Infrastructure

15. Scottish Water has requested that text be inserted into the ‘Strategic drainage and water supply’ bullet point on page 552 to address capacity and engagement matters and the potential requirement for Drainage Impact Assessments. I am satisfied that the proposed additional text would add clarity to the plan and a modification is recommended.

Site OP1 – Land at North Road

16. Three representees are objecting to site OP1 in the proposed plan. The site is located to the south-west of the town and at the time of my site visit appeared to be in use as private open space. The proposed plan refers to an existing planning consent for 48 homes and associated infrastructure, which the plan anticipates would be delivered from 2020.

17. One of the representations relates to the potential impact the allocation might have on the amenity of a nearby private residence, in terms of overlooking, privacy, views of Dunideer fort and a boundary issue. These are generally matters that can be addressed at planning application stage, when proposals would be assessed against relevant policies such as policy P1 (Layout, Siting and Design) and policy P2 (Open Space and Access in New Development). In this case, planning permission has already been granted for development on this site. Views from private households and boundary disputes are not planning matters.

18. The community council has submitted a detailed objection to the OP1 allocation, seeking its removal from the plan. A number of the concerns raised relate to the planning consent for 48 homes on the site and the associated infrastructure to deliver those homes. As the site is allocated in the existing local development plan, has planning permission, and

is identified as effective in the 2020 housing land audit, I consider that it is appropriate and reasonable to include allocation OP1 in the proposed plan.

19. In relation to traffic, the objection from the community council relates in part to traffic and roads matters already approved in the planning consent. I find that the local development plan is not the appropriate forum in which to continue to debate these matters. As there is a valid road construction consent in place, it is not possible to modify the plan to reflect the requested change.

20. SEPA and the community council have raised concerns regarding the outcomes of the detailed flood study for Inch. As set out in the above recommended modification to the flood risk section of the settlement statement, the study concludes that site OP1 is at a higher risk of flooding than previously anticipated.

21. SEPA has suggested that text be added to the allocation summary for OP1 to state that "If the extant permission lapses, it is unlikely any further development proposal would be permissible due to new flood risk information being provided by the Council's Flood Study for Inch." The council has not responded specifically to this aspect of SEPA's representation.

22. Given the significant implications that SEPA's requested wording would have for allocation OP1, if the existing permission were to lapse, a request for further information (FIR021) was issued to SEPA and the council seeking clarification on this matter.

23. The council confirmed that the March 2016 planning consent for 48 homes has been implemented. Furthermore, an additional flood risk assessment has been submitted with a more recent application to demonstrate that flood risk can be mitigated with appropriate SuDS design, riparian buffers and layout and floor levels.

24. Allocation OP1 reflects the planning permission for 48 homes, which was granted prior to the recent flood study, and has been implemented. It would therefore not be appropriate to include the wording originally suggested by SEPA, as this would only apply if this permission had lapsed.

25. However, in its response to the further information request, SEPA has provided further advice on flood risk matters in relation to site OP1. This states that "safe access and egress to the site would need to be demonstrated and existing surface water flooding issues on and adjacent to the site would need to be addressed", which may limit the developable area. I consider this information would be relevant, if revised proposals are submitted for the site. Consistent with the recommended modification to the flood risk section, I also consider that the allocation summary should make prospective developers aware of the potential implications of the recent flood study. Modifications to this effect are recommended.

Non-Allocated Bid Site GR015 – South of Inch Railway Station

26. Bid site GR015 is located to the south of the town, and immediately south of the railway station. At the time of my site inspection, the site appeared to be in agricultural use. The representation is promoting the site for 60 homes to be delivered in two phases, with 0.35 hectares of employment land and a new car park for Inch railway station. The bid submission indicates that the site was considered to be well located in a main issues

report in 2013, when the addition of employment/business land was suggested. The site has not been allocated in any local development plan.

27. The council has explained that the site was identified as a reserved option at the Main Issues Report stage because of the uncertainty over identifying a solution to providing access to the southern platform of the railway station. The representation wishes the site to be identified as a future opportunity for development in the next plan period. However, the council decided not to identify future opportunity sites in the proposed plan.

28. Issue 2 of this examination addresses general representations regarding the identification of future housing opportunity sites. This concludes that, whilst the strategic development plan allows local development plans to identify additional strategic reserves beyond 2032, there is no requirement to do so. I am satisfied that the council's decision not to identify future housing opportunity sites is in accordance with the strategic development plan.

29. I note that Nestrans has advised that options for improving accessibility at Inch station are currently being explored. Including site GR015 in the plan with an allocation for 60 homes and employment land may be premature, as it is not known if any part of the site would be required to deliver car parking and accessibility improvements to the stations. Furthermore, even if the site could be developed in the period up to 2032, the allocation of the site at this time is not needed to meet strategic housing or employment land requirements. No modification to the plan is required.

Non-Allocated Bid Site GR029 – Land at Drumrossie West, Drumrossie and Denwell Farm

30. A representee seeks the allocation of bid site GR029 for a phased housing-led mixed-use development with retail/commercial, community uses, open space/landscaping and associated infrastructure (total 598 homes and 175 square metres ground floor retail/commercial unit). Supporting information, including an updated indicative masterplan and phasing, was submitted with the representation. An allocation is sought for either site GR029a or GR029c in this local development plan for up to 200 homes, with the balance of the site and site GR029b being reserved for future development.

31. The strategic environmental report assessed the whole of site GR029 as having some negative effects, including the loss of prime agricultural land. At the Main Issues Report stage, one of either site GR029a or site GR029b was identified as being 'reserved' but not preferred for immediate development. In the Issues and Actions Paper, it was noted that future opportunity sites were not being identified in the plan.

32. The loss of prime agricultural land is noted, but I am satisfied that in line with Policy PR1 (Protecting Important Resources), the loss of prime agricultural land may be justified if required to meet strategic housing needs and there are no reasonable alternative sites.

33. Matters relating to overall housing provision in the proposed plan are covered in issues 2 and 5. I note that Inch is located within the Rural Housing Market Area. For the reasons set out in the schedule 4 for issue 5, it is concluded that sufficient housing land has been identified to meet the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032. The site is therefore not required to meet a strategic housing need and the loss of prime agricultural land would not be justified.

34. Issue 2 of this examination addresses general representations regarding the identification of future housing opportunity sites. This concludes that, whilst the strategic development plan allows local development plans to identify additional strategic reserves beyond 2032, there is no requirement to do so. I am satisfied that the council's decision not to identify future opportunity sites is in accordance with the strategic development plan. Within this context, I find that site GR029b and any balance of sites GR209a and GR029c should not be identified as future opportunity sites in this plan. No modification to the plan is required.

Non-Allocated Site OP2 (as identified in the LDP 2017) – Land at South Road

35. Site OP2 at South Road is allocated in the 2017 local development plan for 12 homes, but is not included in the proposed plan on the basis of non-delivery. At the time of my site visit, the site appeared to be in use as a commercial yard with a number of commercial buildings towards the rear of the site. I note that the site is within the settlement boundary and is brownfield in nature.

36. The representation is seeking an allocation of former site OP2 as reserved land for the provision of car parking and any other infrastructure necessary to support the continued viability of the railway station.

37. I note that submissions for this site and the proposed new allocation were not made at the bid or Main Issues Report stages of the plan preparation. The site has not been the subject of a strategic environmental assessment, nor has it be subject to any form of key agency or public consultation. Notwithstanding the information provided in support of the bid, I am unable to fully assess the merits or otherwise of the site at this time. However, as indicated by the council, a redevelopment proposal could potentially come forward as an infill opportunity, subject to assessment against relevant policies in the plan and material considerations.

38. No modification to the plan is required.

Reporter's recommendations:

Modify the local development plan by:

1. Replacing the second flood risk bullet point on page 552 with:

“• A detailed flood study by Aberdeenshire Council has confirmed that sites OP1 and R4 are at significant risk of flooding.”

2. Replacing the third flood risk bullet point on page 552 with:

“• SEPA has indicated that a further detailed Flood Risk Assessment will be required for site R4, which will need to demonstrate any development proposed is designed to be capable of remaining fully operational and accessible during an extreme flooding event and will not increase flood risk elsewhere.”

3. Adding the following new fourth flood risk bullet point on page 552:

“• Due to the presence of small watercourses running through or adjacent to the site, a Flood Risk Assessment may be required for sites OP3, R6 and BUS. Appropriate buffer strips will be required alongside the watercourses. Enhancement of any straightened watercourses and removal of any redundant features will require to be investigated.”

4. Adding the following new final sentence to the strategic drainage and water supply bullet point on page 552:

“Early engagement with Scottish Water is recommended.”

5. Adding the following sentence to the end of the allocation summary for OP1: Land at North Road on page 553:

“The Inch flood study, which was undertaken after the granting of planning permission, may have implications for development on this site. Safe access and egress to the site would need to be demonstrated, and existing surface water flooding issues on and adjacent to the site would need to be addressed, in any subsequent planning applications. This may reduce the developable area.”

Issue 34	Inverurie and Port Elphinstone	
Development plan reference:	Proposed LDP, Appendix 7D Garioch, Page 555-574	Reporter: Sinéad Lynch
Body or person(s) submitting a representation raising the issue (including reference number):		
PP0008 Ian Mitchell PP0032 Philip McKenzie PP0050 Tom Stewart PP0068 David Fasken PP0071 Derek Ramsay PP0080 Steven Park PP0089 Thomas Reid PP0193 Inverurie Loco Works Football Club PP0219 Lindsay Ross PP0223 William Lippe PP0272 Scottish Water PP0313 Gordon and Kathleen Mitchell PP0412 ANM Group Ltd PP0413 ANM Group Ltd PP0427 David Jack PP0524 Adam Maitland PP0572 Andrew Low PP0578 Scottish Government Planning and Architecture Division PP0592 ANM Group Ltd PP0697 Taylor Wimpey (East Scotland) Ltd The Mitchell Partnership PP0698 Taylor Wimpey (East Scotland) Ltd The Mitchell Partnership PP0699 Taylor Wimpey (East Scotland) Ltd The Mitchell Partnership PP0731 David Thomson PP0733 Paul Davison PP0760 Archie Whyte PP0782 Penelope Dransart PP0820 Graeme Hay PP0828 Kirkwood Commercial Park Ltd PP0831 Fred Wilson PP0843 CALA Homes (North) Limited PP0861 Inverurie Loco Works Football Club PP0866 The Gypsy/Traveller Community PP0867 George McLeod PP0875 Inverurie Community Council PP0878 The Woodland Trust Scotland PP0941 Michael Macaulay PP0983 Robert J Maitland PP0991 Bobby Maitland PP1010 A and S Rhind and Wilson PP1016 James Porter PP1082 c a s e CONSULTING Ltd PP1124 CALA Homes		

PP1172 Billy Thomson PP1173 Gillian Macaulay PP1219 Scottish Environment Protection Agency PP1220 Stewart Whyte PP1241 Nestrans PP1279 Bancon Homes PP1280 Bancon Homes PP1289 Dandara PP1290 Dandara PP1291 Dandara PP1293 Dandara PP1296 Barratt North Scotland PP1300 NatureScot (Scottish Natural Heritage) PP1313 Colin Miller PP1339 Nicola Hadden	
Provision of the development plan to which the issue relates:	Inverurie and Port Elphinstone Settlement Statement
Planning authority's summary of the representation(s):	
<p><u>General</u></p> <p>It is noted that greater consideration should be given to promoting tourism given the downturn in the oil and energy sector (e.g. no allocations for a caravan park, self-catering, town centre improvements, transport interchange and connectivity) (PP0223).</p> <p>A representee has raised concern that while core paths have been allocated through Keithhall Estate there is no connectivity at the south end, and the Council encourage a dangerous walk from the South Lodge to the cemetery (PP0223).</p> <p>The Settlement Statement lacks a strong commitment to promote walking, cycling and public transport which needs to form a crucial part to reduce vehicular transport. It is necessary for developers to incorporate footbridges and underpasses as an integral part of their plans. This essential infrastructure is not mentioned. The current wording of the Inverurie and Port Elphinstone Settlement Statement does not show sufficient commitment in paragraph P2.6 of Policy P2, Open Space and Access in New Development. The Settlement Statement needs strengthened so developers must make connections within Port Elphinstone and from the new Crichton development. Within the Settlement Statement there is a statement which mentions the aspiration of routes for walking and cycling to neighbouring communities, but this does not take account of the advice in Appendix 8 of the Proposed Local Development Plan (PLDP) which states there is a need for well-connected places not just an aspiration. Appendix 8 also notes about walkable neighbourhoods which the Inverurie and Port Elphinstone Settlement Statement does not indicate how this will be achieved. This particular statement is particularly weak for Port Elphinstone because it is not noted as having a centre despite the shops and school (PP0782).</p> <p>There is a need to ensure that Thainstone and Port Elphinstone are kept separate by protected areas and not merged by development. Policy should ensure there is no erosion</p>	

of undeveloped land between major settlements (PP0733).

A representee notes that they consider the limited housing market in Inverurie is due to a small number of developers having a 'monopoly', with sites being slow in coming forward, and the town's progress hindered by delays in the A96 dualling (PP0760).

No developments that require access to the A96 at Thainstone or Port Elphinstone roundabouts should be approved unless a comprehensive traffic model and assessment can demonstrate that traffic increase can be accommodated, and that any improvements will be paid for by developers. A traffic solution had been promised by the Council but as yet not implemented, and yet the developments at Crichtie and Thainstone Agricultural Centre remain in the LDP (PP0733).

Major developments included in the LDP since 2012 that have not progressed should be identified for removal from the LDP in the 5-year review. These include Crichtie, Kintore East and Woodland Croft developments. Out of date masterplans should be reviewed (PP0733).

Vision

The PLDP lacks vision, ambition and is a repeat of the LDP 2017. It is argued there are many existing and future derelict sites that require input and a positive approach from planners (e.g. St Andrews School, Gordon House, Market Place School, Harlaw Centre, Blythwood, the health centre, town hall and town centre) (PP0223).

It is queried why the Vision statement refers to Keithhall Estate as contributing to the town's open and green spaces when it is outwith the settlement boundary, without any allocation or consideration given to its potential development, enhancement, or protection (PP0223).

A new grade separated interchange on the A96 will be insufficient to accommodate the extra traffic caused by the number of new houses in the Crichtie development and its distance from the centre of Inverurie and Port Elphinstone. The LDP does recognise that the Scottish Government will dual the A96 between Inverness and Aberdeen but stronger wording in the Settlement Statement will assist Council Officers to protect existing public access routes including rights of way (PP0782).

Site P8 – To protect the landscape buffer/setting as forming part of the green-blue network

Site P8 should be extended south to cover the adjacent flood plain and protect the landscape setting of the green-blue network (P17). The representee argues this would ensure consistency with any protection afforded to the flood plain on the south side of the River Don (PP1313).

Site P9 – To protect the playing fields as forming part of the green-blue network

Site P9 should be extended north to cover the strip of undesignated land between P9 and P17 as protected land, as implied in the ALDP 2017. States it is illogical to have a strip of unprotected land between the River Don and the Protected Land at Davidson Field, part of the flood plain (PP1313).

Site P10 – To protect the playing fields as forming part of the green-blue network

A representee notes that Blythwood is subject to planning consent on site P10 and the logic of this site is queried (PP0223).

Site P15 – To protect the Uryside Riverside Park

There is a need to improve connectivity at the west end of Uryside Park as the Council has not undertaken works to improve Howford Bridge. It is reported that monies have already been paid by the developer for this work (PP0223).

Site P18 – To protect the golf course as an amenity for the settlement and forming part of the green-blue network

This site should be extended to cover the golf practice area, which is currently shown as agricultural land (PP0223).

Site P19 – To protect the football pitches and grounds

Representees have noted that if any part of Harlaw Park is re-zoned as protected land it would inhibit and curtail any plans of Inverurie Loco Works Football Club to enhance and contribute to the community of the Garioch area and beyond (PP0032, PP0572 and PP0843).

It is noted that the site should remain as part of the town centre. Representees, including Inverurie Community Council have noted that changing the area to a protected site would devalue the football club and hinder continued development of facilities by not allowing it to have tangible assets against which to borrow capital (PP0050, PP0068, PP0071, PP0080, PP0089, PP0427, PP0731, PP0831, PP0861, PP0941, PP1016, PP1124, PP1172, PP1173 and PP1220). A representee, PP0861, has included an Appendix (RD0156.A) in their representation which provides further detail to support their position. Concerns were also raised that the change was made without consultation being undertaken with the football club (PP0071, PP0193, PP0731, PP0831, PP1124, PP1172, PP1173 and PP1220). The proposed amendment was not present in earlier drafts of the PLDP (PP1220).

There has been little opportunity provided to bring forward a proposal under the terms of the existing mixed-use allocation and as such it is premature to reallocate this site (PP0193, PP0223, PP0427 and PP0875). Protecting this site as open space will restrict potential development in the town centre (PP0223).

The current zoning for mix used development is considered appropriate for a site which lies adjacent to the defined town centre. Even with mixed use, the facility has protection from Sports Scotland who require the replacement of facilities lost with equivalent or better facilities in a suitable location. Proposed paragraph P3.1 allows for sites which can contribute to house and employment land requirements. Given the location of the site adjacent to town centre, existing residential and employment uses it would be more appropriate to retain the existing zoning or white land to fulfil the objective of this policy (PP0843).

The general public do not have access to the site, and it should not be considered as open space (PP0193, PP0223, PP0941, PP1124 and PP1172), and is surrounded by fencing

(PP0427) and is not considered open space as defined by proposed paragraph PR1.6 (PP1016). The decision to protect the site appears to be on the basis of the Open Space Audit but this has not been made available to the public nor to the Councillors when arriving at the proposed zoning. There is sufficient open space in Inverurie and as such no need to protect the football grounds (PP0193, PP0427, PP0820 and PP0843). The site should be able to come forward as an infill opportunity due to its proximity to the town centre and the fact that there is a desire for the Football Club to relocate to larger grounds in any case (PP0193). Protecting this area would also lead to treating this area differently to other football grounds in Banff and Pitmedden (PP1016).

Any new development surrounding the site should contribute open space to the park. No modification sought (PP0032).

Site P26 – To protect an area of open space forming part of the green-blue network

A representee queries the contribution of site P26 protected area in front of Anderson's at the main A96 roundabout and why the landscaped area to the northwest has been excluded (PP0223).

Site R1 – For transport interchange

Scottish Environment Protection Agency (SEPA) has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Nestrans has noted that the boundary is less extensive than previously defined boundaries for a proposed transport interchange at this location. Nestrans recognises the importance of identifying the preferred route for the A96 dualling around Inverurie and has supported the dualling project within the draft Regional Transport Strategy (RTS). Nestrans are also seeking improvements to rail services north of Inverurie as part of a second phase of Aberdeen to Inverness improvements (RD0227.A) (PP1241).

Site R2 – For an extension to Ury Riverside Park

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R2 (RD0214.B). No modification sought (PP1219).

Representees have stated that site R2, has not been agreed by the landowners and that it can only be delivered in conjunction with new development on part of site R2 that is outwith the flood plain (PP0223 and PP0983). Additionally, it was not highlighted that the site R2 would be classified as protected through the Plan. Developing the site would create better infrastructure, at Howford Bridge upgrade and also allowing Uryside Park expansion improvement, including bridge crossings. No modification sought (PP0991).

Site R3 – To enable development of community and education facilities

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R3 (RD0214.B). No modification sought (PP1219).

The site should be extended to include the existing buildings, games hall and the new sports and recreation facilities attached to the school (PP0223).

Site R4 – For community uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R4 (RD0214.B). No modification sought (PP1219).

The need for the site for community use is questioned as the site was originally allocated to replace St Andrews Special School. However, the school now forms part of the Inverurie School Campus (PP0223).

Site BUS1 – Safeguarded for business uses

Representees have requested that the northwest of the boundary of the site is amended to exclude a residential area at Versatile Square (PP0008 and PP0223).

Site BUS2 – Safeguarded for business uses

A representee objects to proposed development at BUS2 on the basis that the existing buildings combined with the trees behind the Strathburn Hotel have already contributed to a deterioration in television reception. Additionally, the representee is concerned that there is already a large number of seagulls nesting in the Burghmuir Circle area and if further places to nest are provided, they will become even more vicious and noisier (PP1339).

Site SR1 – Reserved for strategic employment land

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site SR1 (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has requested the addition of a new 'Flood Risk' bullet point for sites OP5, OP3, OP13 and OP16 as they will require a Flood Risk Assessment due to a watercourse or surface water flooding (RD0214.B) (PP1219).

SEPA has requested adding a new 'Flood Risk' bullet point for site OP4 as it requires a Flood Risk Assessment due to a recent detailed flood study by Aberdeenshire Council (RD0214.B) (PP1219).

SEPA has requested adding a new 'Flood Risk' bullet point for all the BUS sites in order to be consistent with the SFRA, as they may require a Flood Risk Assessment due to surface water flood risk areas and/or are adjacent to watercourses. They also add, it should state a requirement for buffer strips and re-naturalisation of watercourses (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Scottish Water has requested that under the bullet point for 'Strategic drainage and water supply' Insert after this sentence, "There is currently available capacity at Inverurie Waste Water Treatment Works. A Drainage Impact Assessment may be requested." (PP0272).

It is imperative that the LDP and Delivery Programme outline the specific required infrastructure that developments will be required to provide in order for development to be delivered. The Council should set out a clear position on what trunk road infrastructure is needed to support development within the Plan, in addition to how, when and by whom it will be delivered. The Plan should detail that sites OP5 and OP6 are required to deliver a new grade separated junction on the A96(T) to replace the current A96 Crichie and A96 Port Elphinstone roundabouts. This wording should be consistent throughout the Plan and its accompanying documents. Consented sites OP5 and OP6 have been identified as delivering the A96 Crichie grade separated junction. However, sites OP9 and OP10 have also been linked to the delivery of this junction within the DPMTAG Assessment Report. OP10 has consent and does not contain any conditions requiring it to deliver or contribute to the A96 Crichie grade separated junction. Therefore, the Plan needs to be clear regarding which sites are to contribute to, or deliver, the trunk road infrastructure needed to support development within the Plan, including the new A96 grade separated roundabout. It should also outline how, when and by whom the infrastructure is to be delivered for sites OP5 and OP6 (PP0578).

Transport Scotland is very concerned over the current capacity issues on the A96(T) in Inverurie and that new sites are being proposed with no information on the potential impact and potential mitigation measures. Sites OP15 and OP16 should have been appraised as part of the DPMTAG based appraisal to determine impact and mitigation. Therefore, it is recommended text is included within sites OP15 and OP16 that a cumulative appraisal is required to be undertaken including both sites, utilising the data from the DPMTAG Report which accompanied the Proposed Plan to determine any potential impact to the A96(T) and identify if any mitigation is required to deliver the additional sites. It is considered the PLDP and Delivery Programme are not consistent in relation to the information included on transport infrastructure required to facilitate and mitigate development within Inverurie (PP0578).

The Settlement Statement for Inverurie and Delivery Programme details a confusing landscape of mitigation measures, which also do not link to the outcomes of the DPMTAG Report. It is recognised the infrastructure measures required to mitigate development in Inverurie are complex. A number of developments currently benefit from planning permission that require delivery of trunk road mitigation; some of these developments are currently in breach of planning conditions relating to these improvements whilst others require these improvements to be in place before they can proceed. Other developments require to deliver mitigation schemes that were agreed prior to the Scottish Government's decision to progress the A96 scheme, however it is recognised that until the preferred alignment of the A96 Scheme around Inverurie is confirmed, there remains a degree of uncertainty as to what the future infrastructure needs to serve development will be (PP0578).

The DPMTAG based appraisal concludes for Inverurie; "allocations OP9 and OP10 (2021 LDP designations for Axis Business Centre and Thainstone) should be linked to the provision of the grade separated junction" at Crichie. Also; "there remains concerns regarding the available capacity on the network at Inverurie". However, the LDP Settlement Statement does not link sites OP9 or OP10 to the delivery of the grade separation of Crichie, with site OP10 already having consent. The LDP does not link site OP9 to the provision of the grade separated junction either, instead detailing the site will require to assess network capacity at A96 Port Elphinstone and A96 Thainstone

roundabouts. This contradicts the DPMTAG Report. The Delivery Programme details that after 300 units a new grade separated junction for Crichtie has to be designed. It is not clear whether this is linked to sites OP5 and OP6, the 2021 LDP designations for development at Crichtie. The Delivery Programme also details “delivery of a grade separated junction on the A96 at Port Elphinstone roundabout” in one entry and then a “new grade separated junction to replace Thainstone and Post Elphinstone roundabouts” in another. This is confusing as it is one roundabout proposed to replace both current at grade roundabouts which is the responsibility of sites OP5 and OP6 to deliver. Contrary to SPP, the DPMTAG appraisal did not include the potential impact of the new development sites OP15 and OP16. Comments submitted by Transport Scotland in response to the appraisal in February 2020 requested that the cumulative impact of these new sites and those that are unconsented in Inverurie be considered and identify any potential mitigation measures that may be required within the Plan (PP0578).

However, the DPMTAG based appraisal did not include the new sites within the appraisal yet concluded “there remains concerns regarding the available capacity on the network at Inverurie”. Consequently, the LDP has not identified the potential impact on the safe and efficient operation of the trunk road network resulting from additional development. This is of significant concern to Transport Scotland given the uncertainty over trunk road capacity highlighted in the LDP DPMTAG Assessment Report that accompanied the Proposed Plan; and the inconsistency between the mitigation measures outlined within that appraisal, different parts of the Proposed Plan and the Delivery Programme. The Plan is not clear on what mitigation is required to be delivered by whom, when or by what means in accordance with SPP. To date Transport Scotland has had to seek stand-alone mitigation for development in lieu of a holistic approach (PP0578).

Site OP1 – Conglass

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Site OP2 – Former Garioch Health Centre

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

A representee disagrees with allocation of retail facilities on site OP2, which includes a health centre. It is argued that there are vacant retail units within the town, and that a longer-term vision needs to be applied, taking account of the economy and needs of the community (PP0223).

Site OP3 – Land at Harlaw Park

SEPA requests that for site OP3, if a new ‘Flood Risk’ bullet point is not added for this site, additional text is added to its allocation summary to state the reason for the Flood Risk Assessment is due to surface water flood risk (RD0214.B) (PP1219).

The site has been in the audit since 2011 and its ownership is constrained. Permissions on site have lapsed and there are potential contamination issues. The site is unlikely to be appropriate for 50 homes as supported accommodation. There is no reason for confidence that the constrained site will deliver during the Plan period (PP1082).

Site OP4 – Phase 2 Portstown

SEPA requests that the allocation summary states that should extant permission lapse, any future developments will have to take account of the latest Council Flood Study for Inverurie (RD0214.B) (PP1219).

Site OP5 – Crichtie (Residential and Community)

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP5 (RD0214.B). No modification sought (PP1219). A representee has objected to the inclusion of OP5 as it is likely to cause damage and/or loss to areas of ancient woodland. Removal of woodland is contrary to SPP paragraphs 216 and 218. It would also be contrary to the Control of Woodland Removal Policy. The representee has included an Appendix (RD0161.A) in their representation which provides further detail to support their position (PP0878).

The allocation summary for OP5 Crichtie correctly acknowledges that the site was previously allocated as site OP4 in the LDP 2017, and that a Development Framework (February 2013) and Masterplan (June 2013) were both approved for the site. However, it directs that both documents 'will need to be reviewed if development has not commenced on this site at the date of adoption of this Local Development Plan. The Aberdeenshire Council Development Plan Scheme 2019 predicts this as being Summer 2021. The representee takes issue with this and request that the requirement to review the Development Framework and Masterplan be removed (PP1290).

PPIP (APP/2013/0267) for 737 homes, business and industrial development, community facilities including a primary school was approved, subject to conditions, in December 2018. Condition 1 of that consent states: 'unless otherwise agreed in writing by the Planning Authority, details of the specified matters listed below shall be submitted for consideration by the Planning Authority before the expiration of 5 years from the date of the grant of the permission.' The condition is clear that the PPIP would not lapse until December 2023, which is some time after the summer 2021 anticipated adoption date of the proposed Plan. Therefore, it is wholly inappropriate for the proposed Plan to include a requirement for the development at Crichtie to review both Development Framework and Masterplan when there is a PPIP that can be implemented. It should also be noted that since the approval of the PPIP Dandara have worked with Aberdeenshire Council to prepare a layout for the development of the site. An MSC application was submitted in June 2019 and is currently pending determination. Once this application has been approved development will commence on site (PP1290).

The determination of the MSC is anticipated well in advance of the proposed Plan being adopted. This negates any perceived requirement in the proposed Plan for the Development Framework and Masterplan to be reviewed. The Development Framework and Masterplan were prepared at great cost by Dandara and both Dandara and Aberdeenshire Council spent time ensuring the documents would aid in the delivery of a quality development. These documents identify the key principles for the urban form and design of the development and there have been no changes to the principles adopted that would warrant a revisit. The principles of both documents have been followed in the preparation of the layout submitted by the current MSC application. It is evident that there is no need for the Development Framework and Masterplan to be revisited and the

requirement in the proposed Plan for them to be reviewed upon adoption of the proposed Plan should be removed (PP1290).

The supporting text to site OP5 goes on to state that, 'Cycling and pedestrian permeability to be provided and a formal route provided linking to the existing networks in Inverurie and Port Elphinstone crossing the A96'. This wording has changed from the wording in the current LDP which states, 'Pedestrian and cycling linkages will be required, particularly to ensure accessibility between the site and the existing built-up areas of Port Elphinstone'. Pedestrian and Cycle linkages are further covered by the approved PPIP for the site which directs in condition 1 C(ii) that 'a new foot and cycle path connection between the site (including from the area defined as Phases 1 and 2 on Fig 6.1: Indicative Phasing Plan as contained in the approved masterplan) and Riverside Park via the A96 (T) Don Bridge underpass' there is no requirement within the condition for this to be a formal route and the wording of the proposed Plan should be amended to reflect that; as it is in the current LDP (PP1290).

It is also noted that 'Transport Assessment updates should be provided in line with development phases'. The representee highlights that a Transport Assessment was approved during the determination of the PPIP. Condition 4 of the PPIP states: 'The overall development on the site (whether the subject of approval of matters specified in conditions or full planning permission) shall not exceed the following upper limits, unless otherwise agreed in writing by the Planning Authority an unless a revised Transport Assessment is submitted to and approved by the Planning Authority which demonstrates that the proposed revised upper limits would not generate a greater number of trips on the road network outwith the site: (a) Class 1 (retail) development on the site shall not exceed 1,500 square metres gross floor area; (b) Class 4 (business) development on the site shall not exceed 24,200 square metres gross floor area; (c) Class 5 (general industrial) development on the site shall not exceed 11,800 square metres gross floor area; (d) Class 6 (storage or distribution) development on the site shall not exceed 11,600 square metres gross floor area; (e) Class 9 (houses) development on the site shall not exceed 737 units. There is no limit on the floor space for education and ancillary uses not specified above. The above Classes are as defined in the Town and Country Planning (Use Classes) (Scotland) Order 1997 as amended. Reason: To restrict the scale of development to that identified in the Transport Assessment; minimise interference with the safe and free flow of traffic on the trunk road and wider road network, and to be consistent with the requirements of Scottish Planning Policy.' As such there is no requirement for additional Transport Assessments to be undertaken unless the upper limits cited in Condition 4 are breached. The proposed Plan should be amended to reflect that. The allocation summary for site OP5 fails to take into consideration the approved PPIP and currently pending MSC application for the site and should be amended to reflect that. The representee has included an Appendix (RD0245.A) in their representation which provides further detail to support their position (PP1290).

It is requested that the woodland and flood plain, located north of the Old Kemnay Road, currently in OP5, to be designated as protected land. It is argued this would not conflict with the approved Planning Permission in Principle on this site, the strip of woods and flood plain in the OP5 area have the quality to be designated as protected land, and it has the potential to add significantly to the future positive environment of the settlement (PP1313).

A representee also requests the linked area of broadleaved woodland south of Lynndale on Old Kemnay is added to the Protected Land designation in site OP5. It would not prejudice

the Crichtie development proposals, and the woodland has the quality to warrant it be designated as protected land to enhance the future amenity value of the settlement and provide access for people in the area (PP1313).

Site OP6 – Crichtie (Employment)

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP6 (RD0214.B). No modification sought (PP1219).

A representee has questioned the deliverability of site OP6 for 23.7ha employment land as this site has been allocated since 2012 and it is identified as constrained in the 2019 Employment Land Audit (PP0413).

A representee objects to the change of description in the development brief for site OP6 Crichtie (Employment), Inverurie and Port Elphinstone Settlement Statement. A proposed requirement includes a formal footway/cycleway connection made across the A96 into Port Elphinstone and Inverurie and it is requested to be removed. A condition was attached to the permission of planning application G/APP/2013/0267 (Planning Permission in Principle (PPIP)) which states that there would be delivery of a foot and cycle connection to Port Elphinstone at the outset of the development. The PPIP prevents the employment land from coming forward until such time as the Grade Separated Interchange (GSI) is delivered. There is no need to make this route formal in the Proposed LDP or in the approved planning application. The wording in the Proposed Plan should be amended to reflect this (PP1289).

In the development brief for OP6 Crichtie (Employment), it is stated that ‘an updated Transport Assessment should be provided as development comes forward’. A Transport Assessment was submitted and approved as part of the approved PPIP for the wider Crichtie development and there is no requirement to update this unless upper floor limits are breached. The Proposed Plan should be amended to reflect this (PP1289).

The development brief for OP6 Crichtie (Employment) should state the following, “This site was previously allocated as site E1 in the 2012 LDP and OP11 in the 2017 LDP, although the site boundaries have since been amended. It is located on the western side of the A96 to the immediate south of site OP5. A Development Framework and Masterplan including the site was approved in 2013, and the development must accord with these documents, which identify key principles for the urban form and design of the development. The development must make provision for 5 ha of high-quality business use. The site must contribute proportionally towards major improvements in relation to the Thainstone and Port Elphinstone roundabouts/junctions, including the construction of a new grade separated interchange on the A96 to replace the Thainstone and Port Elphinstone roundabouts. Full SuDS implementation and adequate buffer zone provision will be required to take account of the small watercourse which runs through the site.” The representee has included an Appendix (RD0244.A) in their representation which provides further detail to support their position (PP1289).

The supporting text for site OP6 states that “Formal footway/cycleway connections made across the A96 into Port Elphinstone and Inverurie”. A number of conditions associated with the PPIP addresses issues that were highlighted in the allocation summary including the foot and cycle connection to Port Elphinstone and that no more than 300 homes can be built until the GSI. It is also noted that there is no requirement in either the previous LDP’s

or the approved PPIP for this route to be formal. The wording in the Proposed Plan should be amended to reflect this. The supporting text for OP6 requests that 'An updated Transport Assessment should be provided as development comes forward'. The representee confirms that a Transport Assessment was submitted and approved as part of the approved PPIP for the wider Crichton development. As such there is no requirement for additional Transport Assessments to be undertaken unless the upper limits cited in Condition 4 are breached. The Proposed Plan should be amended to reflect that. To conclude the supporting text for sites OP6 fails to take into consideration the approved PPIP and currently pending MSC application for the site and should be amended to reflect that. The representee has included an Appendix (RD0246.A) in their representation which provides further detail to support their position (PP1291).

Site OP7 – Uryside Phase 2

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP7 (RD0214.B). No modification sought (PP1219).

Site OP8 – Former Hatchery

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP8 (RD0214.B). No modification sought (PP1219).

There are concerns that the final plans for site OP8, which has planning permission, does not provide a sufficient number of and size of trees and shrubs to provide screening along the southern boundary. The existing mature trees on site OP8 have been removed when they were meant to be retained as per the original planning permission to provide screening/privacy. The representee has included an Appendix (RD0030.A) in their representation which provides further detail to support their position (PP0219).

Site OP9 – Adjacent to Axis Business Centre

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP9 (RD0214.B). No modification sought (PP1219).

A representee supports the allocation of site OP9 for 1.5ha of business land, as the site is ideally located for business development, adjacent to the existing business centre, has no constraints to development, and, subject to demand, it is envisaged it will come forward in the next Plan period. The representee has included an Appendix (RD0064.A) in their representation which provides further detail to support their position. No modification sought (PP0412).

Site OP10 – Thainstone

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP10 (RD0214.B). No modification sought (PP1219).

Site OP11 – Pineshaw, Port Elphinstone

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP11 (RD0214.B). No modification sought (PP1219).

The respondent objects to the allocation of 54 homes at the site and raises concern at this increase from 25 units as allocated in the LDP 2017. The respondent states that there is no justification for this increase in housing units and states that the site is not suitable for 54 units and should be reduced to 25 units as per the LDP 2017 (PP1293).

The respondent also objects to the proposed wording in the Proposed LDP allocation summary for OP11 and seeks modification to the wording. The respondent seeks modification to the allocation summary to include reference to OP6 as they consider the site should also be designed to integrate with OP6. The respondent seeks modification to the allocation summary to maintain the requirement for the site to contribute proportionally towards the delivery of the foot and cycle connections to Port Elphinstone as it is stated that OP11 is set to benefit from delivery of the foot and cycle connections that will be delivered as part of OP5 Crichton development, which are also required to facilitate development at OP11. It is therefore contended that OP11 should be required to make proportional contributions towards these improvements, which they will benefit from and as such this should be referenced in the Proposed Plan. The respondent highlights that the requirement for the site to contribute proportionally towards major improvements in relation to the Thainstone and Port Elphinstone roundabouts/junctions, including construction of a new GSI on the A96 to replace the Thainstone and Port Elphinstone roundabout has been removed from the allocation summary. The respondent considers that the site, particularly if allocated for 54 units, will likely utilise improvements made to the surrounding road network. As such the respondent requests that the requirement for OP11 to contribute proportionately towards major improvements in relation to the Thainstone and Port Elphinstone roundabouts/junctions, including the construction of a new GSI on the A96 to replace the Thainstone and Port Elphinstone roundabouts, remains in the Proposed LDP. The respondent states that the expectation that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing is unacceptable and seeks modification to the wording of the allocation summary to explicitly state that the site will contribute to the delivery of affordable housing. The representee has included an Appendix (RD0248.A) in their representation which provides further detail to support their position (PP1293).

Site OP12 – North Street, Inverurie

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP12 (RD0214.B). No modification sought (PP1219).

Site OP13 – Kirkwood Commercial Park, Thainstone

SEPA recommend that the allocation text removes '(FRA)' for consistency (RD0214.B) (PP1219).

Site OP14 – Land Northeast of Thainstone Roundabout

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP14 (RD0214.B). No modification sought (PP1219).

The site should be retained as per its current use in the LDP 2017 for business use. The proposed alternative use of a halting site is not justified and there is no evidence of need (PP0313, PP0592, PP0733, PP0828 and PP0867). The use is not compatible with the surrounding employment uses, and there has been no appropriate consultation (PP0313, PP0592 and PP0828), and it is unclear how the site was allocated as there was no bid

(PP0828 and PP0867). There are access issues, and the ambiguity of where the site should be delivered within the wider employment area creates uncertainty that affects marketability and the potential for investment in the Thainstone/Crichie employment area. The allocation of the halting site could impact on the marketability of other sites within the business area and will provide no confidence of positive investment of BUS 1-8 which are safeguarded for business use (PP0828). It is also queried how the Council will overcome the drainage and technical constraints to deliver the site (PP0828). Concerns are also noted as to when the site will be delivered as no timescales been set for delivery (PP0866). A representee has included an Appendix (RD0090.A) in their representation which provides further detail to support their position (PP0592).

The proposal also contradicts Policy B2, Employment and Business Land as the site is not included in Appendix 7 (PP0592 and PP0828). A representee also queries why access to OP14 is via BUS6, as this is land across the opposite side of the access road to the Kirkwood Commercial Park. Additionally, it is queried if site OP14 was previously part of BUS6 in the 2017 LDP (PP0313). A requirement for a comprehensive traffic assessment should be added to demonstrate traffic can be accommodated at the roundabouts and that any improvements are paid for by the developer (PP0733). It is also noted that the proposed tree planting would not provide an appropriate solution (PP0828). Additionally, the site is poorly located for a halting site as it is incompatible with the neighbouring uses and the Council should set out a process of seeking to identify a suitable gypsy/traveller site using clear criteria and appropriate consultation (PP0828). The representee has included an Appendix (RD0152.A) in their representation which provides further detail to support their position (PP0828).

Site OP15 – Land West of Bennachie View Care Home

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP15 (RD0214.B). No modification sought (PP1219).

In respect of the uncertainty of the route of the A96, the approach the Council has taking in delaying land is noted however the allocation of OP15 is objected to. The rationale of having land in this location rather than the more sustainable location of the site at Souterford is challenged (PP0697, PP0698 and PP0699). The site would also further extend the settlement along the A96. It is also noted that the land is on a north facing slope meaning it has poor solar gain and is partially within a designated historic battlefield. Most of the above points were noted by Council Officers in the response to the previous ALDPs MIR (PP0699). Another representee also notes that the sites are located at the edge of the settlement, remote from services, not supporting the town centre, not lowering the carbon footprint and therefore not providing sustainable development. More housing development is needed in Inverurie that will better connect with and sustain facilities in Inverurie (PP0760).

NatureScot requests that the allocation summary for site OP15 in Inverurie and Port Elphinstone includes a requirement for active travel provision, as it is a large allocation (130 homes) and it would help promote safe and convenient opportunities (in accordance with the Proposed Plan's aims) (RD0255.B) (PP1300).

Site OP16 – Land West of Conglass Cottages

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues

with the allocation summary for site OP16 (RD0214.B). No modification sought (PP1219).

In respect of the uncertainty of the route of the A96 the approach the Council has taking in delaying land is noted however the allocation of OP16 is objected to. The rationale of having land in this location rather than the more sustainable location of the site at Souterford is challenged (PP0697 and PP0698). Another representee also notes that the sites are located at the edge of the settlement, remote from services, not supporting the town centre, not lowering the carbon footprint and therefore not providing sustainable development. More housing development is needed in Inverurie that will better connect with and sustain facilities in Inverurie (PP0760).

NatureScot has requested that the allocation summary for site OP16 in Inverurie and Port Elphinstone includes a requirement for active travel provision, as it is a large allocation (50 homes), the allocation summary already says, "Access and connectivity should be integrated with site OP1. Footway links require to include a crossing on Burghmuir Drive", and it would help promote safe and convenient opportunities (in accordance with the Proposed Plan's aims) (RD0255.B) (PP1300).

Non-Allocated Site – Bid Site GR027 – Site A, Land West of Blackhall Road

Part of GR027 is within the settlement boundary within the 2017 LDP as P15 and was in the 2012 LDP as R3 to allow for the relocation of St Andrews School. It has been highlighted that the relocation of the school is no longer a requirement, but the Proposed Plan still continues to identify the land as R4 for undefined community uses. The only prospect of community uses coming forward would be part of a wider sustainable residential-led development which is why the land at GR027 should be reserved for future growth. FOPs should be introduced to provide clarity to communities and help to ensure that there is a 5-year land supply even if some allocations fail to deliver. The representee has included two Appendices (RD0186.A and RD0186.B) in their representation which provides further detail to support their position (PP1010).

Non-Allocated Site – Bid Site GR028 – Site B, Mains of Blackhall, West of Blackhall Road

The site has the capability to accommodate appropriately phased development immediately adjacent to the existing settlement boundary and address the housing requirements set by the SDP. At the MIR stage the lack of clarity over the level of housing required in Inverurie was raised by the client and it was noted that at that point the MIR focused on already allocated sites. There was a change at the Proposed Plan stage where Officers deemed it appropriate to allocate additional sites. The response, therefore, in the Issues and Actions Paper, for not allocating this site being that there was not a strategic need to allocate a site of this scale, is a misrepresentation of facts.

A substantial portion of the site is a former farm complex which therefore presents a brownfield redevelopment opportunity which is in line with SPP which actively encourages the re-use or redevelopment of brownfield land. This was previously acknowledged by the Reporter. One of the sites that has been allocated is OP15 which is on the fringe of the settlement, immediately adjacent to the A96, visually prominent and substantially detached from the town centre leading to reliance on the private car. Conversely the site (GR028) is a natural infill site more readily absorbed into the landscape, brownfield redevelopment opportunity, opportunities to link into recent and ongoing development and would make a positive place making contribution and Officers' perception that it does not relate well to the

existing urban form are refuted. The density was promoted at 100 homes to take account of the land that would need to be kept free due to the overhead powerlines and just because it is not developed at the density of 25 houses per hectare should not be a reason to disregard the allocation of the site. The site Neighbours on to employment land OP10 and in line with paragraph 40 of SPP. It is logical and sustainable to site residential use in close proximity to employment land to minimise the need to travel therefore constitutes towards the right development in the right place as advocated by paragraph 15 of SPP (PP1010).

Non-Allocated Site – Bid Site GR057 – Land at East Balhalgardy Farm (Bid 1), Bid Site GR058 – Land at East Balhalgardy Farm (Bid 2) and Bid Site GR059 – Land at East Balhalgardy Farm (Bid 3)

A representee has objected to an effective embargo on greenfield housing allocations in the Blackburn to Inverurie Strategic Growth Area pending confirmation of the preferred route of the A96. Dualling of the A96 is a strategic project that is not intended to provide capacity for housing in particular areas. None of the routes under consideration impact directly upon this site. East Balhalgardy provides a logical extension to the OP3 site allocated in the current, adopted local plan, is within a short walk of the Uryside Primary school and would facilitate the extension of the Uryside Park. The submitted LVIA demonstrates that development of the site would not have an adverse impact on the Harlaw battlefield or monument. It is contended that there is an effective housing land shortfall within the Aberdeen Housing Market Area and this site would contribute to meeting this. The representee has included two Appendices (RD0235.A and RD0235.B) in their representation which provides further detail to support their position (PP1279).

Non-Allocated Site – Bid Site GR061 – Land North and East of St, James Walk and Bid Site GR062 – Land at St James Place

A representee has objected to an effective embargo on greenfield housing allocations in the Blackburn to Inverurie Strategic Growth Area pending confirmation of the preferred route of the A96. Dualling of the A96 is a strategic project that is not intended to provide capacity for housing in particular areas and that it is for the LDP to ensure that housing can be delivered along with the necessary infrastructure. None of the routes being considered conflict with these sites. It is contended that there is an effective housing land shortfall within the Aberdeen Housing Market Area and this site would contribute to meeting that. The flood risk on part of the site is noted however the numbers have been calculated assuming that this land would not be developed. 80% of the site is well above the flood plain and can be developed without constraint. In terms of visual impact, it is assumed that a development of this scale would go through the masterplanning process and be subject to a detailed visual impact assessment and strategic landscape planning. The representee has included two Appendices (RD0236.A and RD0236.B) in their representation which provides further detail to support their position (PP1280).

Non-Allocated Site – Bid Site GR091 – Land at Souterford and Lofthillock

Land at Souterford has previously been assessed for residential development but has not been allocated due to a number of reasons including the focus on securing a grade separated interchange. The land currently allocated has not sufficiently affected several key issues for Inverurie including affordable housing and land for a new primary school. The land is sustainable and is consistent with the Spatial Strategy set out in the SDP. It is

acknowledged that the SDP notes that development in the area is likely limited due to the consideration of the bypass, but non-allocation of the land is against the SDP Housing Land Allowance as the current buffer of 1000 will be reduced to just 80 given the Report included in the Examination of the SDP.

Allocating this land will restore the level of housing land supply. There is a real issue with affordable housing within Inverurie and although there seems to be a large amount of allocations, they are not delivering the 25% affordable units meaning there is an under supply of affordable housing. This is already a major concern of the town and needs to be addressed. This site would deliver 25% affordable homes and a further 10% accessible homes which would help towards the issue identified. The allocations in Inverurie are dominated by two developers so this site would provide housing choice for residents. The new school at Uryside has opportunities to extend and it is noted that the school roll will go beyond capacity. The site at Souterford would provide land for a two-stream school and be able to provide contributions for the delivery of the school as there is no opportunity for further contributions from the granted development at Uryside/Portstown. The location of the A96 has no bearing on the suitability of the land for housing and a new primary school. The representees have included a number of Appendices (RD0118.A- RD0118.B and RD0119.A- RD0119.C) in their representations which provides further detail to support their position (PP0697 and PP0698).

Non-Allocated Site – Bid Site GR117 – Land North of Lochter Drive, Uryside (Phase 3)

There is a strategic argument to include this site as an allocation. The Phase 3 expansion of the existing housing development can be delivered alongside the previously allocated sites OP7 and OP8 in the LDP 2017. It should be identified as an allocation for 500 housing units in the future phases of the LDP to ensure that there is a ready supply of housing in a logical location. A phase 3 expansion of an existing housing development provides a demonstrably available and realistic prospect to serve future housing needs. The landscape can accommodate further housing with minimal impact. The identification of A96 dualling options provide certainty for at least the southern portion of the proposed site to be allocated. It can be programmed alongside the adjacent housing allocations at Uryside. Therefore, the proposed site would be a continuation of the previous phases and not a standalone site. An extension of an existing allocation provides several benefits. The Council have taken a precautionary approach until the preferred route for dualling the A96 has been selected – the identification of options provides some certainty. Flooding, tree loss, impact on listed building could all be addressed through masterplanning and careful design. The representee has included an Appendix (RD0251.A) in their representation which provides further detail to support their position (PP1296).

Non-Allocated Site – Bid Site GR131 – Land at Braeside Farm and Thainstone

A representee requests that sites 'a' and 'b' within bid site GR131 are included in the LDP for 13 hectares of employment or strategic reserve employment land. States that sites 'a' and 'b' of bid GR131 are well located to extend the existing business park operations at Thainstone, that Thainstone is an important regional business destination, and while the phased expansion of the commercial park is underway, it is important that there is future provision for growth, particularly as the Local Development Plan is being promoted as a ten-year Plan. Also, the sites represent deliverable development sites that can assist in delivering the employment land requirement for the Aberdeen to Huntly Strategic Growth Area and assist with meeting the requirements of the PSDP 2018. The proposed sites are

a natural extension to the key employment and commercial hub that already exists at Thainstone, there are no constraints, and the PLDP should be allowing for future growth in this LDP (PP0413).

It is also requested that all, or part, of site 'c' within bid GR131 is identified as strategic reserve employment. The PLDP does not identify sufficient strategic reserve land to satisfy the PSDP, which requires 28 hectares of strategic reserve land in the Aberdeen-Huntly SGA, as what was SR1 is now part of OP10 and delivery of OP6 and SR1 is uncertain. However, this site would ensure that the opportunity for future economic growth is provided for both at Thainstone and to meet the wider needs of the growth corridor. The site is a natural extension to the key employment and commercial hub that already exists at Thainstone, there are no constraints, and the PLDP should be allowing for future growth in this LDP. The representee has included an Appendix (RD0065.A) in their representation which provides further detail to support their position (PP0413).

Non-Allocated Site – Bid Site GR137 – Land East of Rothienorman Road, Howford

Bid site GR137 should be allocated as a mixed-use site for 109 homes and extension to Uryside Riverside Park. Changing of the proposed site to a mixed-use site will allow for the expansion of Uryside Park whilst at the same time providing a small housing development that could contribute proportionally towards the required improvements of the infrastructure network as well as the Howford Bridge crossing on the B90001 over the River Ury. Development would allow for footpaths and cycle connectivity to be made between the riverside park and development sites at OP3 and BUS1 (PP0524 and PP0991).

None of the potential routes for the A96 dualling project would prejudice the delivery of the site at Howford. The local road network is already being assessed by the Council and contributions could be agreed for any local improvements. The location and size of this development, alongside the benefit of delivering a large area of parkland should be further considered. The site is well situated in location to the ongoing Uryside development OP4 and would provide the additional benefits required to supplement this development. The argument for protecting due to the presence of prime agricultural land is no longer relevant. Due to the site's proximity to the large development at Uryside it would make maintaining the area for agriculture extremely problematic for the local community due to heavy requirement for spreading of organic manures such as slurry. The requirement to transport slurry tankers in and out of this site which is now sandwiched between Inverurie developments on three sides would result in heavy complaints from the public. This continuous and cyclic process of slurry spreading will also have an impact on the current Uryside Park causing a deterrent for the public due to proximity to this farmland smell (PP0524).

Modifications sought by those submitting representations:

General

Modify the PLDP to allow the Inverurie Settlement Statement the ability to consider proposals for tourism, including caravan park, self-catering, town centre improvements, transport interchange and connectivity (PP0223).

Modify the PLDP to improve connectivity at the south end of the Keithhall Estate within the Inverurie Settlement Statement (PP0223).

Modify the PLDP to create a stronger commitment to promoting walking, cycling and public transport within the Inverurie and Port Elphinstone Settlement Statement (PP0782).

Modify the PLDP to designate protected areas to prevent coalescence of Thainstone and Port Elphinstone and ensure a policy is in place to protect the land (PP0733).

Modify the PLDP to remove constraints that hinder housing delivery in Inverurie (PP0760).

Modify the PLDP to ensure developments requiring access to the A96 at Thainstone and Port Elphinstone roundabouts are only approved subject to a comprehensive traffic assessment, and improvements paid for by developers (PP0733).

Modify the PLDP to ensure that major developments that have not progressed since the LDP 2012 are removed at the 5-year review, and that masterplans are kept up to date (PP0733).

Vision

Modify the PLDP to ensure the Vision statement has a more positive approach for the town, especially to existing and future derelict sites (PP0223).

Modify the PLDP to review the role of Keithhall Estate and likely designations for potential development, enhancement, or protection (PP0223).

Modify the PLDP to replace the current text for the Vision statement with, “within the Crichton area ... will help address traffic congestion issues through the provision of a new grade separated interchange on the A96.” (PP0782).

Site P8 – To protect the landscape buffer/setting as forming part of the green-blue network

Modify the PLDP to extend the P8 boundary south to cover the adjacent flood plain (PP1313).

Site P9 – To protect the playing fields as forming part of the green-blue network

Modify the PLDP to extend the P9 north to cover the strip of land adjacent to the river (PP1313).

Site P10 – To protect the playing fields as forming part of the green-blue network

Modify the PLDP to exclude land within the P10 site that has planning permission (PP0223).

Site P15 – To protect the Uryside Riverside Park

Modify the PLDP to improve connectivity at the west end of Uryside Park by improving Howford Bridge (PP0223).

Site P18 – To protect the golf course as an amenity for the settlement and forming part of the green-blue network

Modify the PLDP to extend the P18 designation to include Inverurie Golf Course practice area (PP0223).

Site P19 – To protect the football pitches and grounds

Modify the PLDP to remove the P19 designation to retain as its current zoning (PP0032, PP0050, PP0068, PP0071, PP0080, PP0223, PP0427, PP0572, PP0731, PP0843, PP0861, PP0875, PP1016, PP1124, PP1172 and PP1173).

Modify the PLDP to remove the P19 designation (PP0089, PP0427, PP0820 and PP0831).

Modify the PLDP to remove the P19 designation and leave the area as white land or retain for a mixed-use development (PP0193 and PP0941).

Site P26 – To protect an area of open space forming part of the green-blue network

Modify the PLDP to protect the landscaped area to the north west of the Anderson's A96 roundabout (PP0223).

Site R1 – For transport interchange

Modify the PLDP to amend the boundary of site R1 to extend the site to include extra land to the west (PP1241).

Site R2 – For an extension to Ury Riverside Park

Modify the PLDP to allocate land for development on site R2 that is outwith the flood plain (PP0223 and PP0983).

Site R3 – To enable development of community and education facilities

Modify the PLDP to extend the R3 site to include the existing buildings, games hall and the new sports and recreation facilities attached to the school (PP0223).

Site R4 – For community uses

Modify the PLDP to remove the R4 designation for a community use (PP0223).

Site BUS1 – Safeguarded for business uses

Modify the PLDP to amend the BUS1 boundary to exclude the residential area (PP0008 and PP0223).

Site BUS2 – Safeguarded for business uses

Modify the PLDP to remove the BUS2 site at Inverurie (PP1339).

Flood Risk

Modify the PLDP to add a new 'Flood Risk' bullet point, "Due to watercourses running through or adjacent to the site and/or surface water flooding, Flood Risk Assessments will

be required for sites OP5, OP13 and OP16. A Flood Risk Assessment may be required for site OP3.” (PP1219).

Modify the PLDP to add a new ‘Flood Risk’ bullet point, “A detailed flood study by Aberdeenshire Council has confirmed site OP4 is at risk of flooding. A Flood Risk Assessment will be required for any future development on this site.” (PP1219).

Modify the PLDP to add a new ‘Flood Risk’ bullet point, “All BUS sites have surface water flood risk areas and/or are adjacent to watercourses. A Flood Risk Assessment may be required. Appropriate buffer strips will be required alongside the watercourses. Re-naturalisation of the watercourses and removal of any redundant features should be investigated.” (PP1219).

Services and Infrastructure

Modify the PLDP to amend wording under ‘Strategic drainage and water supply’ to include, “A Drainage Impact Assessment may be requested.” (PP0272).

Modify the PLDP to ensure the LDP and Delivery Programme outline the specific required infrastructure that developments will be required to provide in order for development to be delivered (PP0578).

Site OP2 – Former Garioch Health Centre

Modify the PLDP to remove the retail element of the site OP2 for a mix of uses including housing and retail uses (PP0223).

Site OP3 – Land at Harlaw Park

Modify the PLDP to amend the OP3 allocation, if a ‘Flood Risk’ bullet point is not added as requested by SEPA, the following text should be added to the allocation summary, “A Flood Risk Assessment will be required due to surface water flood risk” is added to the allocation text.” (PP1219).

Modify the PLDP to remove the contribution of 50 homes to the allowances for OP3 Inverurie and identify an alternative effective allocation in the SGAs of the AHMA (PP1082).

Site OP4 – Phase 2 Portstown

Modify the PLDP to add the following to the allocation summary, “Should extant permission lapse any future developments will have to take account of the latest Council Flood Study for Inverurie.” (PP1219).

Site OP5 – Crichton (Residential and Community)

Modify the PLDP so that the allocation summary for site OP5 remains as per the LDP 2017 to state, “This site was previously allocated as site H1 in the 2012 LDP and OP4 in the 2017 LDP. It is located to the west of Port Elphinstone on the western side of the A96. A Development Framework was approved in February 2013, and a Masterplan for the site was subsequently approved in June 2013. Future development proposals should take account of these documents, which identify key principles for the urban form and design of

the development. The lower lying area of the site along the river should be retained and enhanced as a natural corridor to secure the setting of the River as well as to provide opportunities for enhanced recreational linkages. The site must contribute proportionally towards major improvements in relation to the required road and junction capacity possibly including the construction of a new grade separated interchange to replace the Thainstone and Port Elphinstone roundabouts to facilitate later stages of development. Accesses to the initial phase of development (no more than 300 dwellings) are expected to be via the B993 Kemnay Road, although subsequent stages of development will require an additional access to the south of the site from the new grade separated interchange. Pedestrian and cycling linkages will be required, particularly to ensure accessibility between the site and the existing built-up areas of Port Elphinstone. Significant areas of woodland within and adjoining the site should be retained and enhanced wherever possible. The northern part of the site is at risk of flooding from the River Don, and a flood risk assessment will be required to support any development in this part of the site. Full SuDS implementation and adequate buffer zone provision will be required. Water impact assessment and drainage impact assessments will be required. The demand for water and waste water capacity for the non-domestic element of this development will depend on the business use and early engagement with Scottish Water is recommended in this respect.” (PP1290).

Modify the PLDP to amend the allocation boundary to designate the woodland and flood plain as protected land (PP1313).

Modify the PLDP to amend the allocation boundary to designate the broadleaved woodland south of Lynndale on Old Kemnay as protected land (PP1313).

Site OP6 – Crichie (Employment)

Modify the PLDP to remove site OP6 (PP0878).

Modify the PLDP to review the deliverability of OP6 for 23.7ha employment land (PP0413).

Modify the PLDP to remove reference to the requirement of a formal footway/cycleway connection made across the A96 into Port Elphinstone and Inverurie from site OP6 Crichie (Employment), Inverurie and Port Elphinstone Settlement Statement (PP1289).

Modify the PLDP to remove the following sentence from the statement of OP6 Crichie (Employment) from the Inverurie and Port Elphinstone Settlement Statement, “an updated Transport Assessment should be provided as development comes forward.” (PP1289).

Modify the PLDP to delete the existing development brief for OP6 Crichie and replace the wordings with the following, “This site was previously allocated as site E1 in the 2012 LDP and OP11 in the 2017 LDP, although the site boundaries have since been amended. It is located on the western side of the A96 to the immediate south of site OP5. A Development Framework and Masterplan, including the site, was approved in 2013, and the development must accord with these documents, which identify key principles for the urban form and design of the development. The development must make provision for 5ha of high-quality business use. The site must contribute proportionally towards major improvements in relation to the Thainstone and Port Elphinstone roundabouts/junctions, including the construction of a new grade separated interchange on the A96 to replace the Thainstone and Port Elphinstone roundabouts. Full SuDS implementation and adequate buffer zone provision will be required to take account of the small watercourse which runs through the

site.” (PP1289 and PP1291).

Site OP8 – Former Hatchery

Modify the PLDP to ensure there is screening of a sufficient size along the southern boundary of site OP8 (PP0219).

Site OP11 – Pineshaw, Port Elphinstone

Modify the PLDP to reduce the allocation size to 25 homes, as per the 2017 LDP (PP01293).

Modify the PLDP to amend the allocation summary for proposed site OP11 to read: “This site was previously allocated as site OP14 in the LDP 2017. Located off the B993 Kemnay Road the site abuts site OP5. It is well screened by topography and vegetation. Wet habitats may be present on site. Appropriate investigation and adequate buffers/protection will therefore be required. Water network reinforcement may be required and early engagement with Scottish Water is recommended in this respect. Development must be designed to integrate into the wider Crichton development at sites OP5, OP6 and OP10 Thainstone. Access and permeability to integrate with site OP5. The site must contribute proportionately towards the cost of the footway and cycleway connections to Port Elphinstone and Inverurie that are required to facilitate this development as well as that of OP5 Crichton. Access from the B993 is dependent on measures installed on this road as part of the OP5 development, otherwise access should be taken from Ardennan Road. Two access points are required. The site must also contribute proportionally towards major improvements in relation to the Thainstone and Port Elphinstone roundabouts/junctions, including the construction of a new Grade Separated Interchange on the A96 to replace the Thainstone and Port Elphinstone roundabouts. A Transport Assessment will be required as part of this development. This site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and be integrated into the design of the development to provide a mix of house types and sites to meet local need.” (PP1293).

Site OP13 – Kirkwood Commercial Park, Thainstone

Modify the PLDP to remove “(FRA)” from the allocation summary (PP1219).

Site OP14 – Land Northeast of Thainstone Roundabout

Modify the PLDP to review the need for a gypsy/traveller site on site OP14 (PP0313).

Modify the PLDP to allocate OP14 as land reserved for employment land (not and/or Gypsy/Traveller halting site) (PP0592 and PP0828).

Modify the PLDP to amend the OP14 allocation to remove the halting site, and designate for employment use only, with the requirement for a comprehensive traffic assessment (PP0733).

Modify the PLDP to amend the OP14 allocation to provide a timescale for the development of the halting site and information on the decision to allocate the site for the purpose of a gypsy/traveller site (PP0866).

Site OP15 – Land West of Bennachie View Care Home

Modify the PLDP to remove the OP15 allocation and include land at Souterford and Lofthillock for residential uses (450 private units, affordable and accessible homes), a primary school and a riverside park (PP0697).

Modify the PLDP to remove the OP15 allocation and include land at Souterford and Lofthillock for residential uses (270 private homes, affordable and accessible homes), a primary school and a riverside park (PP0698).

Modify the PLDP to remove the OP15 allocation and relocate the homes to Souterford (bid site GR091) (PP0699).

Modify the PLDP to remove the OP15 allocation and provide housing allocations that better connect with and sustain facilities in Inverurie (PP0760).

Modify the PLDP to add text to the allocation summary for to read, "Provision for active travel is required." (PP1300).

Site OP16 – Land West of Conglass Cottages

Modify the PLDP to remove the OP16 allocation and include land at Souterford and Lofthillock for residential uses (450 private units, affordable and accessible homes), a primary school and a riverside park (PP0697).

Modify the PLDP to remove the OP16 allocation and include land at Souterford and Lofthillock for residential uses (270 private homes, affordable and accessible homes), a primary school and a riverside park (PP0698).

Modify the PLDP to remove the OP16 allocation and provide housing allocations that better connect with and sustain facilities in Inverurie (PP0760).

Modify the PLDP to add text to the allocation summary to read, "Provision for active travel is required." (PP1300).

Non-Allocated Site – Bid Site GR027 – Site A, Land West of Blackhall Road

Modify the PLDP to provide clarity over the continued identification of R4 for community uses (PP1010).

Non-Allocated Site – Bid Site GR028 – Site B, Mains of Blackhall, West of Blackhall Road

Modify the PLDP to include GR028 as an opportunity site for around 100 homes and GR027 should be identified as a future opportunity site for around 260 homes (PP1010).

Non-Allocated Site – Bid Site GR057 – Land at East Balhalgardy Farm (Bid 1), Bid Site GR058 – Land at East Balhalgardy Farm (Bid 2) and Bid Site GR059 – Land at East Balhalgardy Farm (Bid 3)

Modify the PLDP to allocate sites GR057, GR058 and GR059 for up to 200 homes, unless

more housing land is allocated around Inverurie to facilitate the delivery of roads infrastructure improvements on a cumulative basis in which case the site could accommodate up to 500 homes (PP1279).

Non-Allocated Site – Bid Site GR061 – Land North and East of St, James Walk, Inverurie and Bid Site GR062 – Land at St James Place

Modify the PLDP to allocate sites GR061 and GR062 for up to 100 homes to the east of the combined site and up to 900 homes on the whole site (subject to transport upgrades) (PP1280).

Non-Allocated Site – Bid Site GR091 – Land at Souterford and Lofthillock

Modify the PLDP to include land at Souterford and Lofthillock for residential uses (450 private homes, affordable and accessible homes), a primary school and a riverside park (PP0697).

Modify the PLDP to include land at Souterford and Lofthillock for residential uses (270 private homes, affordable and accessible homes), a primary school and a riverside park (PP0698).

Non-Allocated Site – Bid Site GR117 – Land North of Lochter Drive, Uryside (Phase 3)

Modify the PLDP to allocate site GR117 for 500 new homes as an extension of OP7 and amend the description of OP7 in Appendix 7D to the following: OP7: Uryside Phase 2 and Phase 3 Allocation: 866 homes (Phase 2 – 366 (remaining) and Phase 3 –500 (new)) (PP1296).

Non-Allocated Site – Bid Site GR131 – Land at Braeside Farm and Thainstone

Modify the PLDP to allocate sites ‘a’ and ‘b’ within bid site GR131 for 13 hectares of employment or strategic reserve employment land (PP0413).

Modify the PLDP to allocate site ‘c’ within bid site GR131 as strategic reserve employment land (PP0413).

Non-Allocated Site – Bid Site GR137 – Land East of Rothienorman Road, Howford

Modify the PLDP to reallocate site R2 as an opportunity site for 109 homes and a riverside park (PP0524 and PP0991).

Summary of responses (including reasons) by planning authority:

General

The aspiration for the town to become better equipped in terms of tourist facilities is something that is noted within the Vision of the Settlement Statement. Policy B3 Tourist Facilities also notes what is required for any new tourist attractions or tourist accommodation within settlements. Tourist attractions/accommodation can be developed within Inverurie as long as the principles within Policy B3 are taken account of. Additionally, this is something that could come through the development of Local Place Plans to be noted as a desire of the community which would then be looked at through the

preparation of future LDPs. The regulations for these are coming into force through the new Planning (Scotland) Act 2019. No change is required.

The core paths that are identified on the Settlement Statement maps are the existing core paths that form part of the adopted core paths network. These are not something that have been allocated through the LDP. The process of adoption of additional core paths is a separate process and not something that is completed through the LDP. No change is required.

The concerns regarding additional walking and cycling routes are noted. Within the Vision of the Settlement Statement, it notes the aspirations of connections between Inverurie and Port Elphinstone and other neighbouring settlements. Additionally, within the Services and Infrastructure sections of the Settlement Statement it also notes “development may be required to contribute to footway extensions, upgrades and crossing facilities, cycle infrastructure and public transport provision. Contributions and connections will be required towards the Inverurie to Oldmeldrum and Inverurie to Kemnay strategic cycle routes. All development will be required to show links to the Inverurie Active Travel networks” (AD0041.G, page 558). This shows the commitment to ensuring that active transport is at the forefront of decisions within the Plan. Additionally, within Policy P1 Layout, Siting and Design there are six qualities of successful places, one of which notes that new development needs to be well connected (AD0041.A, page 48). No change is required.

The comments relating to Thainstone and Port Elphinstone are noted. However, planning permission was granted for the development at Crichie which is in the location of the desired protected site, meaning that this is not an option. It should, however, be noted that the development of Crichie has been carefully considered and open space areas have been designed into the development to incorporate woodland that is onsite and to provide buffers to existing development. No change is required.

The LDP does not allocate land based on the house builder promoting the site but allocates sites which range in size and scale to allow for different developers to provide a mix of housing. There are several different house builders operating in the Inverurie area. There are a number of existing network issues, but this has not provided a constraint to development within the corridor and there are some transport mitigation improvements planned to be undertaken this year. Also, a Development Planning and Management Transport Appraisal Guidance (DPMTAG) assessment was carried out to support the preparation of the PLDP. This notes the impacts that developments will have on the road network. No change is required.

Concerns regarding the lack of progress for some of the major sites is noted. It is noted that the sites have been included in the Plan since 2012 however, the sites have been progressing towards development by overcoming constraints before development can commence on the ground. In terms of masterplans, there is a new requirement coming through Policy P1 Layout, Siting and Design. The proposed policy requires masterplans to be reviewed every 5-years. As noted within the Issues and Actions papers the introduction of the review process is to allow the masterplans to reflect updates in national guidance and policy (AD0040.E, page 106). This will ensure that masterplans remain up to date. No change is required.

The comments from Nestrans are noted. No change is required.

Vision

Concerns regarding the Vision of the Plan are noted. In terms of the existing and future derelict sites within the settlement this is something that can be addressed through policies within the LDP. Policy P3 Infill Developments within Settlements and Householder Developments which supports development on vacant sites within settlement boundaries (AD0041.A, page 50). This would then allow for development to be taken forward on these particular sites and not require to be specifically allocated for re-development. No change is required.

The proposed Vision was prepared in collaboration with Inverurie Community Council. It was requested by the Community Council that the statement relating to Keithhall Estate was included within the Vision as whilst it is noted that the area is outwith the settlement boundary, as defined by the Settlement Statement, it is an important recreation area for residents. No change is required.

A grade separated junction is noted as a concern. This is something that is noted within the Settlement Statement as a requirement for development. It is noted through the Vision and also the Services and Infrastructure section that a grade separated junction is a requirement. No change is required.

Site P8 – To protect the landscape buffer/setting as forming part of the green-blue network

The request for the protected site to be extended is noted. However, it is not felt that it is required to extend this area to include the land between the P8 site and the P17 site. The P8 site is to protect the buffer that is in place behind the existing housing on St James's Walk, by extending this site it would be introducing more land than just a buffer to the area. Additionally, the P17 site includes the River Don and the embankments of the River Don which again is serving a different purpose. No change is required.

Site P9 – To protect the playing fields as forming part of the green-blue network

The boundary of site P9 is in place is to protect the playing fields at Davidson Fields. The boundary, therefore, follows the boundary of the playing fields to ensure that this area is protected for the amenity value it adds to the area. It is not felt that it is necessary to extend the boundary of the site to include the area of land between this protected site and P17. The land between the two sites does not form part of the playing fields nor part of the River Don area. It therefore does not require to be protected for either purpose. No change is required.

Site P10 – To protect the playing fields as forming part of the green-blue network

The concerns by the representee are noted. The former care home is included within part of the P10 allocation. An enquiry has been submitted for the site to develop some affordable housing on the site, however, to date no planning application has been submitted for development. The Planning and Environment Service are aware that the Council's Property Service are in discussions regarding this site and the potential redevelopment of the site but as there are no firm proposals/applications available for the site it is deemed to be appropriate for the site to remain as part of the P10 protected site. No change is required.

Site P15 – To protect the Uryside Riverside Park

The purpose of site P15 site is to protect the Uryside Riverside Park. The concerns raised by the representee are noted. Improvement works are part of the development associated with the park. The developments to the north west and north east of the park are still under construction. The required work to improve Howford Bridge can still happen. No change is required.

Site P18 – To protect the golf course as an amenity for the settlement and forming part of the green-blue network

Comments from the representee are noted. The practice area is currently outwith the settlement boundary. It is not considered, at this stage, that it is necessary to amend the settlement boundary and the P18 designation boundary to include the practice area within the settlement and site. No change is required.

Site P19 – To protect the football pitches and grounds

The PLDP proposed a number of additional protected land designations within the Settlement Statements following an update to the Open Space Audit accounts. This update exercise undertaken during 2019 was recognised within the Issues and Actions papers arising from the Main Issues Report (MIR) 2019 consultation (AD0040.E, page 138). Within the LDP 2017 the Inverurie Loco Works Football Club grounds forms part of a wider opportunity site (OP2) allocated for a “mix of uses including 180 homes, 0.5 ha of employment land, community facilities and a variety of retail uses” (AD0034.G). Importantly the Development Framework, prepared in 2004, referred to in the allocation summary does not include the Football Club’s grounds. Through rationalisation of opportunity sites, as alluded to in the MIR, the OP2 site has been removed in favour of identifying only the remaining development opportunities (AD0038.E, page 38). Namely, the redevelopment of the former medical practice (Proposed LDP site OP2) and land at Harlaw Drive subject to bid GR084 (Proposed LDP site OP3). It is noted that no development bid was received in 2018 in response to the Council’s Call for Sites to retain or seek any alternative uses on the Football Club’s grounds. For clarity, whilst the OP2 allocation in the LDP 207 is named, “Inverurie Town Centre”, the allocation summary recognises that the site, “adjoins, and partially contains, the defined town centre of Inverurie”. The Football Club’s grounds do not currently, nor are proposed, to fall within the designated town centre as shown by a red dashed line in the Settlement Statement map.

Whilst the 2010 Open Space Audit remains baseline information, the Audit update exercise was carried out with the purpose of updating the Settlement Statements and associated mapping to ensure new open space areas were included. The Audit exercise also provided an opportunity to address any inconsistencies across the Settlement Statements in relation to protections applied to open spaces or address any gaps found in the original Audit as well as accounting for changes made to allocated sites during preparation of the PLDP. Identification of the Football Club’s grounds as open space falls into this latter grouping and was included as protected land on the basis of the existing OP2 allocation being rationalised, and for consistency, the Council have sought to protect the football grounds in the same way as we have in other settlements, for example in Turriff.

For the reasons set out above the Loco Works Football Club’s grounds have been identified in the Proposed LDP as site P19 “to protect the football pitches and grounds”. In

policy terms, any development proposed on the protected area would require, to comply with Policy PR1 Protecting Important Resources and specifically, paragraph PR1.6 which outlines that important areas of open space are identified as protected land within the Settlement Statements. There is a caveat within the policy to allow for the development of essential community infrastructure. The Planning and Environment Service believe that, in principle, the improvement works proposed by the Football Club in relation to provision for disabled access and replacement of the existing Clubhouse, assuming its proposed replacement is contained within the footprint of the existing Clubhouse and does not lead to a deficit of open space in the settlement, could come forward in accordance with Policy PR1. The protected land designation would however mean that any proposal coming forward that is for other uses, such as housing, would be contrary to the LDP and as such would be treated as a departure. No change is required.

Site P26 – To protect an area of open space forming part of the green-blue network

Site P26 was identified as a protected site to ensure that the open space that is located between the new housing development and the A96 roundabout forms part of the green-blue network. The area questioned by the respondent has not been included to form part of the green-blue network as it was partially removed from the area due to the road network. However, if the Reporter is minded, to make an amendment, then the Council recommend that the boundary of the P26 protected site could be modified to include, the land to the north of the site bound by the A96 roundabout.

Site R1 – For transport interchange

Comment from SEPA is noted. No change is required.

Nestrans note that the boundary of the transport interchange is not as robust as previously noted. It is requested that the boundary is extended, the requested change is shown within the representation by Nestrans. It is acknowledged that this is an important function within the town. Therefore, The Council confirms that it intends to address Nestrans comment through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

Site R2 – For an extension to Ury Riverside Park

Comment from SEPA is noted. No change is required.

Comments from the representee are noted in relation to the development of the site. In relation to the query about the R2 site, this site was noted through the recommendations within the Issues and Actions Papers to be reserved for the extension of the Uryside Park (AD0040.E, page 49). Issues relating to development on the site are discussed below under bid site GR137 Land East of Rothienorman Road, Howford. No change is required.

Site R3 – To enable development of community and education facilities

Comment from SEPA is noted. No change is required.

The reserved land designation was included within the LDP to reserve the area for community and education facilities. Development on the site has taken place and is mostly completed. It is however, felt that it would be premature to remove the allocation to allow the development and associated works to be completed. It is not felt that it is necessary to

expand the designation to include land that has already been completed as the designation is to hold land for development. It would seem that it would be more appropriate to review the reserved land designation in the process of the preparation of a future LDP. No change is required.

Site R4 – For community uses

Comment from SEPA is noted. No change is required.

It is noted within the Issues and Actions paper that recommendation 3 of the paper identifies that P15 should be removed from the Plan (AD0040.E, page 49). The P15 designation is the designation of this land under the LDP 2017. It is therefore an omission on the Council's behalf that the site has remained in the Plan for community uses. The land has changed from a protected site to a reserved site to allow this area of land to be future proofed. There is a lack of community facilities within this part of Inverurie and it is thought to be appropriate to retain this protected site for this use. No change is required.

Site BUS1 – Safeguarded for business uses

Two representees note that an area of residential land has been included in the BUS1 designation. It is deemed that it would be appropriate to remove this area of land from the allocation to ensure that the allocation only contains land which is able to be developed. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

Site BUS2 – Safeguarded for business uses

The concerns by the representee are noted. The BUS2 site is not a new designation nor is it an opportunity site which proposes a new development opportunity. The BUS designations are in the LDP to protect the areas of already developed business land for this purpose. The BUS2 allocation is fairly well developed with the potential opportunity for small infill development. No change is required.

Site SR1 – Reserved for strategic employment land

Comment from SEPA is noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comments through non-notifiable modifications, as set out in the list of Non-Notifiable Modifications.

Services and Infrastructure

Comment from SEPA is noted. No change is required.

The Council confirms that it intends to address Scottish Water's comments through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

The comments from the Scottish Government are noted. The request for the LDP and Delivery Programme to be more specific in terms of trunk road requirements is noted. It is

felt that the text included within the LDP is sufficient in terms of highlighting the requirement for the works to be completed. The function of the Delivery Programme is to set out how the Local Authority is going to deliver the LDP. It is noted that greater detail should be included within the Delivery Programme as this is the document that is proactive and constantly updated as the situation progresses. It is therefore, felt that there is no need to update the text within the LDP as the Delivery Programme delivers this function. No change is required.

Although, a preferred route of the A96 dualling at this location has been identified, more detailed work still requires to be progressed and delivery of this infrastructure is still unknown at this time. With this being said, work has progressed since these comments were submitted as part of the consultation as discussions are underway with all relevant parties including the Council, developers and Transport Scotland to progress with the identified improvements. The outcomes of these discussions will be highlighted within the Delivery Programme and continued to be monitored. No change is required.

The comments regarding the DPMTAG are noted. Given the uncertainty of proposals for the A96(T) from the Scottish Government it is very difficult to come to any meaningful conclusions in the DPMTAG on what works may be required from developments to address cumulative traffic impacts. Comments in relation to OP10 are noted., consent for the development has already been granted so no new conditions can be attached to this site. Conclusions reached by Aberdeenshire Council in the DPMTAG do not accord with the actions taken by the Scottish Government in consideration of the granting of that consent, In relation to OP9 the LDP reflects the need for further assessment to be undertaken once the alignment of the A96 dualling in the vicinity of Inverurie becomes clear and the recognition in the DPMTAG that grade separation at Crichton may not be required in the long-term.

A full Transport Assessment for sites OP15 & OP16 for the purposes of identifying new trunk road mitigations was not carried out for inclusion of the DPMTAG. This is the correct approach given that the level of trip generation is very small in comparison to the traffic flows that have resulted in the concerns regarding capacity of the trunk road network around Inverurie, and the commitments made from significantly larger developments to address the impacts generated from the last decade of housing growth in the town. Predicted impacts on the trunk road (estimated at approximately 40 vehicle movements in peak periods) can be assessed in a Transport Assessment, made alongside a planning application, when the trunk road position is clearer and also allowing the developer to seek alternative mitigations through more sustainable means, rather than through prescribed road capacity enhancements.

Site OP1 – Conglass

Comment from SEPA is noted. No change is required.

Site OP2 – Former Garioch Health Centre

Comment from SEPA is noted. No change is required.

The concerns by the representee are noted. The OP2 allocation is located within the boundary of Inverurie Town Centre and therefore the text highlighting that retail uses are expected at ground floor level is appropriate. Through the Town Centre First Principle that is adopted by the Council and the sequential assessment required by Policy B1 Town

Centre Development this site is an appropriate site for retail development (AD0041.A, page 25. No change is required.

Site OP3 – Land at Harlaw Park

As requested by SEPA, additional text was added to the 'Flood Risk' bullet point. It is therefore not required to add any more text into the allocation summary. No change is required.

The comments from the representee are noted. It is acknowledged that the site is noted as constrained within HLA 2020, on ownership grounds (AD0023, page 65). However, the Council do not consider that ownership would be a constraint that could not be overcome. The site is located within the AHMA, and it is not considered that this constraint would impede development coming forward on the site. In light of this, the Council would consider that the constraints on OP1 identified by the representee would be easily overcome within the Plan period and as such the site should remain in the PLDP. No change is required.

Site OP4 – Phase 2 Portstown

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

Site OP5 – Crichtie (Residential and Community)

Comment from SEPA is noted. No change is required.

The concerns raised by the representee are noted in relation to the loss of ancient woodland. However, the site is progressing towards delivery as the site has an approved Development Framework, Masterplan and also planning permission. It should be noted, however, that there are policies within the Plan that protect woodland and these would have been used when assessing the planning application for the site. No change is required.

In response to the concerns regarding a number of issues that are covered through the conditions attached to the planning application and duplicated within the allocation summary including the Transport Assessment and formal footway/cycle paths, it is noted that it seems appropriate to maintain these requirements within the allocation summary in case the planning application lapses. No change is required.

The request for two additional protected sites within the Settlement Statement are noted. However, through the development of the masterplan and the planning application (APP/2013/0267) careful consideration was given to the design of the development to ensure that the woodland that was located within the site remained (masterplan, AD0090, page 37). Therefore, currently it is not seen as necessary to have these sites noted as protected sites. However, once development on the site is completed this could be reassessed. No change is required.

Site OP6 – Crichtie (Employment)

Comment from SEPA is noted. No change is required.

It is noted that the site is infrastructure constrained within the Employment Land Audit 2019 however, it is noted through the agreed masterplan the employment element of the site was not to progress until phase 6 (AD0090, page 75). As the housing phases that are to be completed initially have been delayed this has had a knock-on impact on the delivery of the employment element. As the phasing of the site was agreed through the masterplan it does not seem appropriate to remove the allocation. No change is required.

In response to the concerns regarding a number of issues that are covered through the conditions attached to the planning application and duplicated within the allocation summary including the Transport Assessment and formal footway/cycle paths, it is noted that it seems appropriate to maintain these requirements within the allocation summary in case the planning application lapses. No change is required.

The request for the change to the allocation summary is noted. The changes requested by the representee are minimal and only really make changes to remove the assessment noted above. As noted above, it is not deemed that it is necessary to review these assessments in case the planning application lapses. It is therefore, not considered appropriate to make changes to the allocation text. No change is required.

Site OP7 – Uryside Phase 2

Comment from SEPA is noted. No change is required.

Site OP8 – Former Hatchery

Comment from SEPA is noted. No change is required.

Comments from the representee are noted. However, the issues raised by the representee were dealt with through the development management process. No change is required.

Site OP9 – Adjacent to Axis Business Centre

Comment from SEPA is noted. No change is required.

Comments in support of the allocation are noted. No change is required.

Comments made by the Scottish Government that the DPMTAG identified that a contribution should be made to the provision of a grade separated junction at Crichton, cannot be sustained as the DPMTAG identifies that grade separation at Crichton may not be required in the long-term. No change is required.

Site OP10 – Thainstone

Comment from SEPA is noted. No change is required.

Comments made by the Scottish Government that the DPMTAG identified that a contribution should be made to the provision of a grade separated junction at Crichton, cannot be sustained as no such condition was applied to the consent issued by Ministers on appeal (following refusal of the planning application by Aberdeenshire Council) resolved by the Scottish Government and the subsequent Matters Specified in Conditions granted

by Aberdeenshire Council without objection from Transport Scotland and without any condition relating to the grade separated junction at Crichtie. No change is required.

Site OP11 – Pineshaw, Port Elphinstone

Comment from SEPA is noted. No change is required.

Comments from the representee are noted. Concerns have been raised in relation to the increase in density. The site was increased from the allocation in the LDP 2017 to 54 units based on a 25 house per hectare being applied to undeveloped housing sites in the Aberdeen Housing Market Area. The site capacity was changed in order to ensure that the site was not underdeveloped. No change is required.

It is noted that there is a request for the site allocation summary to specifically mention contributions to the grade separated junction on the A96. It is not felt that this is required. At such times as a detailed proposal comes forward the site will be assessed to determine the site's impact on all infrastructure and the site will require to contribute proportionally to any infrastructure where necessary. No change is required.

Site OP12 – North Street, Inverurie

Comment from SEPA is noted. No change is required.

Site OP13 – Kirkwood Commercial Park, Thainstone

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

Site OP14 – Land Northeast of Thainstone Roundabout

Comment from SEPA is noted. No change is required.

The requirement for a halting site for gypsy/travellers required within the Thainstone/Crichtie employment area is not new. This was highlighted as a requirement within the LDP 2017, see page 393. However, one of the major differences between the LDP 2017 and the PLDP is that a site has now been allocated in order to deliver this requirement. Through discussion at the Garioch Area Committee on 3 September 2019 the Committee added a recommendation to those proposed by Officers to identify a suitable site for a gypsy/traveller site in the Port Elphinstone/Crichtie/Papermill area in the Proposed LDP (AD0145 and AD0040.E, page 50). This site was selected as it is considered an appropriate site for developing a gypsy/traveller halting site. Concerns are noted regarding not meeting the requirements set out in policy in terms of amenities etc, however through development of this site, alongside other developments in the area, will help to overcome these concerns. No change is required.

Site OP15 – Land West of Bennachie View Care

Comment from SEPA is noted. No change is required.

The site was allocated after consideration of the sites within the Issues and Actions Papers. It was noted within the Issues and Actions Paper that although there were a couple of constraints associated with the sites that the site should be allocated for development

including the requirement for a landscape buffer (AD0038.E, page 44). The site also links in with the wider development at Conglass. Additionally, within the allocation summary the requirement for bus stop infrastructure is noted to ensure that there are linkages to within the settlement but also outwith the settlement. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

In respect of the Scottish Governments suggestion that a cumulative appraisal should be undertaken with both OP15 and OP16 to address impacts on current capacity issues on the A96(T) in Inverurie, a holistic revised cumulative appraisal would not reflect the actions agreed and now forming part of the consents for major established developments. Capacity issues on the A96(T) have been recognised by Aberdeenshire Council since the Aberdeenshire Local Development Plan 2012 and a programme of cumulative mitigation is in place. A transport assessment to build on this reference case is an appropriate approach. No change is required.

Site OP16 – Land West of Conglass Cottages

Comment from SEPA is noted. No change is required.

The site was allocated after consideration of the sites within the Issues and Actions Papers. It was noted within the Issues and Actions Papers that, although there were a couple of constraints associated with the sites, the site should be allocated for development including the requirement for a landscape buffer. Additionally, within the allocation summary the requirement for bus stop infrastructure is noted to ensure that there are linkages to within the settlement but also outwith the settlement. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

In respect of the Scottish Governments suggestion that a cumulative appraisal should be undertaken with both OP15 and OP16 to address impacts on current capacity issues on the A96(T) in Inverurie, a holistic revised cumulative appraisal would not reflect the actions agreed and now forming part of the consents for major established developments. Capacity issues on the A96(T) have been recognised by Aberdeenshire Council since the Aberdeenshire Local Development Plan 2012 and a programme of cumulative mitigation is in place. A transport assessment to build on this reference case is an appropriate approach. No change is required.

Non-Allocated Site – Bid Site GR027 – Site A, Land West of Blackhall Road

The Council does not support allocating bid site GR027. As noted within the Main Issues Report the site is partially located within the settlement boundary and also located on a protected site within the 2017 LDP, which is to be removed from the PLDP (AD0038.E, page 40). It is also noted within the Main Issues Report that the site cannot be considered as a preferred site until the preferred route for the dualling of the A96 is selected. Although, the route of the A96 at this location has been decided, more detailed work still requires to be progressed and delivery of this infrastructure is still unknown at this time. Additionally, through the Issues and Actions paper NatureScot noted that development would go beyond the broad summit of Backhill of Davah which forms the natural landscape

setting to Inverurie (AD0040.E, page 47). It is therefore not seen that it is appropriate to allocate this land within the Plan. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR028 – Site B, Mains of Blackhall, West of Blackhall Road

The Council does not support allocating bid site GR028 as an opportunity site for around 100 homes. As noted within the Main Issues Report the site is adjacent to the settlement boundary, with a number of constraints requiring to be taken account of (AD0038.E, page 40). It is also noted within the Main Issues Report that the site cannot be considered as a preferred site until the preferred route for the dualling of the A96 is selected. Although, the route of the A96 at this location has been decided, more detailed work still requires to be progressed and delivery of this infrastructure is still unknown at this time. Additionally, through the Issues and Actions paper it is noted that based on the calculation of 25 houses per hectare the site could accommodate 158 homes. It is considered that there is not a strategic need to allocate a site of this scale in the Plan (AD0040.E, page 47). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Sites – Bid Site GR057 – Land at East Balhalgardy Farm (Bid 1), Bid Site GR058 – Land at East Balhalgardy Farm (Bid 2) and Bid Site GR059 – Land at East Balhalgardy Farm (Bid 3)

The Council does not support allocating bid sites GR057, GR058 and GR059 for up to 200 homes, unless more housing land is allocated around Inverurie to facilitate the delivery of roads infrastructure improvements on a cumulative basis in which case the site could accommodate up to 500 homes. Within the Main Issues Report, a number of constraints were noted for these sites including, prime agricultural land, flood risk, being within the Battle of Harlaw inventory battlefield and the impact on a B listed building nearby (AD0038.E, page 41). Also, through the Issues and Actions papers HES noted that the cumulative impact on the sites should be considered and that there was a potential for impact on the understanding and appreciation of the battlefield landscape and character (AD0040.E, page 42). It is also noted within the Main Issues Report that the site cannot be considered as a preferred site until the preferred route for the dualling of the A96 is selected. Although, the route of the A96 at this location has been decided, more detailed work still requires to be progressed and delivery of this infrastructure is still unknown at this time. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Sites – Bid Site GR061 – Land North and East of St. James Walk and Bid Site GR062 – Land at St James Place

The Council does not support allocating bid sites GR061 and GR062 for up to 100 homes to the east of the combined site and up to 900 homes on the whole site (subject to transport upgrades). Within the Main Issues Report it is noted that both of the sites are

located in areas of flood risk and that site GR062 would have an impact on the Bennachie Special Landscape Area (AD0038.E, page 42). It is also noted within the Main Issues Report that the site cannot be considered as a preferred site until the preferred route for the dualling of the A96 is selected. Although, the route of the A96 at this location has been decided, more detailed work still requires to be progressed and delivery of this infrastructure is still unknown at this time. Also, as noted within the Issues and Actions papers NatureScot have concerns regarding the sites noting that significant earthworks would be required for the GR062 site and also to ensure that ancient woodland was kept on the site. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR091 – Land at Souterford and Lofthillock

The Council does not support allocating bid site GR091 for residential uses (450 private homes, affordable and accessible homes), a primary school and a riverside park or for residential uses (270 private homes, affordable and accessible homes), a primary school and a riverside park. A number of constraints were highlighted for this site through the Main Issues Report including, flood risk, prime agricultural land and also the impact on the Keithhall Inventory Garden and Designed Landscape (AD0038.E, page 42). It is also noted within the Main Issues Report that the site cannot be considered as a preferred site until the preferred route for the dualling of the A96 is selected. Although, the route of the A96 at this location has been decided, more detailed work still requires to be progressed and delivery of this infrastructure is still unknown at this time. Through the consultation for the Main Issues Report, HES highlighted that the site could have potential to have a significant impact on the Keithhall Inventory Garden and Designed Landscape and there is a need to preserve the integrity of the designed landscape (AD0040.E, page 43). It is still maintained that the reasons outlined within the Main Issues Report and Issues and Actions papers remain relevant and it is not appropriate to allocate this site.

Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR117 – Land North of Lochter Drive, Uryside (Phase 3)

The Council does not support allocating bid site GR117 for 500 new homes as an extension of OP7 and amend the description of OP7 in Appendix 7D to the following: OP7: Uryside Phase 2 and Phase 3 Allocation: 866 homes (Phase 2 – 366 (remaining) and Phase 3 –500 (new)). As noted within the Main Issues Report the site is adjacent to the settlement boundary, with a number of constraints requiring to be taken account of (AD0038.E, page 43). It is also noted within the Main Issues Report that the site cannot be considered as a preferred site until the preferred route for the dualling of the A96 is selected. Although, the route of the A96 at this location has been decided, more detailed work still requires to be progressed and delivery of this infrastructure is still unknown at this time. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR131 – Land at Braeside Farm and Thainstone

The Council does not support allocating bid site GR131 sites ‘a’ and ‘b’ for 13 hectares of employment or strategic reserve employment land and site ‘c’ as strategic reserve employment land. A number of constraints were highlighted for this site through the Main Issues Report including landscape impact and the sites position with an HSE pipeline consultation zone (AD0038.E, page 43). It is also noted within the Main Issues Report that the site cannot be considered as a preferred site until the preferred route for the dualling of the A96 is selected. Although, the route of the A96 at this location has been decided, more detailed work still requires to be progressed and delivery of this infrastructure is still unknown at this time. Through the consultation for the Main Issues Report HES highlighted that the site could have potential to have an impact on the setting of Bruce’s Camp including the views to and from it if trees are felled (AD0040.E, page 44). It is still maintained that the reasons outlined within the Main Issues Report and Issues and Actions papers remain relevant and it is not appropriate to allocate this site. No change is required.

Non-Allocated Site – Bid Site GR137 – Land East of Rothienorman Road, Howford

The Council does not support allocating bid site GR137 for 109 homes and a riverside park. As noted within the Main Issues Report the site is on site reserved for Uryside Park, with a number of constraints requiring to be taken account of including the presence of prime agricultural land, flood risk and the potential for impact on the water environment (AD0038.E, page 43). It is also noted within the Main Issues Report that the site cannot be considered as a preferred site until the preferred route for the dualling of the A96 is selected. Although, the route of the A96 at this location has been decided, more detailed work still requires to be progressed and delivery of this infrastructure is still unknown at this time. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Reporter’s conclusions:

Preliminary Matters

1. The examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 34. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

General

3. A representation states that as the oil sector changes, more consideration should be

given to tourism development in the Aberdeenshire Area. I note that tourism is specifically addressed in the third paragraph of the vision for the settlement. I am satisfied that policy B3 Tourist Facilities sets out the principles for tourist facilities within settlements, which are matters that can be addressed as development proposals are assessed. No modification to the plan is required.

4. Concern is raised in a representation that, while core paths have been allocated through Keithhall Estate, there is no connectivity at the south end, and that the council is encouraging a dangerous walk from the South Lodge to the cemetery. I find that the designation of core paths is undertaken through the preparation of the core paths plan and therefore this is not a matter to be addressed in the local development plan. No modification to the plan is required.

5. A representation is concerned that the settlement statement does not show a sufficiently strong commitment to promoting walking, cycling and public transport in Inverurie and Port Elphinstone. Connectivity with new developments and protection for existing routes is sought. I note that the third and fourth paragraphs of the vision section address these matters, and where applicable, site specific requirements are set out in the allocation summaries. In the local transport infrastructure bullet point, the requirement for development to contribute to access routes and the active travel network is noted. I consider that the wording of the development plan is sufficient to provide protection for existing and new access routes. No modification to the plan is required.

6. A representation is seeking to ensure that land between Inverurie and Port Elphinstone remains undeveloped. A plan indicating the location of this land did not appear to accompany the submission. On my site inspection, I noted that although the land to the south of the River Don is currently undeveloped, it is the subject of an existing planning permission and allocation OP5 in the proposed plan. The consent and the allocation both seek to retain the existing woodland and I note that land to the east of the A96 is protected. No modification to the plan is required.

7. A representee notes that the limited choice in the housing market in Inverurie is due to a small number of developers having a 'monopoly', with sites being slow in coming forward, and the town's progress hindered by delays in the A96 dualling. I acknowledge that sites in Inverurie have been relatively slow in coming forward, for a number of reasons. However, I do not have any evidence to demonstrate that there is a monopoly, and find that the representations submitted to this plan demonstrate that there are a number of housebuilding companies active or wishing to become active in the area. The dualling of the A96 is a constraint, but nevertheless development is and has been carried out in the settlement. I do not consider that a change to the plan is required.

8. A representation states that development that accesses the A96 at Thainstone or Port Elphinstone roundabouts should not be approved, as the junctions cannot accommodate them. This is a valid concern and one that is also raised in the representation from Transport Scotland, which I address below. I consider that matters relating to transport infrastructure required to mitigate the impacts of development in Inverurie should be addressed in the Supplementary Guidance on Developer Obligations and Affordable Housing (see recommended modification in Issue 12). No specific change in relation to the Thainstone and Port Elphinstone roundabouts is required.

9. A representation is seeking the removal of major sites such as Crichtie, Kintore East

and Woodland Croft, as they have not progressed since the 2012 plan. Out of date masterplans should be reviewed. I note that some of the named major sites have planning consents and are progressing to delivery. All have been reviewed in the preparation of this plan and found capable of delivering homes in the plan period. I note that Policy P1; Layout, Siting and Design requires masterplans to be reviewed every five years. No change to the plan is required.

Vision

10. A representation is concerned that the plan lacks vision, ambition and is a repeat of the 2017 local development plan. The derelict sites in the town require a positive approach from the planners and the plan. I am satisfied that, although the vision for the settlement is broadly unaltered from the previous plan, this is not necessarily a negative outcome. The vision reflects the desired outcomes, many of which remain to be delivered and some of which are by their nature long term. The council advises that derelict sites can be addressed through the provisions of policy P3 Infill Developments within Settlements and Householder Developments, and do not require a specific allocation in the plan. I agree with this position, and find that policy P3 should provide sufficient flexibility to allow derelict sites to be re-developed for appropriate uses. No modification to the plan is required.

11. A representation queries why the vision statement refers to Keithhall Estate as contributing to the town's open and green spaces when it is outwith the settlement boundary. The council advises that it was included at the request of the community council, who identified it as an important resource for the town. I am content that the reference to the estate should remain in the vision, as it accurately references an important resource for the community. No change is required.

12. Concern is expressed in a representation that a new grade separated interchange on the A96 will be insufficient to accommodate the extra traffic caused by the number of new houses in the Crichton development. The allocation summary for site OP5 Crichton refers to the need for a new grade separated interchange to the south. Subject to a recommended modification, it also indicates that transport assessment updates may be required. These updates would provide the opportunity to identify further mitigation measures if necessary. No modification is recommended.

Site P8 – To protect the landscape buffer/setting as forming part of the green-blue network

13. A representation is seeking to extend site P8 to the south to cover the adjacent flood plain and protect the landscape setting of the green-blue network (P17). The representee argues this would ensure consistency with any protection afforded to the flood plain on the south side of the River Don. The council advises that P8 is designated to protect the amenity of housing on St James Walk. I noted at my site visit that the area is generally wooded, while the area to south is open and slopes to the river. P17 encompasses both river banks and serves to protect those areas. The area of land between P8 and P17 does not require specific protection and so I do not support its designation as such in the plan. No modification is required.

Site P9 – To protect the playing fields as forming part of the green-blue network

14. A representation suggests that site P9 be extended north to cover the strip of undesignated land between P9 and P17 as protected land. It is considered illogical to have

a strip of unprotected land between the River Don and the protected land at Davidson Field. Site P9 is in place to protect the playing fields at Davidson Fields, and the boundary follows the edge of the playing fields. The reason for designating site P9 would not apply to the area that lies between sites P9 and P17. An extension of site P9 to include this area would therefore not be appropriate. No change to the plan is required.

Site P10 – To protect the playing fields as forming part of the green-blue network

15. A representee indicates that site P10 (Blythwood) is subject to planning consent and the logic of the protected land designation is queried. The council has confirmed that no planning application has been submitted or approved on site P10. The open space forms part of the grounds of the former care home and it is currently on the market as a development opportunity. I conclude that retaining the protected status of the open space and wooded part of the site at this time is reasonable given its current character and appearance. No modification to the plan is required.

Site P15 – To protect the Uryside Riverside Park

16. A representee has commented that there is a need to improve connectivity at the west end of Uryside Park and that intended works to improve Howford Bridge have not happened. The council has confirmed that development is still under construction and that the required works to Howford Bridge can still be delivered. This matter is not one that can be addressed through the local development plan examination. No change to protected land designation P15 is required.

Site P18 – To protect the golf course as an amenity for the settlement and forming part of the green-blue network

17. A representation is seeking to extend the P18 designation to cover the golf practice area, which is currently outside the settlement boundary. The remainder of the golf course is within the settlement. I find that it would be logical to include the practice area within P18 and within the settlement boundary, given that the purpose of P18 is to protect the Inverurie Golf Course. A recommended modification to that end is set out below.

Site P19 – To protect the football pitches and grounds

18. Site P19 is currently occupied by football pitches and associated development. It lies to the north-east of Harlaw Road and adjacent to the town centre. In the existing local development plan, the site is included in allocation OP2 for mixed use development. It is now designated as protected land and would be subject to Policy PR1 Protecting Important Resources.

19. A number of representations have been received, objecting to the designation of Harlaw Park as protected land for various reasons, including that it would prevent the redevelopment and/or potential relocation of the football club and its facilities.

20. For clarity, it should be noted that the football grounds are not included in the town centre in the 2017 local development plan, and the town centre boundary has not changed in the proposed plan. However, the OP2 allocation in the 2017 plan has been replaced by smaller separate designations/allocations in the proposed plan.

21. The council has advised that the Open Space Audit 2019 identified all open space areas in Aberdeenshire, and following the change in allocation, Harlaw Park football grounds now fall within the remit of the audit.

22. I note the concerns raised in representations regarding the impact on the operation and future development of the club. I also note the council's response that any proposal for a use other than open space would be contrary to the plan and be treated as a departure from it. However, I am satisfied that paragraph PR1.6 Open Space makes provision for the redevelopment of facilities and their possible development, if that development would not result in an overall deficit of open space and subject to replacement facilities in the settlement if appropriate. Any such proposal would be assessed against the terms of Policy PR1 and any other relevant plan policies.

23. I conclude that, although the site is designated as protected land, Policy PR1 makes specific provision for the replacement/redevelopment scenarios, which are of concern to those who made representations. No modification to the plan is required.

Site P26 – To protect an area of open space forming part of the green-blue network

24. A representation has questioned the contribution of site P26 and the exclusion of the landscaped area to the northwest.

25. The council advises that site P26 was identified as a protected site to ensure that the open space located between the new housing development and the A96 roundabout forms part of the green-blue network. The council recommend that the boundary of the P26 protected site could be modified to include the land to the north of the site bound by the A96 roundabout.

26. Having visited the site, I note that all points of the roundabout contain areas of wooded open space which function as part of the green-blue network. I find that adding the area to the north-west of the roundabout would more fully reflect local circumstances and so I recommend that it be included in the P26 allocation. A modification to that end is set out below.

Site R1 – For transport interchange

27. Nestrans has noted that the boundary of site R1 is less extensive than previously defined boundaries for a proposed transport interchange at this location and has requested that the boundary revert to the previously defined one. The council agrees with the representation, and is satisfied that an alteration to the boundary is appropriate. I also agree that the proposed amendment would add clarity to the plan and reflect the correct boundary of the transport interchange. A modification to the boundary of site R1 is recommended.

Site R2 – For an extension to Ury Riverside Park

28. Site R2 is allocated in the plan as reserved land for an extension to Ury Riverside Park. Representations from landowners and others indicate that the site cannot be delivered without development of the part of the site that is outwith the flood plain.

29. Two representations have been made seeking the allocation of the site identified as

bid site GR137 (and site R2) for mixed use development, incorporating up to 109 homes. Consideration of these representations is set out in my conclusions on bid site GR137 below.

Site R3 – To enable development of community and education facilities

30. A representee seeks an extension to site R3 to include the existing buildings, games hall and the new sports and recreation facilities attached to the school. The council notes that the reserved land designation is retained in the plan as works on site are still taking place. Completed works at Inverurie Academy are not included. I agree that including completed works in a reserved land designation would not be appropriate. No modification to the plan is required.

Site R4 – For community uses

31. This site is identified as protected land P15 in the 2017 local development plan for the provision of a special school. However, the school has now been delivered on the Inverurie Academy Campus.

32. The representation is querying why the allocation remains in the plan. The council advises that, although the school has been delivered elsewhere in the town, there remains a lack of community facilities in this part of Inverurie. The site is therefore reserved for community uses instead. I find that reserving the site for community uses is reasonable, as the council has identified a need for facilities in this area. No change to the plan is required.

Site BUS1 – Safeguarded for business uses

33. It is noted in representations that an area of residential land has been included in the BUS1 designation. The council agrees that the suggested alteration to the boundary is appropriate. The purpose of BUS1 is to safeguard land for business use and, as such, I agree that the inclusion of an area of residential land within the BUS1 designation would not be appropriate. A modification to amend the boundary of BUS1 is set out below.

Site BUS2 – Safeguarded for business uses

34. A representation has raised concerns regarding the impact of existing development at BUS2 on television reception and in terms of the number of seagulls nesting. The purpose of the designation is to identify and protect existing business areas. I do not consider the difficulties identified in the representation would justify the removal of the business designation. No change to the plan is required.

Flood Risk

35. The Scottish Environment Protection Agency (SEPA) has requested the addition of a new 'Flood Risk' bullet point for sites OP5, OP3, OP13 and OP16 as they will require a Flood Risk Assessment due to a watercourse or surface water flooding. A new 'Flood Risk' bullet point is also requested for site OP4 as a Flood Risk Assessment would now be required, following a recent detailed flood study by Aberdeenshire Council.

36. In addition, SEPA has requested a new 'Flood Risk' bullet point for all the BUS sites,

as they may also require a Flood Risk Assessment due to surface water flood risk and/or risk from adjacent watercourses. This should also include a requirement for buffer strips and re-naturalisation of watercourses.

37. The council supports the suggested modifications. I agree that the additional text would be appropriate to take account of the recent flood study and add clarity in terms of flood risk assessments. Recommended modifications to the flood risk section are set out below.

Services and Infrastructure

38. Scottish Water has requested that the bullet point for 'Strategic drainage and water supply' be amended to refer to the available capacity at Inverurie Waste Water Treatment Works and the potential need for a Drainage Impact Assessment.

39. The council has indicated that it agrees with the requested change. However its suggested modification only addresses part of Scottish Water's representation. If Scottish Water is satisfied that there are no capacity issues at Inverurie Waste Water Treatment Works, then I consider the wording of this bullet point should be amended accordingly. I agree that the reference to a Drainage Impact Assessment would add clarity. A modification on these matters is set out below.

40. Transport Scotland has made a representation outlining its concerns regarding the identification of specific required infrastructure in the plan. It considers that the plan and the delivery programme should set out a clear position on what trunk road infrastructure is required to support development, and how, when and by whom it will be delivered.

41. The council advises that the text included in the proposed plan is sufficient in terms of highlighting the requirement for the works. Greater detail is included within the delivery programme as this is the document that is updated as the situation progresses.

42. I agree with Transport Scotland that the proposed plan, as it stands, fails to meet the expectations of Scottish Planning Policy (2014), paragraph 275, insofar as it does not identify the essential transport infrastructure required to support new development in Inverurie. Furthermore, paragraph 139 of Circular 6/2013 indicates that items for which financial or other contributions will be sought, and the circumstances where they will be sought, should be included in the plan. In particular, Transport Scotland highlights omissions in relation to information on which sites are required to deliver the A96 grade separated junction, how, when and by whom infrastructure is to be delivered for sites OP5 and OP6, and the implications of sites OP15 and OP16 on the capacity of the A96(T) road and any required mitigation. In order to address these matters, and the wider issues raised by Transport Scotland in respect of the council's overall approach to the provision of infrastructure and developer obligations, a further information request was issued (FIR007). My conclusions below focus on matters relating to Inverurie, while wider issues, including the preparation of supplementary guidance on developer obligations and affordable housing, are addressed in Issue 12 (responsibilities of developers).

43. Transport Scotland's representation notes a number of inconsistencies between the proposed plan, the Delivery Programme and the DPMTAG transport assessment report. It also refers to the complexity of the transport infrastructure position in Inverurie due to the various mitigation measures identified in existing planning permissions and the uncertainty

regarding the alignment of the A96 upgrade.

44. In its response to the further information request, the council provided further details of how mitigation necessary to make development proposals acceptable in terms of impact on the A96 has been secured via planning conditions. It highlights that delivery will be the responsibility of individual developers, in liaison with Transport Scotland, as the thresholds in the consents issued are passed. The timing of these investments is not in the hands of Aberdeenshire Council and will depend on the aspirations of developers to complete their sites.

45. Transport Scotland does not disagree with the Council's response. However, it recommends, as detailed within its representation to the proposed plan, that the local development plan and Delivery Programme set out clear and consistent information on which sites are required to contribute and deliver specific mitigation.

46. Given the complexity of the transport infrastructure position in Inverurie, it is not possible to remedy the deficiency of the Inverurie settlement statement in terms of meeting the expectations of paragraph 275 of Scottish Planning Policy and Circular 6/2013 through the examination. However, the recommended modification in issue 12 to prepare statutory supplementary guidance provides the opportunity to set out the transport infrastructure required in association with allocations in Inverurie including how, and by whom, this is to be delivered and phased. This would allow the council to address the detailed matters raised by Transport Scotland, including which allocations are expected to deliver the new grade separated junction on the A96(T) to replace the current at grade Thainstone and Port Elphinstone roundabouts. Information relating to how, when and by whom infrastructure is to be delivered should be provided in the Delivery Programme, the details of which are not a matter for this examination.

47. I recommend that a bullet point entitled strategic transport infrastructure be added to the Inverurie settlement statement to indicate that development may be required to contribute to strategic transport infrastructure and that further information is provided in Supplementary Guidance on developer obligations and affordable housing and in the Delivery Programme. I give further consideration to the representation from Transport Scotland in relation to the relevant site allocations below.

Site OP2- Former Garioch Health Centre

48. Site OP2 is a brownfield site on Constitution Street, in the town centre. At the time of my site inspection, the site was vacant and cleared of any former structures. A representation has questioned the need for retail provision on the ground floor, given the current level of vacant units in the town centre.

49. As the site is within the town centre as set out in the plan on pages 566 and 571, Policy B1 Town Centre Development and paragraphs B1.1 and B1.2 would apply to any development proposal. The planning authority is pursuing a 'Town Centre First' strategy, where retail and other appropriate uses are encouraged. Although there may be a high number of vacant retail units in the town centre at present, I find that would not negate the allocation of sites for suitable town centre uses. I consider that the site would be appropriate for retail use and this requirement would be in accordance with the wider town centre policies of the plan. No modification to the plan is required.

Site OP3 – Land at Harlaw Park

50. A representation objects to the site being identified as contributing towards the strategic development plan allowance for the Aberdeen Housing Market Area. The site has been in the audit since 2011 and its ownership is constrained. Previous permissions on site have lapsed and there are potential contamination issues.

51. I note that the housing land audit 2020 identifies the ownership constraint, and does not programme delivery of any homes before 2027. In this instance, the owner of the site is the council, who has indicated that the site can be brought forward for development in the plan period. No evidence has been provided on the nature of potential contamination referred to in the representation. Based on the information before me, I consider it reasonable to assume that the site would be deliverable by 2032. No modification is required.

Site OP4 – Phase 2 Portstown

52. SEPA has requested an amendment to state that should an extant permission lapse on site OP4, any future development would have to take account of the latest Council Flood Study for Inverurie. The council agrees with the representation. I also agree that the proposed modification would add clarity to the plan and the position on flood risk at site OP4. A modification to this effect is recommended.

Site OP5 – Crichtie (Residential and Community))

53. The Woodland Trust Scotland has objected to the inclusion of site OP5, as it is likely to cause damage and/or the loss of ancient woodland, contrary to Scottish Planning Policy. A separate representation has requested that the woodland and flood plain, located north of the Old Kemnay Road (currently in OP5) be designated as protected land and that the linked area of broadleaved woodland south of Lynndale on Old Kemnay Road be added to this protected land designation.

54. Given that there is a current planning permission on site OP5, I do not consider there is any justification to remove the allocation. The council has indicated that the protection of woodland has been carefully considered through the development framework, masterplan and planning permission. I therefore agree with the council that an additional protected land designation would not be necessary. However, as development on this site has not commenced, future planning applications may be submitted for revised proposals. I consider that text should be added to the allocation summary to indicate the presence of ancient woodland, that this woodland should be retained and enhanced where possible and that compensatory planting must be provided for any loss of woodland/trees. A modification to this effect is set out below.

55. A representation has objected to the requirement for the masterplan and the development framework to be reviewed if development has not commenced by the time the development plan is adopted. I note that the council has not specifically addressed this part of the representation.

56. Policy P1 - Layout, Siting and Design states that once agreed, masterplans shall remain valid for a period of five years, unless planning permission is granted and implemented. The current masterplan on this site is more than five years old. However, planning permission in principle has been granted which is valid until December 2023.

57. In this instance, I consider the requirement to review the masterplan should be linked to the timescales set out in the planning permission in principle, that is, it would only be required if the extant permission is not implemented. A modification to this effect is recommended.

58. A representation is seeking to have the requirement for a formal footway/cycle path from site OP5 and Riverside Park via the A96 to revert to the wording in the previous local development plan, which did not require a formal route. The current planning permission in principal has a condition requiring a route but not a formal route. The council has advised that it would seek to retain the wording, as the existing permission may lapse.

59. I consider that the requirement for a formal footway/cycle path would be consistent with the intended outcome of the plan to “promote walking and cycling”. Reference to walking and cycling facilities is also included in the vision for Inverurie. I therefore agree with the council that the requirement for a formal route should remain in the allocation summary. No modification to the plan is required.

60. The removal of the requirement to provide transport assessment updates with phases of development is also sought. The representation states that a condition of consent sets out upper development limits on the proposed use classes, which were supported by a transport assessment in the determination of the planning permission in principal. Therefore, unless those upper limits are breached, there is no requirement for a transport assessment for different phases of development.

61. The requirement for updated transport assessments is consistent with the approach taken to other strategic sites that are to be developed over a long time period. However, the council has not explained why in the case of site OP5, this requirement is linked to development phases. I agree with the representee that this may not be justified and I consider that it may be unnecessarily onerous. I recommend a modification to amend the wording in the allocation summary to state that “Transport Assessment updates may be required.”

62. Transport Scotland considers that the plan should indicate that site OP5 (and site OP6) are required to deliver a grade separated junction on the A96, to replace the at-grade A96 Crichtie and Port Elphinstone roundabouts. Transport Scotland also states that sites OP9 and OP10 have been linked to the delivery of this junction within the 2021 DPMTAG transport assessment report, which supports the proposed plan.

63. The allocation summary for OP5 identifies the need for a new grade separated junction and states that infrastructure requirements should be provided as agreed through the planning permission in principle. The allocation summary for OP9 states that development proposals must assess network capacity at Port Elphinstone and Thainstone roundabouts on the A96. No reference is made to the new junction in the allocation summaries for OP6 or OP10.

64. The representation from Dandara has suggested revised wording for allocations OP5 and OP6 in relation to transport matters, including contributions towards the new grade separated interchange. However, I am unclear whether this information reflects the council’s understanding of transport infrastructure matters in relation to these allocations. The council and Transport Scotland are in agreement that the position regarding transport

infrastructure in Inverurie is complex. Whilst some clarification was provided in response to a further information request, uncertainty remains regarding the details of the proposed new grade separated interchange, which sites are required to help deliver it and what transport infrastructure improvements have already been secured through existing permissions.

65. I conclude that this is not a matter that can be resolved through the examination and should instead be addressed in the statutory Supplementary Guidance on Developer Obligations and Affordable Housing, referred to in a recommended modification under issue 12. This would provide the opportunity for the council to discuss matters further with Transport Scotland and other relevant parties. Given the recommended modification to add a strategic transport bullet point to the Inverurie settlement statement, no changes are required to the allocation summaries for sites OP5, OP6, OP9 and OP10 on this matter.

Site OP6 – Crichton (Employment)

66. A representation has questioned the deliverability of site OP6 for 23.7 hectares of employment land as this site has been allocated since 2012 and it is identified as constrained in the 2019 Employment Land Audit.

67. The council acknowledges the constraint but advises that the allocation is linked to site OP5 Crichton (Residential and Community) which has an agreed development framework and masterplan. The agreed phasing for delivery through the masterplan indicates that site OP6 would be delivered as phase 6 of the overall scheme. Site OP6 contributes towards meeting the strategic development plan employment land target for the Aberdeen to Huntly strategic growth area. I am not persuaded that it should be deleted on the basis that it is currently constrained. No modification to the plan is required.

68. A representation is seeking to have the requirement for a formal footway/cycle path from site OP6 across the A96 to Port Elphinstone to revert to the wording in the previous local development plan, which did not require a formal route. The council has advised that it would seek to retain the wording as the existing permission may lapse.

69. I consider that the requirement for a formal footway/cycle path would be consistent with the intended outcome of the plan to “promote walking and cycling”. Reference to walking and cycling facilities is also included in the vision for Inverurie. I therefore agree with the council that the requirement for a formal route should remain in the allocation summary. No modification to the plan is required.

70. The removal of the requirement to provide transport assessment updates as development comes forward is also sought. The representation states that a condition of consent sets out upper development limits on the proposed use classes, which were supported by a transport assessment in the determination of the planning permission in principle. Therefore, unless those upper limits are breached, there is no requirement for a transport appraisal for different phases of development.

71. The requirement for updated transport assessments is consistent with the approach taken to other strategic sites that are to be developed over a long time period. However, the council has not explained why in the case of site OP6, further assessments are needed “as development comes forward”. I agree with the representee that this may not be justified and I consider that it may be unnecessarily onerous. I recommend a modification

to amend the wording in the allocation summary to state that “Transport Assessment updates may be required.”

72. Matters relating to the transport infrastructure requirements associated with allocation OP6 are addressed in the paragraphs above, under allocation OP5. No modifications are required to the allocation summary.

Site OP8 – Former Hatchery

73. This site has planning permission for 64 homes and is currently being built out. A representation has raised concerns regarding the landscaping on the southern boundary and the potential impact on screening to existing residential properties.

74. I find that this is a matter to be addressed through the development management process or should it be necessary, through the enforcement procedures of the planning authority. The discharge of conditions attached to a planning consent is not a matter that can be addressed in a local development plan examination. No modification to the plan is required.

Site OP9 – Adjacent to Axis Business Centre and Site OP10 – Thainstone

75. Transport Scotland notes an inconsistency between the DPMTAG transport assessment report and the proposed plan as to whether sites OP9 and OP10 are required to contribute to the delivery of the grade separated junction. As I have indicated above in relation to allocation OP5, this is a matter which should be addressed in the Supplementary Guidance on Developer Obligations and Affordable Housing. The recommended modification below in relation to a new strategic transportation bullet point indicates that development may be required to contribute to strategic transport infrastructure. No changes are required to the allocation summaries for sites OP9 and OP10 on this matter.

Site OP11 – Pineshaw, Port Elphinstone

76. Dandara has objected to the increase of 29 homes at site OP11 in this plan, and requested that the capacity be reduced to 25 homes set out in the existing local development plan. The council has explained that all undeveloped sites in the Aberdeen Housing Market Area have had a standard density of 25 homes per hectare applied to their site area, in order to ensure the efficient use of land. I find this approach to be consistent with paragraph 4.18 in the strategic development plan, which states that “land brought forward for housing must be used efficiently”. The exact number of houses to be developed on the site will be determined through a planning application. No modification is required.

77. Dandara also seeks a number of amendments to the allocation summary for site OP11, in particular in relation to integration with site OP6 and proportional contributions towards transport infrastructure.

78. Whilst not addressed in the council’s response, I find that the requirement for integration with site OP10 (rather than OP6) appears to be a typographical error. Reference is made to the wider Crichton site which comprises OP5 and OP6, not OP10 which is located some distance from OP11. I therefore recommend a modification to replace OP10 with OP6 in the allocation summary.

79. The council's response does not address the request that site OP11 should contribute proportionately towards the cost of the footway and cycleway connections to Port Elphinstone and Inverurie that are required to facilitate this development as well as OP5 Crichtie. However, in relation to the request that site OP11 must contribute proportionally towards major improvements in relation to the Thainstone and Port Elphinstone roundabouts/junctions, it indicates that this cannot be determined until a detailed proposal comes forward.

80. We have concluded under issue 12 that statutory Supplementary Guidance on Developer Obligations and Affordable Housing should be prepared to meet the requirements of paragraph 275 in Scottish Planning Policy and Circular 6/2013. I have insufficient information before me to identify what transport infrastructure is required to support the development of site OP11, including any contributions towards active travel connections through the adjacent site. The potential requirement for contributions towards strategic transport infrastructure is addressed through the recommended modification to add a new bullet point to the services and infrastructure section. Potential contributions towards footways and cycle infrastructure are included in the local transport infrastructure bullet point on page 558 of the Inverurie settlement statement. I consider that the matters raised in the representation from Dandara in relation to site OP11 should be addressed in the statutory Supplementary Guidance on Developer Obligations and Affordable Housing. No further modification is required on this matter.

81. The wording of the sentence on affordable housing provision for site OP11 is consistent with other new sites in the plan. No modification is required.

Site OP13 – Kirkwood Commercial Park, Thainstone

82. SEPA has requested that the abbreviation (FRA) be removed from the text at page 564, at the penultimate and final sentences of the allocation summary. I agree in the interest of consistency. A modification is recommended.

Site OP14 – Land Northeast of Thainstone Roundabout

83. This site is allocated for a halting site for gypsy/travellers and/or employment land in the proposed plan. In response to a further information request (FIR002), the council has confirmed that the site now has planning permission for commercial development and associated infrastructure, with no provision made for a gypsy/traveller site.

84. There are a number of objections to the allocation, which seek to remove the reference to a halting site and which question the ability to deliver the facility. The potential impact of the use as a halting site is also questioned, in terms of the marketability of the wider business area, and impact on road junctions and drainage. I do not agree that use of part of OP14 as a halting site for gypsy/travellers site would be incompatible with the wider business allocation. Other matters raised in representations would also arise in relation to business uses on the site and could be addressed through the planning application process. None, I consider, would prevent delivery of a halting site for gypsy/ travellers.

85. The Housing Need and Demand Assessment 2017 sets out the identified need for halting site provision, as referenced in Policy H5 of the proposed plan. Through various iterations of the local development plan and in the 'other designations' on page 557 of this

plan, the need for a halting site in the Thainstone/Crichie employment area is acknowledged. Although planning consent has been granted for employment uses, I am satisfied that the requirement for a halting site should remain in the allocation summary, as the existing consent may lapse and the requirement for the halting site could then be incorporated into revised proposals. No modification to the plan is required.

Site OP15 – Land West of Bennachie View Care

86. This site is allocated for 130 homes and is located to the north of the town. Site OP1, which is now built out, lies to the north-east and the A96 lies to the south-west of the site. It is currently an open field.

87. A representation has objected to the allocation of site OP15 as it is considered to be in an unsustainable location to the north of the town, is on a north facing slope and may be part of an historic battlefield. Another site to the east of Inverurie is suggested as an alternative.

88. Site OP15 would effectively infill the area of land between the existing residential development and the A96. I note that there are bus stops in close proximity to the site, and active travel will be encouraged and facilitated. Given the extent of existing residential development in this part of Inverurie, I consider that site OP15 would be a logical and compatible land use in this location.

89. I find that the site and location are no less sustainable overall than other allocations for housing development in the town and that to deliver homes in the strategic growth area on the scale envisaged by this plan, greenfield land allocations need to be made. Any greenfield development on the edge of the town would have the effect of extending the settlement. I note that the strategic environmental assessment does not identify any post mitigation negative environmental effects for this site and it concludes that the proposal is unlikely to have any effects on the historic environment.

90. NatureScot has requested that the allocation summary be amended to reference the requirement for active travel provision. The council agrees to the suggested change. I consider that a requirement for active travel provision would be consistent with the intended outcome of the plan to increase walking and cycling. A modification is recommended.

91. Transport Scotland has noted that the site has not been included in the DPMTAG transport assessment report which informed the proposed plan. This compounds the uncertainty over trunk road capacity arising from consented and allocated development in Inverurie. Following a further information request (FIR007), Transport Scotland has agreed that a cumulative transport appraisal should be undertaken with site OP16 (to the west) to assess capacity issues on the A96. The council has suggested a modification to the plan to reflect this approach. I conclude that, at this stage of plan preparation, the requirement for a cumulative transport assessment is an appropriate way forward. I recommend that the plan be modified accordingly.

Site OP16 – Land West of Conglass Cottages

92. Site OP16 is allocated for 50 homes and 2 hectares of employment land. The site lies to the north-west of Inverurie and north-east of Crawford Road. It is comprised of

agricultural buildings and fields, and a farmhouse with associated buildings.

93. A representation has objected to the allocation of site OP16 as it is considered to be in an unsustainable location to the north of the town and may be part of an historic battlefield. An alternative site to the east of Inverurie is suggested as an alternative.

94. Site OP16 would effectively infill the area of land between the existing residential development and the settlement boundary to the north-west. I note that there are bus stops in close proximity to the site, and active travel will be encouraged and facilitated. Given the extent of existing residential development in this part of Inverurie, I consider that site OP16 would be a logical and compatible land use in this location.

95. I find that the site and location are no less sustainable overall than other allocations for housing development in the town. Part of site OP16 is brownfield and any greenfield development on the edge of the town would have the effect of extending the settlement. Apart from a potential risk of surface water flooding, no negative environmental effects (including on the historic environment) are identified in the strategic environmental assessment.

96. NatureScot has requested that the allocation summary be amended to reference the requirement for active travel provision. The council agrees to the suggested change. I consider that a requirement for active travel provision would be consistent with the intended outcome of the plan to increase walking and cycling. A modification is recommended.

97. Transport Scotland has noted that the site has not been included in the DPMTAG transport assessment report which informed the proposed plan. This compounds the uncertainty over trunk road capacity arising from consented and allocated development in Inverurie. Following a further information request (FIR007), Transport Scotland has agreed that a cumulative transport appraisal should be undertaken with site OP15 (to the east) to assess capacity issues on the A96. The council has suggested a modification to the plan to reflect this approach. I conclude that, at this stage of plan preparation, the requirement for a cumulative transport assessment is an appropriate way forward. I recommend that the plan be modified accordingly.

Non-Allocated Bid Site GR027 – Site A, Land West of Blackhall Road

98. Bid site GR027 is located to the west of Inverurie, to the west of Corsmanhill Drive and commercial area and south of the Blackhall Road. The site is in two parts, one north of Blackhall Road and the larger part to the south. Both appeared to be in agricultural use at the time of my site visit. A representation is seeking to have Site A, the whole site, which is 34.1 hectares of land, allocated for approximately 360 homes, with Phase 1 (Site B) providing 100 homes within the plan period. The remaining 260 homes would be delivered after 2032. Part of the site is within the settlement boundary and is allocated as site R4, which is reserved for community uses. The wider allocation is considered necessary to deliver these community uses. An indicative masterplan was submitted in support of the representation

99. The strategic environmental assessment identified site GR027 as having some negative effects, including an increase in traffic flow, waste water treatment capacity, flood risk and surface water flooding, and increased travel requirements. For site B specifically, the remediation of brownfield land was assessed as a positive effect. In its response to

the main issues report, NatureScot noted that development should be limited to the eastern part of the site due to impact on the Backhill of Davah which forms the natural landscape setting to Inverurie.

100. Issue 2 of this examination addresses general representations regarding the identification of future opportunity sites. This concludes that, whilst the strategic development plan allows local development plans to identify additional strategic reserves beyond 2032, there is no requirement to do so. I am satisfied that the council's decision not to identify future opportunity sites is in accordance with the strategic development plan. There is therefore no justification to allocate bid site GR027 at this time. I consider bid site GR028 separately below.

Non-Allocated Bid Site GR028 – Site B, Mains of Blackhall, West of Blackhall Road

101. Site B (bid site GR028) comprises the northern-most section of bid site GR027. It covers the area to the north of the Blackhall Road and includes Mains of Blackhall farm and steadings. The representation is seeking to have the site allocated as an opportunity site for up to 100 homes to be delivered during the plan period.

102. The representation considers that there is a strategic need for additional housing in Inverurie. Furthermore bid site GR028 is a natural infill site and better located than others, it is a brownfield site and is adjacent to existing employment opportunities.

103. I note that Mains of Blackhall is outside the settlement boundary and may benefit from any relevant countryside policies that relate to brownfield land. I do not agree that the site could be considered an infill site, as it lies completely outside the settlement boundary and is surrounded to the north, west and south by open countryside. Only part of the site is brownfield and I also noted the presence of the overhead line which may limit the capacity of the site.

104. Matters relating to overall housing provision in the proposed plan are covered in issues 2 and 5. The strategic development plan requires additional land for 3065 houses to be identified in the Aberdeen Housing Market Area. For the reasons set out in the schedule 4 for issue 5, we have concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I have therefore considered whether this site could contribute towards meeting this shortfall.

105. I find that housing development on site GR028 could potentially be accommodated with limited environmental impact and could bring a number of benefits. However, as I have concluded previously, the position regarding transport infrastructure in Inverurie is complex. Although the route to the A96 has been decided, the delivery of the infrastructure remains unknown. Given the availability of other suitable sites to meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, I conclude that this site should not be identified for housing development. No modification is required.

Non-Allocated Bid Site GR057 – Land at East Balhalgardy Farm (Bid 1), Bid Site GR058 – Land at East Balhalgardy Farm (Bid 2) and Bid Site GR059 – Land at East Balhalgardy Farm (Bid 3)

106. Bid sites GR057, GR058 and GR059 comprise an area of land to the north of the

town. The site could accommodate up to 200 homes, or if required to deliver road infrastructure, could deliver up to 500 homes and assist in delivering the Ury Riverside Park. The site is adjacent to the Portstown development and lies to the west of the B9001. There is existing and emerging residential development to the east and south, with associated infrastructure and facilities. The representation objects to the lack of strategic housing allocations in the Inverurie area. It queries why new allocations have been made in Inverurie, when the council had suggested that none could be accommodated due to transport infrastructure uncertainty.

107. Given the size of the settlement and the range of local facilities, I consider it reasonable that the proposed plan includes some additional housing sites in Inverurie. However, I note the ongoing concerns raised by Transport Scotland regarding transport impact and the delivery of mitigation measures

108. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I have therefore considered whether these sites could contribute towards meeting this shortfall.

109. The bid sites had been allocated for future housing development in the 2012 local development plan, subject to compatibility with the Harlaw Battlefield designation. The supporting information submitted for bid site GR057/58/59 addresses matters relating to proximity to local facilities, site opportunities and constraints, landscape and visual impact assessment, transport appraisal and provides an indication of development parameters. It states that the site is free from constraints, is being promoted by an established house builder, and could deliver up to 200 homes in the plan period.

110. The strategic environmental assessment identifies mainly neutral effects arising from the proposed development, with the exception of loss of prime agricultural land and impact on the Battle of Harlow site. At the main issues report stage, the council also indicated other constraints relating to impact on a B-listed building and potential flood risk. The need to identify a route for the dualling of the A96 was also noted.

111. Historic Environment Scotland highlighted the need to consider the cumulative impacts of development on the inventory battlefield. However, it did object to the principle of housing development on the site. Within this context, I consider it possible that impacts on the battlefield could be mitigated. The potential impact on the nearby listed building could also be addressed through appropriate design and landscaping.

112. Whilst parts of the site are identified on SEPA's flood maps as being at risk of flooding, a substantial part of the site would be available for development.

113. I conclude overall that some of the negative environmental effects could be mitigated. However, although the route to the A96 has been decided, the delivery of the infrastructure is unknown. Evidence to this examination has highlighted that the position regarding transport infrastructure in Inverurie remains complex and uncertain. Furthermore, the sites would involve the loss of prime agricultural land, which would not be justified, given the availability of other sites to meet the strategic development plan allowance for the Aberdeen Housing Market Area. No modification is recommended in relation to bid sites GR57/GR058 and GR059.

Non-Allocated Bid Site GR061 – Land North and East of St, James Walk and Bid Site GR062 – Land at St James Place

114. Bid sites GR061 and GR062 are located to the south-west of Inverurie, to the west of the A96 and north and south of the River Don. St James Place runs east to west through the overall site. At the time of my site inspection, the land appeared to be in agricultural use. Bid site GR061 is a smaller site to the east of the bid area, proposed for up to 100 homes. It lies directly to the north and east of the existing housing on St James Walk. Bid site GR062 encompasses all of site GR061 and extends to the east with land north and south of the River Don. Site GR062 could accommodate up to 900 homes and associated development.

115. The representation objects to the lack of strategic housing allocations in the Inverurie area. It queries why new allocations have been made in Inverurie, when the council had suggested that none could be accommodated due to transport infrastructure uncertainty.

116. As I have indicated above, I consider it reasonable that the proposed plan includes some additional housing sites in Inverurie. However I note the ongoing uncertainty regarding transport infrastructure. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I have therefore considered whether these sites could contribute towards meeting this shortfall.

117. The strategic environmental assessment identifies mainly neutral or negative effects arising from the proposed development. Negative impacts include the loss of part of protected site P18 and flood risk. NatureScot advised that ancient woodland would need to be retained, and that the significant earthworks required may have landscape impacts.

118. The documents accompanying the representation suggest that, although part of the site is potentially at risk of flooding, this could be addressed through a masterplan. A master plan could also address the need to protect the ancient woodland. Whilst landscaping and visual impact could be mitigated through site layout and strategic planting, I remain concerned about the landscape impact arising from the required earthworks. Furthermore, these sites are physically separated from the main part of the settlement by the A96 and the golf course. I do not consider that development on bid site GR062 in particular would provide good accessibility to local services, or be well integrated with existing development.

119. The representee has commented that the route of the A96 dualling project would not impact on the site. However, the cumulative impacts of the whole bid site on the transport network in the area are not demonstrated in the submitted transport appraisal information, as only 100 homes at Ardtannes are included. In addition, the report is dated 2010, since which time both the transport network and land allocations in Inverurie will have changed. I am therefore unable to reach any conclusions on transport matters specific to the development of these sites. Transport impact remains a potential concern, given the complexity of the transport infrastructure position in Inverurie and the comments made in Transport Scotland's representation.

120. For the reasons outlined above, I conclude that bid sites GR061 and GR062 should not be allocated in the plan. Other suitable sites are available to meet the shortfall in the

strategic development plan allowance for the Aberdeen Housing Market Area. No modification is required.

Non-Allocated Bid Site GR091 – Land at Souterford and Lofthillock

121. Representations are seeking the allocation of bid site GR091 for up to 270 or 450 homes, a new primary school and a riverside park. The site is in two sections, to the west and north of the core path and woodland running towards Keithhall Estate and gardens. To the west is the Oldmeldrum Road, to the south is the Keithhall Inventory Garden and Designed Landscape, to the east is open countryside and to the north is the newly established residential area of Uryside and Portstown. The site had been identified in the 2012 local plan as future housing site, but was not allocated for development in the existing local development plan. The bids are supported by a transport and access appraisal report and by a planning strategy for the site.

122. The strategic environmental assessment for bid site GR091 identifies mainly neutral effects arising from the proposed development, with the exception of the loss of prime agricultural land, flood risk and the impact on the Keithhall Inventory Garden and Designed Landscape. At the main issues report stage, the council did not support the allocation of the site because of these negative environmental effects. The Issues and Actions Paper concludes that there are still a number of constraints and there is no strategic need for further allocations on the scale proposed.

123. The representations consider that additional land should be provided in Inverurie to help meet strategic requirements. These also state that there will be a shortfall in the delivery of affordable housing in Inverurie in the plan period and this site could assist in the delivery of up to 25% affordable homes and 10% accessible homes.

124. The tables in Appendix 6 show that a range of housing sites have been allocated to meet the strategic allowance for the Aberdeen Housing Market Area, including some sites in Inverurie. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I have therefore considered whether these sites could contribute towards meeting this shortfall. All housing allocations, including any sites identified to meet this shortfall would be expected to provide affordable housing in line with policy H2. There is no requirement to allocate additional land over and above the strategic development plan allowances in order to meet affordable housing needs.

125. The documents accompanying the representation suggest that a biodiversity park could be located on the part of the site that is at risk of flooding. In addition, careful site design and layout could address issues relating to landscaping and visual impact on the inventory gardens and designed landscape to the south. I am satisfied that such issues could be potentially be addressed through a masterplan framework process, and through appropriate site layout and design.

126. I note the representee's comments that the route of the A96 dualling project would not impact on the site. I agree that the previously identified constraint of the Northern Relief Road is no longer relevant. However, I note that the timescales for the delivery of the A96 dualling remain unknown and that the overall position regarding transport

infrastructure in Inverurie is complex and uncertain.

127. The loss of prime agricultural land may be justified if required to meet strategic housing needs and there are no reasonable alternative sites. However, in this instance, other suitable housing sites are available in the Aberdeen Housing Market Area to meet the identified shortfall. The loss of prime agricultural land would therefore be contrary to policy PR1 Protecting Important Resources.

128. Given the uncertainty regarding transport infrastructure in Inverurie and the loss of prime agricultural land, I conclude that this site should not be identified for housing development. No modification is required.

Non-Allocated Bid Site GR117 – Land North of Lochter Drive, Uryside (Phase 3)

129. Bid site GR117 is the subject of a representation seeking an allocation for up to 500 homes, as an extension to site OP7 at Uryside. The representation also seeks a modification to paragraph 5.12 in section 5 (the spatial strategy) of the proposed plan as a suggested way forward to address the current transport infrastructure constraint in Inverurie.

130. The strategic environmental assessment for bid site GR117 identifies a range of effects arising from the proposed development, including the loss of prime agricultural land, tree loss, flood risk and the impact on the A-listed Bourtie House and scheduled ancient monuments. For these reasons, the council does not support the allocation of the site. The need to identify a route for the dualling of the A96 was also noted at main issues report stage. The Issues and Actions Paper concludes that there are still a number of constraints and the site is not preferred for development as there is no strategic need for further allocations on the scale proposed in the bid.

131. The representation considers that there is a strategic need for additional housing allocations in Inverurie. It states that there is a 'double-counting' in appendix 6 for sites OP4 and OP7 of up to 315 homes, which should be allocated elsewhere in Inverurie.

132. The tables in Appendix 6 show that a range of housing sites have been allocated to meet the strategic allowance for the Aberdeen Housing Market Area, including some sites in Inverurie. Sites OP4 and OP7 form part of the 2019 effective housing land supply and are not identified as contributing towards the strategic development plan allowance. The number of homes listed in the final column of the tables on Appendix 6 relate to the total capacity of the site, including those already built in 2019. I am satisfied that there is no double counting.

133. Matters relating to overall housing provision in the proposed plan are covered in issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I have therefore considered whether this site could contribute towards meeting this shortfall.

134. The representation explains that flood risk is minimal and could be controlled through careful siting and design, as could any potential tree loss. The impact on Bourtie House which lies to the northeast of the bid site could also be managed through masterplanning and careful design. A woodland boundary would help mitigate any impact. I am satisfied

that such issues could potentially be addressed through a masterplan framework process, and through appropriate site layout and design.

135. I note the comments that the route of the A96 dualling project would not impact on the site. I agree that the previously identified constraint of the Northern Relief Road is no longer relevant. However, I note that the timescales for the delivery of the A96 dualling remain unknown and that the overall position regarding transport infrastructure in Inverurie is complex and uncertain. In considering the representations from Transport Scotland and others in relation to transport infrastructure in Inverurie, I have concluded that I have insufficient information to resolve these matters through the examination. The preparation of statutory Supplementary Guidance on Developer Obligations and Affordable Housing (as recommended in Issue 12) provides the opportunity for the council to work with Transport Scotland and other relevant parties to try to resolve the current uncertainty regarding transport infrastructure in Inverurie. Within this context, it would not be appropriate to amend the wording of paragraph 5.12 as suggested in this representation.

136. The loss of prime agricultural land may be justified if required to meet strategic housing needs and there are no reasonable alternative sites. However, in this instance, other suitable housing sites are available in the Aberdeen Housing Market Area to meet the identified shortfall. The loss of prime agricultural land would therefore be contrary to policy PR1 Protecting Important Resources.

137. Given the uncertainty regarding transport infrastructure in Inverurie and the loss of prime agricultural land, I conclude that this site should not be identified for housing development. No modification is required.

Non-Allocated Site – Bid Site GR131 – Land at Braeside Farm and Thainstone

138. A representation is seeking to extend Thainstone Business Park, with three sites being promoted for inclusion in the development plan. Sites A and B lie to the south of the existing business park and are being promoted as an employment allocation of 13 hectares. Site C lies to the west of the business park and is being promoted as a longer term expansion project with capacity for up to 30 hectares of strategic reserve employment land.

139. All three sites lie to the south west of the settlement and to the west of the A96. The adjacent business park and intervening site OP10, which is allocated for 25.8 hectares of employment land, are within the settlement boundary. The proposed sites are in the countryside and at the time of my site visit were in agricultural use.

140. The strategic environmental assessment for bid site GR131 identifies a range of effects arising from the proposed development, including flood risk, potential impact on the Bennachie Special Landscape Area, the Health and Safety pipeline consultation zone and the potential impact on the scheduled ancient monument Bruce's Camp hillfort. The council's response highlights a number of constraints including landscape impact, the sites position with an HSE pipeline consultation zone and the uncertainty regarding transport infrastructure in Inverurie.

141. Table 1 in Appendix 1 of the proposed plan indicates that the plan identifies land for 92.84 hectares of business land compared to the strategic development plan target of 42 hectares. The strategic reserve target for the same area is 28 hectares, with strategic

reserve land allocations of 26.4 hectares. Given the substantial supply of employment land available in the strategic growth area to 2032, I am content that the small shortfall in strategic reserve land would not justify additional employment land allocations at this time.

142. The representation suggests that site SR2, a strategic reserve site of 17 hectares as set out in Table 2 of Appendix 1 in the proposed plan, is now properly part of site OP10, where site enabling works are complete. I have no representation before me to remove site SR2 from Table 2, but I note that it is not mentioned in the Inverurie settlement statement or map and is instead included within site OP10. This discrepancy does not change my conclusions regarding the need for additional business land.

143. I acknowledge that matters relating to the pipeline consultation zone, flood risk and landscape impact could potentially be addressed through site layout and landscaping. However, I conclude that there is no justification to extend business allocation OP10 at this time. No modification is required.

Non-Allocated Bid Site GR137 – Land East of Rothienorman Road, Howford

144. Two representations are seeking to have site R2, which is allocated in the plan for an extension to Uryside Park, re-allocated as a mixed use site, providing 109 homes and an extension to the park. The representations are from the landowners of site R2, who indicate that they object to the whole of the site being allocated as reserved land and that a mixed use allocation could deliver the expansion to the park.

145. Bid site GR137 lies to the north east of the town and is currently in agricultural use. To the north east of the site is established and emerging residential development and the new Uryside primary school. To the north west is open countryside, to the south and south west is the River Ury and the riverside park.

146. The strategic environmental assessment of site GR137 found that effects were generally neutral, with the exception of the risk of fluvial and surface water flooding and the loss of prime agricultural land. Matters relating to transport infrastructure in Inverurie including the dualling of the A96 would require to be taken into account.

147. I note that the whole of the site is not subject to flood risk, and therefore part of the site could potentially be suitable for development. The representations are not supported by a flood risk appraisal and so I am not able to reach a firm conclusion on flood risk matters. I note the comments in the representation regarding the difficulties maintaining this land in agricultural use. However, given that land to the west is to remain undeveloped, I am satisfied that access to the site would not be impeded and that the difficulties referred could be overcome.

148. The use of the land for a park would also result in the loss of prime agricultural land, albeit would not involve built development. However, if the land was not required for the purpose of a park, then loss of prime agricultural land would be a relevant policy consideration. As I have already indicated, developing prime agricultural land may be justified if required to meet strategic housing needs and there are no reasonable alternative sites. However, in this instance, there are other suitable sites available to meet the identified shortfall in housing provision in the Aberdeen Housing Market Area (see Issue 5).

149. I have not been made aware of any requirement to deliver the proposed extension to

the park though developer contributions from any source or specific development. In response to representations relating to the park and site P17, the council has indicated that funds for improvements to the park have been received from developer contributions and work is progressing, with works to the bridge programmed for the future. On that basis, I am satisfied that the identification of site R2 as an extension to the park is appropriate and that at this point in time, further programmed improvement works are not dependant on developing part of the site. No modification to the plan is required.

Reporter's recommendations:

Modify the local development plan by:

1. Amending the boundary of protected land designation P18 and the settlement boundary on the Inverurie and Port Elphinstone Keymap on page 566 and other maps on pages 567 – 574 (as relevant) to include the golf practice area.
2. Adding the wooded open area to the north – west of the B9170 / A96 roundabout to the P26 designation on the Inverurie and Port Elphinstone Key map on page 566 and other maps on pages 567 – 574 (as relevant).
3. Amending the boundary of the R1 designation on the Inverurie and Port Elphinstone Keymap on page 566 and other maps on pages 567 – 574 (as relevant) to reflect the plan at paragraph 4.10 of representation PP1241.
4. Amending the BUS1 boundary on the Inverurie and Port Elphinstone Keymap on page 566 and other maps on pages 567 – 574 (as relevant) to exclude the residential area at Versatile Square and Taylor Place.
5. Adding the following new second bullet point to the Flood Risk section on page 558:
“• Due to watercourses running through or adjacent to the site and/or surface water flooding, Flood Risk Assessments will be required for sites OP5, OP13 and OP16. A Flood Risk Assessment may be required for site OP3.”
6. Adding the following new third bullet point to the Flood Risk section on page 558:
“• A detailed flood study by Aberdeenshire Council has confirmed site OP4 is at risk of flooding. A Flood Risk Assessment will be required for any future development on this site.”
7. Adding the following new fourth bullet point to the Flood Risk section on page 558:
“• All BUS sites have surface water flood risk areas and/or are adjacent to watercourses. A Flood Risk Assessment may be required. Appropriate buffer strips will be required alongside the watercourses. Re-naturalisation of the watercourses and removal of any redundant features should be investigated.”
8. Adding the following new first bullet point in the Services and Infrastructure section on page 558:
“• Strategic transport infrastructure - Development may be required to contribute to strategic transport infrastructure. Further information is provided in Supplementary Guidance on Developer Obligations and Affordable Housing and in the Delivery Programme.”

9. Replacing the strategic drainage and water supply bullet point on page 558 with:
“• Strategic drainage and water supply: There is currently available capacity at Inverurie Waste Water Treatment Works. A Drainage Impact Assessment may be required.”
10. Inserting a new fourth sentence into the allocation summary for OP4: Phase 2 Portstown on page 560 to read:
“...of the Plan. Should extant permission lapse any future developments will have to take account of the latest Council Flood Study for Inverurie. A Flood ...”
11. Replacing the second sentence in the first paragraph of the allocation summary for OP5: Crichtie (Residential and Community) on page 561 with:
“A Development Framework was approved in February 2013 and a masterplan for the site was subsequently approved in June 2013 but will need to be reviewed if the extant planning permission is not implemented.”
12. Replacing the fourth sentence in the second paragraph of the allocation summary for OP5: Crichtie (Residential and Community) on page 561 with:
“Transport Assessment updates may be required.”
13. Replacing the final sentence of the second paragraph of the allocation summary for OP5 Crichtie (Residential and Community) on page 561 with:
“The maintenance and enhancement of wildlife corridors should be integral to the site’s development. Where possible, existing woodland should be retained and enhanced. Equivalent compensatory planting must be provided for any loss of woodland/trees.”
14. Replacing the second sentence in the second paragraph of the allocation summary for OP6: Crichtie (Employment) on page 561 with:
“Transport Assessment updates may be required.”
15. Replacing “OP10” with “OP6” in the first sentence of the second paragraph in the allocation summary for OP11: Pineshaw, Port Elphinstone on page 563.
16. Deleting “(FRA)” from the penultimate sentence of the allocation summary for OP13: Kirkwood Commercial Park, Thainstone on page 564 and replacing “FRA” with “Flood Risk Assessment” in the last sentence of the allocation summary.
17. Adding the following new sentences to the end of the allocation summary for site OP15: Land West of Bennachie View Care Home on page 565:
“A cumulative appraisal is to be undertaken to determine any potential impact to the A96(T) and identify if any mitigation is required to deliver the site. Provision for active travel is required.”
18. Adding the following two sentences before the last sentence in the third paragraph of the allocation summary for OP16: Land West of Conglass Cottages on page 565:
“A cumulative appraisal is to be undertaken to determine any potential impact to the A96(T) and identify if any mitigation is required to deliver the site. Provision for active travel is required.”

Issue 35	Kintore	
Development plan reference:	Proposed LDP, Appendix 7D Garioch, Page 588-598	Reporter: Sinéad Lynch
Body or person(s) submitting a representation raising the issue (including reference number):		
PP0102 Mr Peter Winn PP0121 Mrs Lorraine Strachan PP0225 The Kintore Consortium PP0226 The Kintore Consortium PP0239 Barratt Homes PP0246 RMB Developments PP0251 Mr Dennis Cran PP0269 Maxwell McDonald PP0272 Scottish Water PP0477 Monarch Developments PP0558 Asda Stores Limited PP0578 Scottish Government Planning and Architecture Division PP0733 Dr Paul Davison PP1219 Scottish Environment Protection Agency PP1241 Nestrans PP1343 Historic Environment Scotland		
Provision of the development plan to which the issue relates:	Kintore Settlement Statement	
Planning authority's summary of the representation(s):		
<p><u>General</u></p> <p>Nestrans are currently gaining clarity from Transport Scotland on their proposals for the upgrade of the A96 at this location. The railway station is due to open in Autumn 2020 (RD0227.A). No modifications sought (PP1241).</p> <p><u>Settlement Features</u></p> <p>For all protected sites in the settlement, wording should make it clear that no development should take place in these areas (PP0733).</p> <p><u>Site P7 – To protect recreational open space as an amenity for the settlement</u></p> <p>A representee has requested that the protected status afforded to site P7 is removed and incorporated into the OP1 allocation, as identified within the approved Kintore East Development Framework. Concerns are noted that while site P7 was allocated for education uses in the 2012 and 2017 Local Development Plans (LDPs), at no point has there been any suggestion that the site would be protected as recreational open space in</p>		

the Main Issues Report (MIR) or Issues and Actions paper for Kintore. The site P7 was allocated for education uses in previous LDPs, the Council recognises the development potential this site has, and therefore it is logical that this development potential continues to be recognised within the Proposed Local Development Plan (PLDP), albeit for alternative residential and community use associated with the neighbouring development at Kintore East. It is suggested that the site offers the potential to make a significant contribution to the existing settlement as well as the emerging development at Kintore East, through a sensitive mix of community and residential uses, and creating an attractive new gateway for the OP1 allocation. The representee has included an Appendix (RD0031.A) in their representation which provides further detail to support their position (PP0225).

Site P9 – To protect the football pitch and open space as an amenity for the settlement and forming part of the green-blue network and Site BUS4 – Safeguarded for business uses

The representee has no objection to protecting land to cover the football pitch, but objects to including within P9 the brownfield area and the yard area associated with the garage in business use. It is requested that the part of P9 is removed and an extension of site BUS4 area is introduced. The representee has included an Appendix (RD0038.A) in their representation which provides further detail to support their position (PP0269).

Site R1 – For a town park at Gauch Hill

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Site BUS1 – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for BUS1 (RD0214.B). No modification sought (PP1219).

Site BUS2 – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for BUS2 (RD0214.B). No modification sought (PP1219).

Part of the site is identified in the 2017 LDP as BUS2 site has been carried forward but the representee is looking to extend the allocation slightly to include land at Bridgend House. The site is located within a short walk from the new railway station and the town centre so is in close proximity to a number of services. Within the 2017 Settlement Statement it notes that it is safeguarded for employment uses etc. subject to a masterplan for housing. This shows that a mix of housing and business uses is considered appropriate in principle (PP0477).

In line with the 2017 LDP a draft masterplan was prepared, and public consultation carried out. The feedback was generally supportive of the overall development with most queries regarding the trees to the southern boundary and there are no proposals to remove these. The draft masterplan was then presented to Garioch Area Committee where there were no objections by statutory consultees as necessary tweaks had been made to plans for flood risk. Garioch Area Committee did not approve the site as it was felt that the site was primarily housing and would change the allocation of the site which contradicts the statement in the Settlement Statement. It was also noted that the site would act as a

gateway function to the north of Kintore, the OP7 site would actually be more prominent and serve as the gateway. Nothing raised at the Committee meeting would stop the site being allocated and reallocating the site from a BUS2 site to mixed-use would address the concerns raised by the Committee (PP0477).

The Settlement Statement for Kintore makes it clear that there is capacity for both housing and employment land in Kintore. Within the Strategic Development Plan (SDP) it states that LDP allocations should be small-scale in nature as no changes were made to the SDP through the Examination. Most of the allocations in Kintore are large-scale, although it is noted that OP7 is small scale. This was however noted not to be developed in isolation. So, allocating this site would accommodate the small-scale element and address the lack of effective small-scale sites in Kintore. The Employment Land Audit (ELA) also notes that there is a significant oversupply of employment land in Aberdeenshire. There is therefore no need for additional employment land so the reallocation of the site to mixed-use would have no adverse impact on the availability of employment land. Working from home is also now becoming more popular given the current situation and there is support for this through the policies in the Plan. This site would be able to help address the uptake of this also. Scottish Planning Policy (SPP) states that allocations should meet the diverse needs of sectors and be flexible to accommodate changing circumstances. Given the oversupply of employment land and the demands for flexible live-work options this site should be considered in accordance with SPP as there are still other sites allocated in Kintore for employment opportunities. The presumption in favour of development set out in SPP also notes that decisions should respond to current economic issues/challenges/ opportunities, make efficient use of land allocations and support delivery of accessible housing. The site being reallocated as mixed-use would be in line with what is advocated by SPP (PP0477).

If the site was allocated for mixed-use there are no constraints that would prejudice development, it would facilitate the redevelopment of a steading building, there is no conflict between the proposed use and adjacent land uses and can be accessed by sustainable means and is within close proximity to the rail station and facilities. Through the masterplan there is also a SuDS strategy, availability of services and the awareness that any capacity issues at the school can be addressed. Finally, the site can be delivered within the Plan period. The representee has included a number of Appendices (RD0076.A, RD0076.B and RD0076.C) in their representation which provides further detail to support their position (PP0477).

Flood Risk

SEPA has requested, that for consistency, a new 'Flood Risk' bullet point should be added to state that parts of sites OP1, OP2 and OP7 are at risk from flooding and that Flood Risk Assessments may be required (RD0214.B) (PP1219).

SEPA has requested, that for consistency, a new 'Flood Risk' bullet point should be added to state that significant areas of sites BUS3 and BUS4 are at risk from flooding by the Tuach Burn and Flood Risk Assessments may be required, buffer strips will be required, and re-naturalisation of the watercourse and removal of any redundant features be investigated (RD0214.B) (PP1219).

Services and Infrastructure

A representee has concerns, about the impact of the proposed new 1000 homes, on

vehicular traffic in the area. The B987 leading to Broomhill Roundabout (A96) is already a traffic choke point and without a slip road link here there would be significant queuing resulting in increased pollution, commuting times and potentially road traffic collisions (PP0102).

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Scottish Water have requested that text under the 'Strategic drainage and water supply' bullet point is amended to read, "There is currently available capacity at Inverurie WWTW. A Drainage Impact Assessment will be required. A Water Impact Assessment will be required. Early engagement with Scottish Water is recommended." (PP0272).

A representee has requested the deletion of the secondary education requirement under 'Service and Infrastructure', as the previous requirement for a new academy has changed. Progress has been made on a new £55 million Inverurie Community Campus, which will replace Inverurie Academy, and an extension to Kemnay Academy is complete. As such, there is sufficient capacity available within the wider catchment area to absorb pupils from Kintore (PP0225).

A representee notes that the reference to 'recreation provision for Tuach Hill Park' should be deleted as there is no Tuach Hill Park (PP0733).

A representee notes that there is no need for a new health centre, however the requirement for contributions towards additional capacity is required. Reference to new health centre should be removed (PP0733).

Site OP1 – Kintore East (Residential)

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee agrees with the third paragraph in the summary text for OP1 and that progress on the additional 400 homes should not proceed until progress has been made on the initial 600 homes and not before delivery of the community facilities and neighbourhood centre associated with site OP5. No modification sought (PP0226).

The continued identification of Kintore East as OP1 is welcomed and that the PLDP recognises the site's true capacity of 1,000 homes. This will help grow this popular settlement, delivering housing to meet strategic needs and support the broad range of services, amenities and employment land within the settlement (PP0226).

A representee has objected to the proposed wording that suggests the approved masterplan for the 600-home scheme will need to be reviewed if development has not commenced on this site at the date of adoption of the Plan. It is argued the approved Kintore East Masterplan is still very much relevant to the development of the site and has informed the extant Planning Permission in Principle (PPP) (APP/2013/3830) consent to which Matters Specified in Conditions (MSC) applications have been pursued and remain pending. It would therefore be unreasonable to request a formal review of the masterplan during the lifetime of the PPP consent. The allocation summary also needs clarification in relation to supporting information for the site. It is requested that any new technical

reports, in relation to flood risk, transportation etc., are only to be required to support the additional 400 homes, and not the existing 600 homes that have extant planning permission. A significant amount of information has already been provided for the 600 homes (PP0226).

A representee supports the identification of the indicative access route within the Settlement Statement maps, but requests that the access route is updated to align with the route identified within the development framework, masterplan and approved PPP (APP/2013/3830). The representee has included a number of Appendixes (RD0032.A, RD0032.B and RD0032.C) in their representation which provides further detail to support their position (PP0226).

A representee requests the boundary of the OP1 site is changed to remove an area of land as it had not been included in the Kintore East Masterplan or any planning applications (PP0239).

In addition to the 400 homes at OP1, and those that already have consent, a further three allocated sites identify potential upgrade relating of the A96/B987 Broomhill roundabout. The LDP should identify what, if any, improvement is required at this location on the trunk road network. This should include the nature and scale of improvements required and associated cost. If developer contributions are to be sought, the mechanism whereby such contributions will be gathered, and when and by whom improvements will be delivered should also be included in the LDP in accordance with SPP. In the Settlement Statement for Kintore, the LDP proposes under Allocated Sites on page 591 an allocation of 1,000 homes at site OP1: Kintore East (Residential). This site was previously allocated as site OP1 in the LDP 2017 with a proposed allocation of 600 houses. Planning Permission in Principle was approved in 2015 for the 600 houses including required mitigation measures at the A96/B957, Broomhill roundabout. No further assessment has been undertaken of the impact of this further allocation of 400 houses and the potential impact on the trunk road network at the A96/B987 Broomhill roundabout (PP0578).

A representee also notes that site OP1 is not justified and there is no community support for the development (PP0733).

Kintore OP1 is located in the immediate vicinity of the scheduled monuments known as Aberdeenshire Canal, remains of, NW of Brae of Kintore (SM 7674) and Aberdeenshire Canal, remains of, south of Dalwearie (SM 7675). Historic Environment Scotland (HES) has noted that while the allocation appears to exclude the monuments, it will be important that any development avoids any direct (i.e., physical) impacts on their legally protected scheduled areas of the monuments. They add, while the monuments (canal) are industrial in nature, they are in a largely rural and open landscape and still retain a sense of place. Therefore, consideration should be given to mitigating the impact through sensitive housing design and potentially also landscaping, such as leaving undeveloped land as a buffer and/or using trees to screen the development from view, in line with HES Setting guidance (RD0266.A) (PP1343).

Site OP2 – Woodside Croft, Town Park

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

A representee wishes to gain clarification of boundaries of the site in relation to their land, otherwise will object to an application (PP0251).

Site OP3 – Kintore South

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

A representee has a number of concerns regarding the site including, a negative impact on neighbouring properties particularly in relation to road access and visual impact. Concerns are also noted about impact on features of archaeological interest within the site and the environmental health impact of this development in combination with the existing industrial estate. In particular, there is already a lighting and noise issue (PP0121).

Site OP4 – Midmill Business Park

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP4 (RD0214.B). No modification sought (PP1219).

A, respondent notes that they have concerns about the negative impact that the development will have on neighbouring properties and particularly has concerns about the negative impact of this development due to increased traffic. This is given there are existing safety concerns at Broomhill Roundabout being a traffic bottleneck, with many lorries (PP0121).

A representee notes that the wording stating 'a new distributor link is required to the B987' is not required as there is an existing distributor link to the B987 (PP0733).

Site OP5 – Kintore East (Commercial and Community)

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP5 (RD0214.B). No modification sought (PP1219).

Any new retail facilities within the allocation should be clearly restricted by maximum floorspace levels to prevent ambiguity with the reference 'neighbourhood' and allow adequate assessment of retail impact on existing centres (PP0558).

A representee supports the inclusion of OP5 for the delivery of commercial and community uses, as the Proposed Plan designation now provides sufficient clarity on this and should resolve any misled preconceptions within certain parts of the community that the land would not be subject to development. No modification sought (PP0226).

This site is part of the existing Tuach Hill protected area and should not be developed. The site should be removed along with all references to a distributor road connecting to the B987 (PP0733).

Site OP6 – Land Adjacent to Woodside Croft

SEPA recommends, for site OP6, removing the requirement for a Flood Risk Assessment (FRA) as SEPA have no requirement for one and recommend consulting the Council's Flood Prevention Unit to confirm whether this requirement can be removed from the

allocation text (RD0214.B) (PP1219).

Site OP6 is not justified and there is no community support for the development. Provision of affordable housing in the area should be part of the Woodland Croft/Town Park development and not specified as a percentage of housing on site (PP0733).

Site OP7 – South of Northern Road-A96

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP7 (RD0214.B). No modification sought (PP1219). A representee has expressed support for the inclusion of site OP7. The owner has not yet been approached by the neighbouring landowner with regard to the requirement for a masterplan as part of the 2017 LDP. The neighbouring landowner has recently submitted a masterplan to Aberdeenshire Council but has not yet got this approved by Garioch Area Committee. A comment was submitted to highlight that the representee does not wish any masterplan approved under the Aberdeenshire LDP 2017 or any alteration to adjacent proposed BUS2 allocation as it could prejudice the detailed proposal proposed to be allocated as OP7. The representee has included an Appendix (RD0033.A) in their representation which provides further detail to support their position. No modification sought (PP0246).

Site OP7 site should be designated for retail and employment, with a specification that up to 18 homes could be allowed if justified by an approved masterplan. The site is an opportunity for small shops, cafes and small businesses that would benefit the community and presents the right image for the Kintore. No more houses are needed in the village (PP0733).

Modifications sought by those submitting representations:

Settlement Features

Modify the PLDP to amend wording for 'P' sites within the Kintore Settlement Statement to make it clear no development is permitted (PP0733).

Site P7 – To protect recreational open space as an amenity for the settlement

Modify the PLDP to incorporate site P7, which is designated to protect recreational open space and place within OP1, which is allocated for 150 homes to enable the development of Gauch Hill Town Park (PP0225).

Site P9 – To protect the football pitch and open space as an amenity for the settlement and forming part of the green-blue network and Site BUS4 – Safeguarded for business uses

Modify the PLDP to remove part of the P9 site and extend BUS4 area (PP0269).

Site BUS2 – Safeguarded for business uses

Modify the PLDP to reallocate part of BUS2 to a mixed-use opportunity site for housing, employment and commercial units with the extension of the boundary of the site to include land at Bridgend House and land adjacent to the existing garage (PP0477).

Flood Risk

Modify the PLDP to add a new 'Flood Risk' bullet point, "Parts of sites OP1, OP2 and OP7 lie within or adjacent to SEPA's Indicative 1 in 200-year flood risk area or have a watercourse running through or adjacent to the site. Flood Risk Assessments may be required." (PP1219).

Modify the PLDP to add a new 'Flood Risk' bullet point, "Significant areas of BUS3 and BUS4 sites are at risk from flooding by the Tuach Burn and small watercourses. Flood Risk Assessments may be required. Appropriate buffer strips will be required alongside the watercourse. Re-naturalisation of the watercourse and removal of any redundant features should be investigated." (PP1219).

Services and Infrastructure

Modify the PLDP to ensure appropriate infrastructure improvements are made to accommodate the proposed new 1000 homes (PP0102).

Modify the PLDP to amend text under 'Strategic drainage and water supply' to read, "There is currently available capacity at Inverurie Waste Water Treatment Works. A Drainage Impact Assessment will be required. A Water Impact Assessment will be required. Early engagement with Scottish Water is recommended." (PP0272).

Modify the PLDP to remove "Secondary education, All residential development will be required to contribute towards additional capacity at Kemnay Academy" under the 'Services and Infrastructure' section (PP0225).

Modify the PLDP to delete the reference to 'Tuach Hill Park' under 'Sports and recreation facilities' (PP0733).

Modify the PLDP to remove reference to a new health centre in Kintore (PP0733).

Site OP1 – Kintore East (Residential)

Modify the PLDP to remove the second part of the second sentence in paragraph one of the allocation summary for OP1 to read, "A masterplan for the residential part of the site was approved in June 2014 but will need to be reviewed if development has not commenced on this site at the date of adoption of this Local Development Plan." (PP0226).

Modify the PLDP to clarify that any new technical reports in relation to flood risk, transportation, etc, would be required to inform the additional 400 units, not 600 units, which are subject to an extant permission within the allocation summary for OP1 (PP0226).

Modify the PLDP to ensure the access route will align with the route identified within the development framework, masterplan and approved PPP on the Kintore Settlement Statement map (PP0226).

Modify the PLDP to amend the site boundary of OP1 to remove an area of land from the allocation and update the site boundary of Site OP1 (PP0239).

Modify the PLDP to ensure that the allocation summary identifies what, if any, improvement

is required at this location on the trunk road network (PP0578).

Modify the PLDP to amend the allocation of OP1 to change the allocation from 1000 to 600 homes and remove references to 'a further 400 homes' (PP0733).

Modify the PLDP to ensure consideration is given to mitigating impact through sensitive housing design and potentially also landscaping, such as leaving undeveloped land as a buffer and/or using trees to screen the development from view, in line with the HES setting guidance (PP1343).

Site OP2 – Woodside Croft, Town Park

Modify the PLDP to clarify the boundary of site OP2 (PP0251).

Site OP3 – Kintore South

Modify the PLDP to ensure that the OP3 site minimises the noise and light pollution impact, minimise adverse impact on neighbouring properties and protect archaeological features within the site (PP0121).

Site OP4 – Midmill Business Park

Modify the PLDP to address local traffic safety issues and ensure there are suitable infrastructure and/or traffic measures in place to accommodate increased traffic from new development and minimise adverse impact on neighbouring properties (PP0121).

Modify the PLDP to remove the requirement for a new distributor link to the B987 from the allocation summary (PP0733).

Site OP5 – Kintore East (Commercial and Community)

Modify the PLDP to make reference to 'neighbourhood' to restrict maximum floorspace levels within the site allocation summary for OP5 and for proposals to be subject to a Retail Impact Assessment where over 400sqm gross floorspace (PP0558).

Modify the PLDP to remove site OP5 and all references to a distributor road connecting B987 (PP0733).

Site OP6 – Land Adjacent to Woodside Croft

Modify the PLDP to confirm whether a Flood Risk Assessment is still required and if not, remove it from the allocation summary (PP1219).

Modify the PLDP to remove site OP6 (PP0733).

Site OP7 – South of Northern Road-A96

Modify the PLDP to amend the OP7 allocation to retail and employment with up to 18 homes permitted with an approved masterplan (PP0733).

Summary of responses (including reasons) by planning authority:

General

The comments from Nestrans are noted. No change is required.

Settlement Features

The comments from the representee are noted. Protected land status does not necessarily mean that development proposals could not come forward. The designation summary outlines exactly why each of the sites is designated as a protected site. Furthermore, it is stated within Policy PR1 Protecting Important Resources at paragraph PR1.6 Open Space that development will not normally be permitted on any area of open space, including outdoor sports facilities and buffer strips along watercourses, unless the new use is ancillary to the use of area as open space, see Proposed Plan (AD0041.A page 74). This then affords the protected sites within the Settlement Statements protection without having to make individual statements for each site. No change is required.

Site P7 – To protect recreational open space as an amenity for the settlement

The concerns relating to the protected status of the site are noted. Within the Issues and Actions paper it is noted, for the sites, that a number of representees are concerned in respect of the potential for adverse impacts on protected sites and open space, and those matters would have been considered within the context of the planning history associated with the site, see Issues and Actions (AD0040.E, page 76). Therefore, to provide a transparent process and also to enable clarity for the residents of Kintore it is considered appropriate to maintain the open space protection of the area. No change is required.

Site P9 – To protect the football pitch and open space as an amenity for the settlement and forming part of the green-blue network and Site BUS4 – Safeguarded for business uses

The BUS4 site has slightly extended in size since the 2017 LDP, as there is now a small area of extension on the west side of the B987. This extension to the site is for the area of land associated with the garage. This area of land is excluded from the P9 boundary as included within the BUS designation, shown by the blue overlay on the PLDP, Kintore Settlement Statement, page 597. No change is required.

Site R1 – For a town park at Gauch Hill

Comments from SEPA are noted. No change is required.

Site BUS1 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Site BUS2 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Through comments received in relation to the MIR, a new allocation, OP7 has been proposed to be included within the LDP for a mix of uses including housing and employment. This previously formed part of the wider BUS2 site in the 2017 LDP

(AD0034.G, page 426). The representee is requesting that more of the BUS2 allocation is also changed to form a mixed-use allocation. This is not considered to be appropriate at this point as there is limited employment land left within the settlement and there is still demand for space as seen with the take up at BUS1, BUS3 and BUS4. It would, therefore, seem to be appropriate to allow for the smaller OP7 development to be constructed first, then should demand exceed the allocation at OP7 a future development bid could be submitted to the Council to request further development on the site. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

Services and Infrastructure

Concerns regarding the traffic impact of the site are noted. This particular section of the Plan 'Services and Infrastructure' notes any developer obligations that are/may be required as a result of additional development. Developer obligations cannot be used to solve existing problems but can be used to mitigate the impact of any development on the existing infrastructure. It is noted within the 'local transport infrastructure' bullet point that a new distributor road will be required and the B987 will require to be upgraded, both of these projects will help relieve pressure on the transport network. No change is required.

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

The information regarding the secondary education requirements originates from the Council's Education Service. The requirements are worked out by looking at allocations within the Plan and capacity within the schools. Any requirements for developer obligations are then discussed with the Council's Developer Obligations Team to ensure that the requirements are relevant and correct for the developments. It is therefore considered that the text contained within the PLDP is relevant and should remain. No change is required.

The bullet point for 'Sports and recreation facilities' was carried over from the 2017 LDP. However, it is acknowledged that there is a typographical error within the statement as it should reference 'Gauch Hill Town Park' rather than 'Tuach Hill Park'. The Council confirms that it intends to address the comment from the representee through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

Information relating to the requirements for health care are sought from NHS Grampian for each settlement in the LDP and then the relevant information is included. NHS Grampian provided the information contained within the PLDP and have not objected to the inclusion of the current wording. Although the wording in the LDP will remain for the entirety of the Plan this is reviewed with NHS Grampian on a yearly basis and any updates would be detailed within the most up to date Delivery Programme. No change is required.

Site OP1 – Kintore East (Residential)

Comments from SEPA are noted. No change is required.

The comments in support of the allocation are noted. No change is required.

The concerns regarding the wording in relation to the masterplan needing to be reviewed are noted. The requirement for the review of the masterplan is a new requirement coming through Policy P1 Layout, Siting and Design. The policy requires masterplans to be reviewed every 5 years. As noted within the Issues and Actions papers the introduction of the review process is to allow the masterplans to reflect updates in national guidance and policy (AD0040.E, page 106). It also allows the community to keep up to date with what is proposed on the site and for this to be as responsive as possible to any changes. No change is required.

The access route shown on the Settlement Statement map is shown as an indicative line. However, as noted by the representee there is an access route shown in the agreed development framework, masterplan and PPP. The Council confirms that it intends to address the representees comment through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

A representee notes that an area of land has been included in the OP1 allocation but has not been included in the masterplan or any planning applications. A copy of the land in question has been mapped by the representee. It is deemed that it would be appropriate to remove this area of land from the allocation to ensure that the allocation only contains land which is to be developed. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

A Development Planning and Management Transport Appraisal Guidance (DPMTAG) assessment was carried out to support the preparation of the PLDP. The DPMTAG notes that overall, the OP1 site performs well against the criteria and that proposals for the site detailed within the approved masterplan would support the access strategy for the site and would have limited adverse impact on the Strategic Transport Network. The development would still be required to mitigate any impact that the development will have as a result of the additional development through developer obligations. Some information is contained within the 'Services and Infrastructure' section of the Plan and note under the local transport infrastructure. More detail on specific requirements of the OP1 site would be assessed and discussed during future masterplans and planning applications for the site. No change is required.

The site is an allocated site which has an approved development framework, masterplan and also has PPP for the site with a MSC application pending. The site is therefore progressing towards development. No change is required.

The Council confirms that it intends to address the comment from HES through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

Site OP2 – Woodside Croft, Town Park

Comments from SEPA are noted. No change is required.

The boundary of the OP2 remains unchanged from the 2017 LDP with sections fronting the B994 and B987 as well as the boundaries of the existing properties in the area. The map of the site can be found in both the 2017 LDP (AD0034.G) at page 427 and in the

Proposed LDP (AD0041.G) at page 597. Any neighbouring property within 20 metres of the site would have been notified when the allocation was originally allocated within the LDP and then subsequently at each review of the LDP. No change is required.

Site OP3 – Kintore South

Comments from SEPA are noted. No change is required.

Concerns relating to the OP3 site are noted. Any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan. Additionally, issues relating to access would be assessed at the planning application stage through consultation with the relevant stakeholders. Also, in relation to the archaeological concerns, as part of the site assessment process when selecting acceptable sites, this is one of the criteria that is looked at which is why the text was included in the allocation summary to highlight this was something that requires to be considered when developing the site. Additionally, any planning application that was submitted for the site would be assessed against all of the relevant policies in the Plan, including Policy HE1 Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites. It is therefore considered to be appropriate to maintain the allocation of the OP3 as the issues raised within the representations can be addressed at the planning application stage. No change is required.

Site OP4 – Midmill Business Park

Comments from SEPA are noted. No change is required.

Concerns relating to the OP3 site are noted. Any impacts on the amenity of neighbouring properties will be addressed at a planning application stage with proposals being assessed against relevant policies within the Plan. Additionally, issues relating to roads would be assessed at the planning application stage through consultation with the relevant stakeholders. In relation to the concerns raised about the additional traffic at the Broomhill roundabout is noted. The 'Services and Infrastructure' section of the Settlement Statement notes any developer obligations that are/may be required as a result of additional development. Developer obligations cannot be used to solve existing problems but can be used to mitigate the impact of any development on the existing infrastructure. Within the 'local transport infrastructure' bullet point a number of requirements are mentioned and would be considered upon an application being submitted for development. No change is required.

The reference relating to the distributor road relates to the new principal access route which is indicatively shown on the Settlement Statement maps which is proposed to come forward when the new development allocations are development see PLPD (AD0041.G, page 595). This is seen as one of the measures of dealing within the additional traffic pressure from these new developments and is considered appropriate to remain. No change is required.

Site OP5 – Kintore East (Commercial and Community)

Comments from SEPA are noted. No change is required.

The comments in support of the allocation are noted. No change is required.

The site has planning permission for a supermarket under planning application APP/2014/1953. No stipulations in terms of floor space are set by the allocation summary text. However, should any new planning application be submitted for the site it would be assessed against the relevant policies within the Plan including Policy B1 Town Centre Development. This policy states that retail and commercial facilities must be appropriate to the scale and function of the settlement (B1.2, AD0041.A, page 26). This would then allow for a judgement to be taken should a planning application be submitted. No change is required.

The PLDP is being updated to reflect the agreed development framework and masterplan for the site which both make reference to this area being developed for commercial/community uses, see the development framework (AD0089, page 22). It is therefore considered appropriate to ensure transparency and clarity that the site is allocated as OP5 within the Plan. No change is required.

The reference relating to the distributor road relates to the new principal access route which is indicatively shown on the Settlement Statement maps which is proposed to come forward when the new development allocations are developed, PLPD (AD0041.G, page 595). This is seen as one of the measures of dealing within the additional traffic pressure from these new developments and is considered appropriate to remain. No change is required.

Site OP6 – Land Adjacent to Woodside Croft

SEPA recommended removing the requirement for a FRA, as they had no requirement for one for this site. The Council's Flood Prevention Unit was in agreement with this. Therefore, the Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

This site is a newly allocated site within the PLDP to support the development of affordable housing within the settlement. The site was originally noted within the MIR, as being reserved and not for immediate development as it was considered the site formed part of the land currently reserved for the town park at Guach Hill (AD0038.E, page 60). Through representations to the MIR, it was highlighted within the Issues and Actions paper that the Section 75 plan for the town park did not include the area proposed for housing, (AD0040.E, page 76). It was therefore considered that it was appropriate to include the site within the PLDP, albeit that within the allocation summary for the site that development on the site should not take place prior to the completion of the town park, PLDP (AD0041.G, page 593). Additionally, in relation to the comment on there being no community support for the allocation this has not been reflected in the comments received through the consultation as there is only one objection to the site. No change is required.

Site OP7 – South of Northern Road-A96

Comments from SEPA are noted. No change is required.

The comments in support of the allocation are noted. No change is required.

This is a new allocation with the PLDP and has been allocated for a 'mix of uses including 32 homes, retail and employment land'. This means that the change requested by the

representee would be acceptable under the new allocation as it would include housing, retail and employment uses. No change is required.

Reporter's conclusions:

Preliminary Matters

1. The examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 35. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Settlement features

3. I note that the word “conserve” is used in the description of the protected land designations in the adopted local development plan. In the proposed plan, the word “protect” is used instead and for some of the entries, further explanation of the purpose of the designation is provided. I do not consider the wording in the proposed plan to lessen the protection of these areas.

4. Paragraph P1.6 of policy PR1 (protecting resources) states that development will not normally be permitted on any areas of open space, including that identified as protected land in the settlement statements. However, it indicates that “exceptionally, the development of essential community infrastructure may be allowed”. It would therefore not be appropriate to state that no development should take place in these areas. No modification is required.

Site P7 – To protect recreational open space as an amenity for the settlement

5. Site P7 is an area of open space to the east of Midmill primary school. To the north, east and south is the OP1 allocation for 1000 homes. At the time of my site visit, it appeared to be in agricultural use.

6. A representation advises that the site is in the control of the consortium who are promoting site OP1, and now that site P7 is no longer required for a high school, it should form part of the overall OP1 allocation. It had never been intended that the site provide open space, it had always been proposed for use as a high school until the recent extension of Kemnay Academy. The approved framework for site OP1 incorporates the site into the overall development. The removal of the allocation is sought, with the site either being white land or part of OP1.

7. The council advises that to maintain a transparent process for residents, the site should be maintained as open space.

8. I note that in previous plans the site was also identified as P7, but for new education provision. The approved development framework for the whole of the OP1 allocation also identifies the site for education purposes. The Main Issues Report and the Issues and Actions Paper did not make reference to any change in the purpose of site P7. The council refers to page 76 of the Issues and Actions Paper, but on that page there appears to be no reference to any change in the purpose of site P7. On my reading of the situation, it appears that the change in purpose of site P7 did not materialise until the proposed plan stage.

9. On that basis, I am satisfied that the interests of residents in Kintore would not be unduly affected. The site had not been allocated for recreational open space in the past, and the plan consultation process did not include recreational open space as a proposed use for the site until the proposed plan stage. I note that the site is not currently recreational open space, nor is there a proposal to deliver open space.

10. I do not consider that allocating site P7 as protected recreational open space in this plan is justified. The site is no longer required for its original purpose. However, it does not automatically follow that the site should remain protected for another purpose, particularly when it has not been used for that purpose in the past, and when there is no proposal to deliver recreational open space in the future.

11. I note that the representation is seeking to have the site incorporated into the wider OP1 allocation. Given that a new masterplan would be required for the OP1 allocation, to reflect the additional 400 homes, I am satisfied that the future use of site P7 would best be determined through the consideration of a new or updated masterplan.

12. A modification to remove site P7 from the protected land table and to incorporate it into site OP1 is set out below.

Site P9 – To protect the football pitch and open space as an amenity for the settlement and forming part of the green-blue network and Site BUS4 – Safeguarded for business uses

13. A representation seeks an extension to BUS4 to cover the functioning areas of a garage on the west side of the B987. The proposed plan extends the BUS4 designation to cover part of the garage premises and yards. However part of the garage display yard has been omitted from BUS4 and included in protected land designation P9 instead.

14. On my site inspection, I noted that, although BUS4 has been extended to the west, the extension does not appear to cover an area of open yard which is in use as a display for vehicles. This area is hard surfaced, has access from both the north and south from the B987 and includes an electricity pylon.

15. The remainder of the P9 designation relates to the football pitch and open space. I am satisfied that if the BUS4 allocation was extended to include the yard area, neither the football pitches nor the open space to the west of the pitches would experience any negative impact. A modification to this end is set out below.

16. The representation is also seeking to exclude an area of land to the west of the football pitches, as it is considered brownfield land. Whilst I note that this area of land is in private ownership and is relatively unkempt in appearance, it sits within a green corridor which runs immediately to the east of the A96. The corridor as a whole contributes the

setting of Kintore and I do not consider it would be appropriate to remove this section. No modification is required in relation to this part of site P9.

Site BUS2 – Safeguarded for business uses

17. Site BUS2 is located to the north of the town, and south and east of the A96 junction. The part of the site to the east of the B987 is reserved as a transport interchange to serve the new railway station. Site OP7 has been removed from BUS2, and is allocated for mixed use development, including 32 homes. The representation is seeking the reallocation of part of BUS2 to accommodate mixed use development including housing, employment and retail/commercial units. The extension of the site to the south and the inclusion of Bridgend House is also sought.

18. At my site inspection, I observed the railway station and associated infrastructure, the OP7 site which is in agricultural use, the remainder of BUS2, Bridgend House and steadings, the Station garage, and the white land between the garage and the southern end of BUS2.

19. Paragraph B2.2 of policy B2 (Employment/Business Land) clearly sets out the circumstances where alternative development proposals would be permitted. I note that it should be demonstrated that there is no reasonable prospect of the employment land becoming marketable for business development. The alternative use, in this case residential, must benefit the local community and not prejudice the strategic employment land requirement.

20. I find that the proposed re-allocation of part of site BUS2 has not been fully evidenced. Although the representation states that there is sufficient employment land in Kintore, the council advises that employment sites are in demand, as evidenced by the successful take up of land in the other employment areas in the town. Furthermore, the suitability of the site for the alternative uses has not been demonstrated. In advance of the development of site OP7, I do not consider the proposed re-allocation of site BUS2 would be justified. In relation to the proposed extension of BUS2 to include Bridgend House and steadings, and an area to the south-east of the site, I note both these areas are within the settlement boundary and that Bridgend House and steadings could be considered a brownfield opportunity. I agree with the council that a proposal for alternative uses, the development of Bridgend House and steadings and the additional land to the south-east of BUS2 could come forward through the development management process, and be assessed against the criteria in policy B2 and other relevant policies. No modification to the plan is required.

Flood Risk

21. The Scottish Environment Protection Agency (SEPA) has requested some additional bullet points in the flood risk section. These would refer to flood risk at sites OP1, OP2 and OP7 and indicate that significant areas of sites BUS3 and BUS4 are at risk from flooding by the Tuach Burn. The council agrees with both representations. I also agree that the amendment proposed by SEPA would add clarity to the plan and the position on flood risk. A modification is set out below.

Services and Infrastructure

22. A representation has expressed concerns about the impact of the proposed new

homes on vehicular traffic in the area. A slip road to link the B987 to the Broomhill Roundabout (A96) is required. Without it, queuing traffic will lead to an increase in pollution and in commuting times.

23. I note that the local transport infrastructure section indicates that development may be required to contribute to new infrastructure, if necessary as a result of that new development. However, developer obligations cannot be used to solve existing problems. I am satisfied that the new distributor road and the upgrading of the B987 to the A96 will help relieve pressure on the transport network. No change to the plan is required

24. Scottish Water has requested an amendment to the 'Strategic drainage and water supply' bullet point. I agree that the wording proposed by Scottish Water would add clarity to the plan and the position on capacity in Kintore. A modification to the Services and Infrastructure section is set out below.

25. A representation is seeking the deletion of the secondary education requirement under 'Service and Infrastructure', as the previous requirement for a new academy has changed. There is now sufficient capacity available within the wider catchment area to absorb pupils from Kintore.

26. My reading of the representation is that what is sought is the removal of the requirement for a new secondary school in Kintore, not that the requirement for contributions to the extension of Kemnay Academy should be removed. However, I agree with the council that requirements for development obligations for education may be relevant, and should remain in the plan. No modification to the plan is required.

27. A representation notes that the reference to 'recreation provision for Tuach Hill Park' should be deleted as there is no Tuach Hill Park. The council advises that this is a simple typographical error and that the final sentence of the sports and recreation facilities bullet point on page 590 should read 'Gauch Hill Park'. A modification to that end is set out below.

28. A representee notes that there is no need for a new health centre, however the requirement for contributions towards additional capacity at existing centres should be retained. The reference to a new health centre should be removed.

29. The council advises that information relating to the requirements for health care are sought from NHS Grampian for each settlement in the LDP. NHS Grampian provided the information contained within the proposed plan, and has not objected to the inclusion of the current wording. Requirements for healthcare are reviewed with NHS Grampian on a yearly basis and any updates would be detailed within the most up to date Delivery Programme. I am satisfied that the current wording in the plan reflects the position of NHS Grampian and no modification to the plan is required.

Site OP1 – Kintore East (Residential)

30. Site OP1 is a large site to the south-east of Kintore. It is allocated in the existing local development plan for up to 600 homes, a neighbourhood centre, open space and associated infrastructure. A 2014 masterplan is in place for the residential element of the site. The proposed plan includes an allocation for up to 1,000 homes and associated infrastructure in this plan period.

31. A representation has objected to the requirement for the masterplan to be reviewed if

development has not commenced on site by the time the development plan is adopted. A significant amount of information was submitted with both the original masterplan and the planning application, and the representee considers that it is unreasonable to seek new technical reports for any part of the site, other than for the additional 400 homes.

32. Policy P1 (Layout, Siting and Design) indicates that, once agreed, masterplans shall remain valid for a period of five years, unless planning permission is granted and implemented. Paragraph P1.3 also states that design statements and masterplans must reflect the whole of the allocated site, and only when there is a development framework for the whole allocation will a masterplan for smaller parts be accepted.

33. I am satisfied that in order for the requirements of Policy P1 to be met, the 2014 masterplan would need to be reviewed and amended to incorporate the additional allocation of 400 homes. No modification is required.

34. The access route associated with site OP1 is shown on the plan at page 595 as an indicative route. A representation has noted that the indicative route does not directly align with the route set out in the approved masterplan and planning consent. The council agrees that the route shown in the plan should be consistent with these other documents. I find that, as there is an approved access route, the plan should reflect its position in the interests of clarity. A modification to this effect is recommended.

35. A representation has noted that the settlement map at page 595 includes an area of land within site OP1, which does not form part of the design framework, masterplan or planning consent. The land in question lies on the northern boundary, immediately to the east of the existing core path. I agree with the council that it would be appropriate to remove this area of land from the allocation to ensure that the boundary of site OP1 reflects the masterplan and planning permission. I also agree that it would be appropriate to amend the settlement boundary accordingly. Modifications to this effect are recommended.

36. Transport Scotland has made a representation which seeks clarity on the potential impact of the additional 400 homes at site OP1 (and other allocations in Kintore) on the A96 Broomhill junction, and how those potential impacts might be accommodated in a single scheme of improvements. In order to better understand how the council intends to address Transport Scotland's concerns, a further information request was issued (FIR007).

37. The council has indicated that the mitigation required for the additional 400 homes on site OP1 is not known at this time. It has advised that there is potentially a long lead-in time to the full allocation of 1000 homes being delivered, and so it is not appropriate at this stage to identify additional mitigation to the strategic transport network.

38. Transport Scotland makes clear that all the information on the allocated and proposed sites in Kintore should have been included in the updated Development Planning and Management Transport Appraisal Guidance (DPMTAG). Its preferred approach would be the identification of a single scheme of improvements at the A96 Broomhill junction that accommodated the increase in housing numbers on OP1, and would be delivered in its entirety at an agreed trigger point. Transport Scotland warns that a piecemeal approach to delivery of interventions on the trunk road as the development progresses can cause additional delays and disruption to the operation of the trunk road network. It also places a risk on the deliverability of the allocation if, at the planning application stage, the

supporting Transport Assessment is unable to identify appropriate trunk road mitigation.

39. However, in this instance Transport Scotland agrees that the council's suggested approach is an adequate way forward from a practical position.

40. Paragraph 275 in Scottish Planning Policy indicates that development plans are expected to identify any required transport and related infrastructure and, alongside other associated documents, should set out how, and by whom, this is to be delivered and phased. We have concluded under Issue 12, that the approach taken in the proposed plan to the identification of necessary transport infrastructure does not meet the expectations of paragraph 275 of Scottish Planning Policy. In order to address this deficiency, we have recommended a modification to require the council to prepare statutory Supplementary Guidance on Developer Obligations and Affordable Housing. This should include information on the transport and related infrastructure required in association with allocations in the plan. We understand that information on how, and by whom, infrastructure is to be delivered and phased will be provided in the Delivery Programme. The recommended modification to paragraph 2.2 (see Issue 12) also states that "Where the exact requirements for site specific infrastructure are not known, the guidance will include as much detail as possible and set out clearly how, when and by whom, this information will be provided."

41. The allocation summary for site OP1 in the plan does make specific reference to the A96 roundabouts, but does not specify the nature or cost of the required upgrades. It also indicates an updated transport assessment would be required. I recommend a sentence be added to the allocation for OP1 to indicate that, where available, further information on transport infrastructure requirements will be provided in the Supplementary Guidance on developer obligations and affordable housing. A modification to this effect is recommended.

42. A representation is seeking the removal of the 400 homes from the OP1 allocation, and for it to revert to 600 homes. It states that the addition of 400 homes does not have community support.

43. The bid submission for site OP1 provided substantial information on the expected delivery process for the additional homes in conjunction with the already masterplanned and consented 600 homes. I note that a proposal referring to the full capacity of site OP1 for 1000 homes was included in the Main Issues Report and matters raised in responses are recorded in the Issues and Actions Paper. As explained in Issue 5, evidence provided by the consortium of housebuilders and the council indicates that the additional 400 homes would be deliverable within the plan period.

44. I therefore consider it reasonable that the capacity of site OP1 is increased to 1000 homes, with 400 of these identified as contributing towards the strategic development plan allowance for the Aberdeen Housing Market Area. No modification to the plan is required.

45. Historic Environment Scotland has noted that it will be important to avoid any impact on the nearby scheduled monuments, being the Aberdeenshire Canal in two locations. Buffer zones and tree planting and screening could be appropriate mitigation measures to address any such impacts.

46. The council has suggested a new paragraph to address these concerns. I find that the concerns expressed by Historic Environment Scotland are valid, and that any development on site OP1 should not have any negative impact on the scheduled monuments. I recommend a modification to the plan to address this matter.

Site OP2 – Woodside Croft, Town Park

47. A representation has advised that an issue regarding the boundary of site OP2 is currently being debated between parties, and that an objection would be made to any application. Site OP2 is a site for 150 homes as enabling development for the town park and associated facilities. Planning permission in principle was granted in 2015 and the site has been in the local development plan since 2017.

48. Should the developable area of the site change, then an altered site boundary could be included in the next local development plan. No modification to the plan is required at this stage.

Site OP3 – Kintore South

49. A representee has raised a number of concerns regarding the potential impact on their residential amenity, as they consider that there is an existing impact from the commercial and industrial activity. Traffic at the A96 Broomhill roundabout is also a concern, as is the potential impact on the archaeological remains on the site.

50. The plan on page 592 addresses the need for any development to take into account traffic impact and any impact on archaeological features. The Kintore settlement statement makes clear that improvements would be required at the A96 junctions serving the town, to address any impact that might arise from the allocations in the plan.

51. The concerns raised in the representation, about the potential impact on existing residential development in the area, are site-specific matters that cannot be fully addressed in a local development plan. Proposals would be assessed against relevant policies in the plan including policy P1 (Layout, Siting and Design) and policy P2 (Open Space and Access in New Development) and matters such as impact on the amenity, character and appearance of the area, privacy, open space and safety would be considered. There would be opportunities for participation in the development management process once a planning application is submitted and I am satisfied that this would be the most appropriate point in the planning process to consider such potential impacts. Any planning application would also be assessed against Policy HE1 (Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites). No modification to the plan is required.

Site OP4 – Midmill Business Park

52. The concerns expressed in relation to OP4 by the representee are the same as those made in relation to site OP3, and my conclusions are set out above.

53. A representee is seeking the removal of the requirement for a new distributor link to the B987. It is considered that a new link is not required as there is an existing distributor link.

54. The indicative principal access route as shown on the plan on page 595 illustrates the

new route which would serve the plan allocations to the east of Kintore. I am satisfied that the new route is required to access those allocations and should not be removed from the plan. No modification is required.

Site OP5 – Kintore East (Commercial and Community)

55. Site OP5 lies within the settlement boundary of Kintore and at the time of my site visit appeared to be in agricultural use. It lies to the south of the town centre, on the eastern side of the B987.

56. A representation is seeking to have a maximum floorspace level imposed on retail development at the site, and a requirement for a retail impact assessment to be provided for retail developments over 400 square metres.

57. I note that site OP5 has planning consent for a supermarket and also forms part of the development framework and masterplan for Kintore East (sites OP1 and OP4). I am satisfied that its inclusion in the plan as a site for commercial and community uses is appropriate. Policy B1 Town Centre Development sets out that any retail proposal should be appropriate to the scale and function of the settlement. I consider this to be a more appropriate basis for assessment than a fixed floorspace, as account can be taken of local circumstance and function.

58. A representee is seeking the removal of the site and the removal of the requirement for a new distributor link to the B987. It is considered that a new link is not required as there is an existing distributor link.

59. As the site has planning permission and is included in the development framework and masterplan, I conclude that it is appropriate to allocate the site in this plan for commercial and community uses.

60. The indicative principal access route shown on the plan on page 595 illustrates the new route which would serve the plan allocations to the east of Kintore. I am satisfied that the new route is required to access those allocations and should not be removed from the plan. No modification to the plan is recommended.

Site OP6 – Land Adjacent to Woodside Croft

61. SEPA has requested an amendment to site OP6, to remove the requirement for a flood risk assessment, unless the council considers this to be necessary. The council's flood prevention team has confirmed that a flood risk assessment would not be required. I therefore recommend a modification to amend the text accordingly.

62. A representation is seeking the removal of the site from the plan, as it was added without consultation and affordable housing is required to be delivered as part of OP2.

63. I note that site OP6 had previously formed part of site R1, being land reserved for a town park. The site, identified as bid site GR126, was included in the public consultation process for the proposed plan, including the main issues report and strategic environmental assessment.

64. The council advises that the site does not form part of the Section 75 agreement and

plan for the town park. As the site does not require to be reserved for the park, I find that it is reasonable to promote an alternative use. The environmental effects identified in the strategic environmental assessment can be addressed through a flood risk assessment and design and layout details. I consider the site to be a suitable location for affordable housing and that its allocation can assist in meeting housing need. No modification to the plan is recommended.

Site OP7 – South of Northern Road-A96

65. A representation has suggested that the number of homes be reduced to 18, retail and commercial uses be included and a masterplan required.

66. I note that the allocation summary on page 594 does specifically provide for retail and commercial uses. No justification for the suggested reduction in the number of homes on site OP7 has been provided, except that Kintore has enough houses. I consider that the homes on site OP7 would be in a sustainable location and would maximise the efficient use of the site. The site would contribute 32 homes towards meeting the strategic development plan allowance for the Aberdeen Housing Market area and I am satisfied that the indicative capacity is appropriate. The exact number of homes to be built on the site will be determined at planning application stage. Given the scale and nature of the site, and in compliance with Policy P1 (Layout, Siting and Design), a masterplan is not required. No modification to the plan is recommended.

Reporter’s recommendations:

Modify the local development plan by:

1. Removing site P7 from the protected land section in the settlement features table on page 589 and from the Kintore settlement maps on pages 595 to 598 (as relevant) and including the site as part of allocation OP1 instead.

2. Adding a new second ‘Flood Risk’ bullet point on page 590:

“• Parts of sites OP1, OP2 and OP7 lie within or adjacent to SEPA’s Indicative 1 in 200-year flood risk area or have a watercourse running through or adjacent to the site. Flood Risk Assessments may be required.”

3. Adding a new third ‘Flood Risk’ bullet point on page 590:

“• Significant areas of BUS3 and BUS4 sites are at risk from flooding by the Tuach Burn and small watercourses. Flood Risk Assessments may be required. Appropriate buffer strips will be required alongside the watercourse. Re-naturalisation of the watercourse and removal of any redundant features should be investigated.”

4. Amending the second bullet point of the services and infrastructure section on page 590 to read:

“• Strategic drainage and water supply: Waste water is pumped to Inverurie Waste Water Treatment Works (WWTW). There is currently available capacity at Inverurie WWTW. A Drainage Impact Assessment will be required. A Water Impact Assessment will be required. Early engagement with Scottish Water is recommended.”

5. Replacing the words “Tuach Hill Park” with “Gauch Hill Park” in the sports and recreation facilities bullet point on page 590.

6. Adding the following sentence to the end of the fifth paragraph in the allocation summary for OP1 (Kintore East Residential) on page 591:

“Where available, further information on transport infrastructure requirements associated with allocation OP1 will be provided in the Supplementary Guidance on Developer Obligations and Affordable Housing.”

7. Adding the following new final paragraph to the allocation summary for OP1 (Kintore East Residential) on page 591:

“Any negative effects to scheduled monuments location in proximity to the site should be mitigated through sensitive housing design. Landscaping, such as leaving undeveloped land as a buffer and/or using trees to screen the development from view, should be incorporated, in accordance with the Historic Environment Scotland’s ‘Setting’ guidance.”

8. Deleting the fourth sentence (A Flood Risk Assessment may be required.) from the allocation summary for site OP6 (Land adjacent to Woodside Croft) on page 593 of the plan.

9. Amending the Kintore settlement map on pages 595 to 598 (as relevant) to extend the BUS4 designation to include the full extent of the garage premises on the western side of the B897 and remove this area from protected land designation P9.

10. Amending the Kintore settlement map on pages 595 to 598 (as relevant) to realign the indicative principal access route to reflect the route identified within the development framework, masterplan and approved planning permission in principle for site OP1.

11. Amending the Kintore settlement map on pages 595 to 598 (as relevant) to remove an area of land (next to the northern boundary of the site and immediately to the east of the existing core path) from allocation OP1 and exclude it from the settlement boundary, as set out in the plan attached to representation PP0239.

Issue 36	Newmachar	
Development plan reference:	Proposed LDP, Appendix 7D Garioch, Page 609-613	Reporter: Sinéad Lynch
Body or person(s) submitting a representation raising the issue (including reference number):		
PP0043 Brian Johnston PP0045 Chris Cooper PP0048 Michael Bruce PP0064 Neil Hay PP0076 John Barclay PP0272 Scottish Water PP0309 Parish of Newmachar Community Council PP0387 Strategic Land (Scotland) Limited PP0388 Strategic Land (Scotland) Limited PP0577 Anne Milne PP0984 Alan Buchan PP1219 Scottish Environment Protection Agency PP1288 Kirkwood Homes Limited PP1300 NatureScot (Scottish Natural Heritage)		
Provision of the development plan to which the issue relates:	Newmachar Settlement Statement	
Planning authority's summary of the representation(s):		
<p><u>Vision</u></p> <p>It is noted in the Vision and Sports and Recreation sections that Newmachar is in need of additional facilities to cater for the local football club. The settlement map shows an area marked as R1 has been earmarked for such a development. This site forms the perimeter of the existing sports facility at Charlie Gordon Park and Reisque Park already used by the football club. Therefore, the Settlement Statement is factually inaccurate as this is not providing additional land for sports and recreation (PP0043, PP0045 and PP0048).</p> <p><u>Site R1 – For the development of a recreational area</u></p> <p>Scottish Environment Protection Agency (SEPA) has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1. No modification sought (RD0214.B) (PP1219).</p> <p>Concern has been raised surrounding delivery of land for football pitches. A representee has suggested that a sum per housing plot be passed to Newmachar United Football Club to allow the Club to secure additional land and develop pitches for the free use of the Club and the local community (PP0048).</p> <p>A representee has requested that the boundary of site R1 is amended to exclude a</p>		

privately owned agricultural field. While the land is leased to the Newmachar Football Club, the land is not formal recreational ground and may be converted back to use for agricultural purposes (PP0577).

Site R2 – For the development of a primary school

SEPA has requested that site R2 is added to the 'Flood Risk' section (RD0214.B) (PP1219).

Flood Risk

SEPA has requested that the 'Flood Risk' section be revised to include reference to site R1 (RD0214.B) (PP1219).

Services and Infrastructure

Scottish Water has requested that text is added to the statement on 'Strategic drainage and water supply' to read, "A growth project is due to be completed in 2021. Capacity has not been allowed for new development and therefore compliance is required with Scottish Water's five growth criteria for new proposals beyond existing allocations. Early engagement with Scottish Water is recommended." (PP0272).

SEPA has requested that the statement on 'Strategic drainage and water supply' be amended to read, "The Newmachar Waste Water Treatment Works is at capacity. Scottish Water are investigating options for a growth project but until a technical solution is found this cannot be confirmed. All new development in Newmachar must connect to the public waste water network and therefore, until a growth project is implemented, development during the Plan period may be limited." This would highlight that a technical solution is still being sought by Scottish Water for the growth project, which has not started. This may limit development in the Plan period (RD0214.B) (PP1219).

Site OP1 – Hillbrae Way

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

The Parish of Newmachar Community Council has objected to site OP1 on the basis that Newmachar is an inherently unsustainable location for additional housing, given there is no adequate source of employment within the village, the limited nature of the public transport options available and the proposal would only increase commuting (PP0309).

Site OP2 – Corseduck Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

It is thought that there has been an error in coming to the total of 95 once removing the developed area. The number in the Draft Proposed Local Development Plan (PLDP) published with the Main Issues Report (MIR) included the homes from the existing development. This included 50 of the 70 homes built with the remaining 20 units being outwith the OP2 site. The OP2 site had an accepted capacity of 165 therefore removing

the 50 homes built on the site should then leave capacity for 115 homes to be built on the site (PP0387).

Site OP2 is 5.22ha in size and based on the capacity as proposed (95 homes) it would only equate to 18 houses per hectare. Even upping the numbers to 115 as per another representation that would still fall short of the Council's standard of 25 homes per hectare. To meet this standard the site should be increased to 130 homes. It would represent a more effective and sustainable use of land which is already allocated for residential development and contribute to the increase of numbers required in the Aberdeen Housing Market Area (PP0388).

A number of representees, including the Parish of Newmachar Community Council, have objected to site OP2 (PP0064, PP0309 and PP0984).

The Parish of Newmachar Community Council has objected to site OP2 on the basis that Newmachar is an inherently unsustainable location for additional housing, given there is no adequate source of employment within the village, the limited nature of the public transport options available and the proposal would only increase commuting (PP0309).

Another representee has objected on the basis of non-delivery indicating that the site is not suitable for immediate development as further investigations into the site is required, such as a Water Impact Assessment and Transport Assessment. The representee added, this will also delay seeking contributions for the distributor road (PP0984).

A third representee has noted that there is no provision made for school buses to Oldmeldrum Academy from Newmachar. The roads in the area are already very busy with many children out playing on the road and at times traffic being over the speed limit. The site has had some major flooding in the past and currently floods occasionally. At the time of purchasing their own home the representee was informed that there were no plans to build homes at the back of the existing housing development. There is an overlooking concern from the new development. The development on OP2 site shall block the sunlight into their home during the afternoon. The view shall be lost if the development on site OP2 takes place. Dyce Medical Practice is already working at overcapacity. Public transport is infrequent and there is already no childcare nursery or child minder spaces in the area (PP0064).

Site OP3 – Redwood Cottage

The Parish of Newmachar Community Council supports the extension of site OP3 for a total of 11.1ha employment land to meet the community aspiration for greater opportunities for employment within the settlement. No modification sought (PP0309).

SEPA has requested that the allocation summary is made more succinct and the Scottish Water requirement be made separately to those relating to flood risk, the small watercourse and the buffer strip associated with it. SEPA suggest amending the text to read, "A Flood Risk Assessment may be required due to a small watercourse running through the site. A buffer strip will be required adjacent to the watercourse which should be integrated positively into the development. The buffer strip will need to allow sufficient space for restoration of the straightened watercourse. Enhancement through re-naturalisation and removal of any redundant features in the watercourse should be investigated. A Water Impact Assessment...in this respect." (RD0214.B) (PP1219).

NatureScot has requested additional wording in the allocation summary for site OP3 in Newmachar to give due consideration to the design of the new southern settlement edge (as opposed to the alignment of the New Road) that incorporates well designed structure planting, given the scale of this site (11.1 ha of employment land). NatureScot expressed concern that if fully developed the allocation would reduce the compactness of the settlement form and contribute to unsustainable ribbon development divorced from the main settlement centre and key facilities but taking due cognisance of the preferred route of the future distributor road, development of a greater part of this site appears sensible (RD0255.B) (PP1300).

NatureScot has requested that the allocation summary for site OP3 in Newmachar includes a requirement for active travel facilities, as it would improve links between this employment land and the town centre (RD0255.B) (PP1300).

Another representee has objected to site OP3 on the basis of non-delivery of the existing allocated area. It is believed that the site is not suitable for immediate development as further investigations into the site are required, such as Flood Risk Assessment, Water Impact Assessment and Transport Assessment. This allocation will add delay to delivery of the proposed distributor road (PP0984).

A representee has noted that the Draft PLDP published alongside the MIR 2019 showed the allocation of GR075 (part of the proposed OP3 site) for 1.6ha of employment land independently of any surrounding land. The representee has stated that the community aspiration for greater opportunities for employment to be provided in the settlement would be better achieved by identifying GR075 independently from the surrounding land. If the site were allocated independently it would be deliverable in the new LDP's lifespan. Safe and convenient access can be provided to the site. The site is capable of being developed independently of the other sites included in the wider Development Framework, with no environmental or infrastructure constraints and identified as part of the marketable employment land supply in the Employment Land Audit. The site is constrained by the extant LDP and the requirement for a Development Framework and reliance on other parties is constraining the release of needed employment land contrary to the settlement's aspirations. The Development Framework is outdated and would be more appropriate as a material consideration. Improvement to the A947 will allow for small scale development without the need for the distributor road. The representee has included a number of Appendices (RD0006.A, RD0006.B, RD0006.C and RD0006.D) in their representation which provides further detail to support their position (PP0076).

A representee has requested that site OP3 be amended from 11.1ha employment land to 40 homes and 5ha employment land. The current LDP 2017 allocates OP3 for 5ha employment land and the respondent argues there is no justification provided as to how this level of allocation (11.1ha) is neither appropriate nor deliverable. The alternative proposals are deliverable and can be developed in advance of the distributor road. It is within walking distance of community facilities, vehicular access is readily available from Hillbrae Way, and it can reserve land for a distributor road and not prejudice its delivery (PP1288).

Non-Allocated Site – Bid Site GR079 – Land South East of Hillbrae Way

A representee has requested that land north of OP3 (part of bid GR079) is identified as a

Future Opportunity Site (FOP) with land for housing, retail, and commercial uses. The representee has highlighted that this site was identified as a reserve site in the MIR 2019 and was supported in the Proposed LDP 2010. The MIR 2019 acknowledged that bid GR079 could help deliver the distributor road, that the site on its own merits could appear as a logical extension to Newmachar, and that it supports the MIR, which recognised the desire of the community to transform Newmachar from a dormitory settlement to a sustainable mixed community. The representee has included an Appendix (RD0243.A) in their representation which provides further detail to support their position (PP1288).

Non-Allocated Site – Bid Site GR086 – Land at Mameulah, North of Kingseat Road

A representee has requested that bid GR086 be allocated for 300 homes and 1.75ha of employment land. This land was reserved as a FOP site at the MIR 2019 stage. The site has been identified for future growth since 2012, forming part of the approved Newmachar East Development Framework. The site is free from constraints and could be readily delivered during the Plan period. The development would meet all the key planning objectives identified for Newmachar by way of creating employment opportunities, supporting existing and proposed services, meeting clear housing needs, and supporting the delivery of an eastern distributor road. The representee has included two Appendices (RD0181.A and RD0181.B) in their representation which provides further detail to support their position (PP0984).

Modifications sought by those submitting representations:

Vision

Modify the PLDP to clarify the position with regard to creating additional capacity for football pitches within the settlement in relation to the Vision (PP0043, PP0045 and PP0048).

Site R1 – For the development of a recreational area

Modify the PLDP to see a sum per housing plot be passed to Newmachar United Football Club to allow the club to secure additional land and develop pitches for the free use of the club and the local community (PP0048).

Modify the PLDP to remove a privately owned agricultural field from the R1 boundary (PP0577).

Site R2 – For the development of a primary school

Modify the PLDP to include reference to site R2 in the ‘Flood Risk’ section (PP1219).

Flood Risk

Modify the PLDP to include reference to sites R1 and OP3 in the ‘Flood Risk’ section (PP1219).

Services and Infrastructure

Modify the PLDP to amend the ‘Strategic drainage and water supply’ section to read, “A

growth project is due to be completed in 2021. Capacity has not been allowed for new development and therefore compliance is required with Scottish Water's five growth criteria for new proposals beyond existing allocations. Early engagement with Scottish Water is recommended." (PP0272).

Modify the PLDP to amend the 'Strategic drainage and water supply' section to read, "The Newmachar Waste Water Treatment Works is at capacity. Scottish Water are investigating options for a growth project but until a technical solution is found this cannot be confirmed. All new development in Newmachar must connect to the public waste water network and therefore, until a growth project is implemented, development during the Plan period may be limited." (PP1219).

Site OP1 – Hillbrae Way

Modify the PLDP to remove site OP1 (PP0309).

Site OP2 – Corseduck Road

Modify the PLDP to amend the allocation of site OP2 to 165 homes (PP0387).

Modify the PLDP to amend the allocation of site OP2 to 130 homes (PP0388).

Modify the PLDP to remove site OP2 (PP0064, PP0309 and PP0984).

Site OP3 – Redwood Cottage

Modify the PLDP to amend the allocation summary for site OP3 to read, "A Flood Risk Assessment may be required due to a small watercourse running through the site. A buffer strip will be required adjacent to the watercourse which should be integrated positively into the development. The buffer strip will need to allow sufficient space for restoration of the straightened watercourse. Enhancement through re-naturalisation and removal of any redundant features in the watercourse should be investigated. A Water Impact Assessment ... in this respect." (PP1219).

Modify the PLDP to amend the allocation summary for site OP3 to read, "There could be improvement to the settlement edge to the south if combined with well-designed structure planting. Provision for active travel is required, with links into the town centre through the site layout." (PP1300).

Modify the PLDP to remove site OP3 (PP0984).

Modify the PLDP to split site OP3 into two standalone allocations (PP0076).

Modify the PLDP to amend the allocation for site OP3 from 11.1ha employment land to 40 homes and 5ha employment land (PP1288).

Non-Allocated Site – Bid Site GR079 – Land South East of Hillbrae Way

Modify the PLDP to include bid site GR079 as a Future Opportunity Site for housing, retail, and commercial uses (PP1388).

Non-Allocated Site – Bid Site GR086 – Land at Mameulah, North of Kingseat Road

Modify the PLDP to allocate bid GR086, Land at Mameulah for 300 homes and 1.75ha of employment land (PP0984).

Summary of responses (including reasons) by planning authority:

Vision

The Vision makes no reference to site R1 being identified as a new site providing 'additional' capacity for the creation of football pitches within the settlement. None of the bids received in response to the Council's Call for Sites during 2018 included provision for football pitch(es) and as such a statement was included within the Vision for the settlement to reflect this as a community aspiration and indicate support, in principle, for proposals coming forward to meet this aspiration. No change is required.

Site R1 – For the development of a recreational area

Comments from SEPA are noted. No change is required.

There is no mechanism for the Council, through developer obligations, to require that a sum per housing plot be passed to Newmachar United Football Club to allow the Club to secure additional land and develop pitches for the free use of the Club and the local community. Developer obligations are intended to ensure that developers address any impact on infrastructure created by the development but cannot resolve existing deficiencies. No change is required.

The boundary of site R1 has remained unchanged in both the LDP 2012 and 2017. The representee has submitted a plan indicating the extent of their ownership. The Council has obtained this information from the representee to seek clarity concerning the change that the representee wishes to see made to the LDP (AD0137). Removing the reserved status of the site without either amending the settlement boundary or protecting the land as open space would result in an infill opportunity being created. The Council do not believe it appropriate to amend the settlement boundary in this instance. Therefore, if the Reporter is minded, to make an amendment, the Council would recommend that the agricultural field be removed from the R1 designation and replaced as protected land, "To protect an area of open space forming part of the green-blue network." The settlement map would need to be amended accordingly.

Site R2 – For the development of a primary school

SEPA's comment is addressed under the 'Flood Risk' section below.

Flood Risk

SEPA has requested that the 'Flood Risk' section be revised to include reference to site R1. However, in their comments against specific sites they note that site R2 should be added to the Flood Risk section. Unfortunately, it has not been possible to obtain clarity from SEPA due to issues with SEPA's communications systems brought about by Covid-19 (telephone) and cyber security (emails). However, following consultation with the Council's Flood Risk and Coast Protection Team, the Council believe that SEPA meant to

state that R2 should be added to the 'Flood Risk' section. The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

Services and Infrastructure

The Council acknowledges the changes sought by Scottish Water and SEPA. The Council believe that the revised text provided by Scottish Water would also satisfy the changes sought by SEPA. The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

Site OP1 – Hillbrae Way

Comments from SEPA are noted. No change is required. The Council notes the objection received from the Parish of Newmachar Community Council. Site OP1 is however an effective site in the Housing Land Audit 2019 and subject to an agreed masterplan and planning permission (APP/2016/2794 and APP/2017/1399) (AD0022). No change is required.

Site OP2 – Corseduick Road

Comments from SEPA are noted. No change is required.

The Council notes the objections received to the site, including from the Parish of Newmachar Community Council. Site OP1 is however an effective site in the Housing Land Audit 2019 and subject to an agreed masterplan. The Council do, however, note in the proposed allocation summary that it would be prudent to review the masterplan. The Council expect delivery of the site during the Plan-period. The Council disagree that the location of the site is unsustainable. The need for technical assessments (WIA and Transport Assessment) is recognised in the proposed allocation summary. The site lies within the catchment for Dyce Academy rather than Oldmeldrum Academy. Impact from development on local road capacity would be addressed through a Transport Assessment and appropriate mitigation identified as part of the development management process. SEPA has indicated that they have no comment on the site with regard to flood risk. The potential impact to surrounding properties including any overshadowing or overlooking would be addressed through the development management process. The Council does not comment on any advice that the representee may have been given by a third party at the time they purchased their property. The proposed Settlement Statement notes that residential development will be required to contribute towards a new health centre in the Dyce locality. No change is required.

The Council notes differing views as to the site allocation. The Council are inclined to agree with representees with regard to there being an error in the arithmetic used to calculate the site capacity. The proposed OP2 site previously formed part of a larger allocation. The PLDP sought to amend the site boundary to exclude part of the site already developed. A simple calculation was made to take the number of homes built (70) from the original site capacity (165). This resulted in the allocation for the proposed OP2 site being 95 homes. This was also reflected in the HLA 2019 (AD0022, page 78). However, in reaching this number, the fact that 20 of the 70 homes previously approved actually fell outwith the allocated site boundary and as such should not have been deducted from the site capacity. If the Reporter is minded, to make an amendment, then

the Council would recommend that the allocation of site OP2 is increased to 115 homes. As a consequence of such a change Appendix 6 of the PLDP would also require to be amended. The Council understand the rationale behind applying a standard density of 25 homes per hectare which would take the site capacity to 130 homes based on a site area of 5.22 hectares. However, given that site capacities are indicative in any case the Council do not see a need to increase the site allocation further.

Site OP3 – Redwood Cottage

The Council welcome support from the Parish of Newmachar Community Council for the proposed OP3 allocation.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot's comments through non-notifiable modifications, as set out in the list of Non-Notifiable Modifications.

The Council notes the objection received to site OP3. The Newmachar Issues and Actions paper justifies retaining and extending the allocation to meet a community aspiration for further employment land to be provided. It is anticipated that the larger site area may also make the site more attractive commercially. Technical assessments will be required in bringing the site forward as outlined in the allocation summary. The Council disagree that delivery of the site will delay delivery of a distributor road. No change is required.

The Council does not see any merit in splitting the site into two separate opportunity sites. The Council would expect parties responsible for the site to work together in bringing the site forward in order to see the optimum site design and infrastructure delivery. The Council's Delivery Team would be able to facilitate any discussion required between parties and work with them to bring the site forward.

The Council do not agree that the site allocation should be amended to 40 homes and 5ha employment land. This would go against community aspirations to see no further housing land allocations identified until such time as existing sites are completed and to identify additional employment land in the settlement. No change is required.

Non-Allocated Site – Bid Site GR079 – Land South East of Hillbrae Way

The Council does not support allocating bid site GR079 for housing, retail and commercial uses. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. As outlined in the Issues and Actions papers, the Council no longer intend on identifying FOP sites (AD0040.A). The Council acknowledge merits of the site in terms of the long-term Vision for Newmachar, but allocation of further sites is considered to be premature at this time and contrary to community aspirations in the short-term. No change is required.

Non-Allocated Site – Bid Site GR086 – Land at Mameulah, North of Kingseat Road

The Council does not support allocating bid site GR086 for 300 homes and 1.75ha of

employment land. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. As outlined in the Issues and Actions papers, the Council no longer intend on identifying FOP sites (AD0040.A). The Council acknowledge merits of the site in terms of the long-term Vision for Newmachar, but allocation of further sites is considered to be premature at this time and contrary to community aspirations in the short term. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which remains unresolved, they are not addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 36. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Vision

3. A representation notes that site R1 is already in use by the football club, and so the reference in the settlement vision to additional football pitches is inaccurate.
4. The council advises that this reference to additional pitches does not relate specifically to site R1, but to a wider community aspiration to create more pitches in the town.
5. I find that the reference in the vision element of the settlement statement is non-site specific, and there is no reference to site R1. I am satisfied that the vision reflects the aspirations of the community, based on the council's response. No modification to the plan is required.

Flood Risk

6. I note the confusion between the references to site R1 and R2 in the submission from the Scottish Environment Protection Agency (SEPA). On reviewing the representations, I am satisfied that the representation relates to site R2.
7. Furthermore, the response of the council is clear that it is site R2 that is to be included in the Flood Risk section of the settlement statement. A modification to the Flood Risk section is recommended below.

Services and Infrastructure

8. Scottish Water has requested an amendment to the effect that early engagement with

the agency is recommended for new proposals. SEPA has also requested an amendment which would reference the growth project and the potential interim limitations on development in the settlement. The council agrees with both representations, and is satisfied that the wording suggested by Scottish Water would suffice to address both representations. I also agree that the proposed Scottish Water modification would add clarity in relation to drainage and water supply, and would address the matters raised in SEPA's representation. A modification to the Services and Infrastructure section is set out below.

Site R1 – For the development of a recreational area

9. A representation has suggested that each new housing plot in Newmachar should contribute a sum to Newmachar United Football Club, which would allow the club to acquire additional land and to develop pitches for the use of the club and the community.

10. Planning Circular 3/2012: planning obligations and good neighbour agreements (revised 2020) sets out, at part 14, that contributions must relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area.

11. The council advises that developer obligations cannot resolve existing deficiencies in the provision of services or facilities.

12. I consider that developer contributions in the form of a levy per house plot in the settlement would not be in conformity with either national or local policy. No modification to the plan is recommended.

13. The owner of part of site R1 has advised that it is leased to the football club but may revert to agricultural use at some point in the future. She is seeking the removal of that part of the site from the reserved status as currently proposed.

14. The council advises that removing that part of the site, but leaving it within the settlement boundary, could result in an infill opportunity being inadvertently created in this location. Instead, that part of the site could be designated as protected land in the plan.

15. I note the owner's concerns regarding the future use of the site, and also those of the council regarding inadvertent infill sites. I agree that designating that part of the site as protected land should give the flexibility sought by the representee, as it could revert to agricultural use at any point, whilst maintaining the open space for use by the club. A modification to the plan is recommended.

Site OP1 – Hillbrae Way

16. Site OP1 is a large allocation for 340 homes to the north east of the town. It is allocated for housing in the 2017 local development plan. There is an agreed masterplan for the site and planning permission is also in place.

17. The Parish of Newmachar Community Council has objected to site OP1 on the basis that Newmachar is an inherently unsustainable location for additional housing, given there is no adequate source of employment within the village, the limited nature of the public transport options available and the proposal would only increase commuting.

18. I note the comments of the parish council, but consider that the allocations made in the plan, OP1, OP2 and OP3, aim to address the matters raised. In particular, OP3 Redwood Cottage is a major allocation of 11 hectares of employment land, which is a substantial increase on the previous allocation, and is supported by the community council. The combination of land for new homes and for employment opportunities is intended to minimise the need to commute outwards from Newmachar.

19. I am satisfied that the concerns expressed by the parish council are addressed in the plan as is. No modification is required.

Site OP2 – Corseduick Road

20. Site OP2 is located to the north-west of Newmachar, at the edge of the settlement. To the north, west and south is open agricultural land and to the east is newly established residential development.

21. The community council has also objected to the allocation of site OP2, on the grounds that the settlement does not provide employment opportunities and that an increase in the number of homes would encourage commuting. As with my conclusions on site OP1, I am satisfied that the allocation of site OP3 Redwood Cottage to the south-east of the town should provide opportunities for employment in the plan period and can help minimise commuting.

22. The site is allocated in the plan for 95 homes to be delivered during the plan period. A representation has queried the number of homes allocated, as the adjacent development which delivered 70 homes took place on part of OP2, but only 50 of the 70 homes were on the actual site. The remaining 20 homes were on another site, which does not form part of OP2.

23. The council agrees with the representation. The original capacity of OP2 was 165 homes. By removing the completed homes, the remaining balance to deliver in this plan period would be 115. The council suggests a modification to the plan to that end.

24. However, the council has set out at Issue 5 that for allocated sites in the Aberdeenshire Housing Market Area without planning permission or an agreed masterplan, a standardised site capacity of 25 homes per hectare has been applied. In applying that site capacity to OP2, at a site area of 5.22 hectares, the site could be estimated to deliver up to 130 homes in the plan period. A representation has requested that the allocation for site OP2 be amended to reflect this increase in the number of homes which could be delivered in the plan period. I note that a masterplan had been prepared for a site which OP2 formed part of, but that a review of the masterplan is required, as there have been significant changes to the site area.

25. I agree with the council that the remaining capacity of the site, based on previous proposals and the extent of development to date, would equate to 115 homes. In terms of the standard site capacity of 25 homes per hectare, the council agrees that it could be applied to the site, but says that site capacity is indicative and may change over time. I concur that site capacity assumptions may not be reflected in the number of homes a site ultimately delivers in a plan period. However, adopting a density of 25 homes per hectare would promote greater efficiency in the use of land and would be consistent with the

approach taken for other sites in the Aberdeen Housing Market Area. This approach would also reflect paragraph 4.8 in the strategic development plan, which states that “land brought forward for housing must be used efficiently”.

26. As the site area has changed and there is a need for a review of the masterplan, I am recommending that the capacity of site OP2 be increased to 130 homes. This would provide 35 homes over and above the 95 noted (in Appendix 6 in the proposed plan) as forming part of the 2019 effective supply. A modification to the relevant table in Appendix 6 would be required to identify site OP2 in Newmachar as contributing 35 homes to the strategic development plan allowance for the Aberdeen Housing Market Area.

27. Concern has also been expressed about the delivery of the site, as further investigations are required in the form of a water impact assessment and a transport assessment. I am satisfied that such assessments are a standard requirement when a planning application for a development proposal is made and that it is appropriate to allocate a site in a local development plan without these being in place. The details of a proposal are needed to properly assess the potential impact in terms of water and transport and to identify any mitigation measures that may be required. Contributions to the distributor road could be sought at the appropriate time, in accordance with policies RD1 and RD2 of the plan and would, I find, assist in delivery of the road contrary to the concerns expressed in the representation. No modification to the plan is recommended.

28. The concerns raised in the representation, about potential impacts on existing residential development in the area, are site-specific matters, which I consider would be more appropriately addressed at planning application stage. The impact of proposals on the amenity, character and appearance of the area would require to be assessed against relevant policies in the plan, such as P1 (Layout, Siting and Design) and P2 (Open Space and Access in New Development). Furthermore, there would be opportunities for participation in the development management process, once a planning application is submitted.

29. Road safety is a matter that could be addressed through the assessment of a planning application and the transport information, which should accompany any such application. Concerns are also raised regarding access to the school bus network and child care provision. However, these are not matters which I can take into account in the local development plan examination.

30. SEPA has confirmed that it has no comments regarding flood risk at the site, which would lead me to conclude that any potential flood risk could not be managed at the site.

31. The capacity of the Dyce Medical Practice is acknowledged by the council to be challenging. I am satisfied that the specific requirement set out at page 610 of the proposed plan, for all residential development in Newmachar to contribute to a new health centre, addresses the concerns raised in representations.

32. Apart from the increase in site capacity, no modifications in relation to allocation OP2 are required.

Site OP3 – Redwood Cottage

33. Site OP3 Redwood Cottage is located to the south-east of Newmachar and at the time of my site inspection was in agricultural use. To the west, the site is bound by the Old Meldrum Road (A947), to the north by Hillbrae Way and established residential development, to the south and east is agricultural land, with some established commercial/ industrial operations to the south east. The proposed line of the distributor road would form the southern boundary of the site, when complete.

34. The site is allocated for 11.1 hectares of employment land in the plan, which is an increase from the employment land allocation set out in the 2017 local development plan.

35. SEPA has requested that the allocation summary on page 612 be made more succinct and has suggested alternative wording. I consider that the modification requested by SEPA would provide clarification on flood risk assessment requirements and water requirements for site OP3, and would clearly set out the purpose and nature of the buffer strip. A modification on this matter is recommended.

36. NatureScot has raised concerns regarding the new settlement edge that would be created when site OP3 is built out and the new distributor road is complete. Well-designed structure planting is recommended to be incorporated into any site layout. Having visited the site and Newmachar, I acknowledge that the new settlement edge created by this site would need to be treated sensitively, and agree with the modification suggested by NatureScot. A modification is recommended accordingly.

37. In addition, NatureScot has requested that the allocation summary include a requirement for active travel facilities, as it would improve links between this employment land and the town centre. I note the distance between site OP3 and existing services, and agree that any development proposal for the site should include and promote active travel facilities. A modification to that effect is recommended.

38. Concern has also been expressed about the delivery of the site, as further investigations are required in the form of a water impact assessment, a flood risk assessment and a transport assessment. I am satisfied that such assessments are a standard requirement when a planning application for development is made and that it is appropriate to allocate a site in a local development plan without these being in place. Details of a proposal are needed to properly assess the potential impact in terms of water, flooding and transport and to identify any mitigation measures that may be required. Contributions to the distributor road could be sought at the appropriate time, in accordance with policy RD2 of the plan and would, I find, assist in delivery of the road contrary to the concerns expressed in the representation. No modification to the plan is recommended.

39. A representation has been submitted on behalf of the owners of a site which forms part of OP3. It covers an area of some 1.6 hectares in the south-western most part of OP3 (excluding the triangular part to the south) and is identified as bid site GR075. The land in question is adjacent to the A947, with access proposed from that road. The representation is seeking a separate allocation for the land, so that its delivery is not contingent on implementation of the overall Delivery Framework for Newmachar, the distributor road, or the wider OP3 site. The representation advises that the smaller site could be developed independently with no constraints; it would not generate traffic that would impact on the village centre; and it is deliverable in the plan period but would be constrained by having to be delivered as part of the Development Framework. The Development Framework was approved in 2012 and should be considered outdated.

40. At Main Issues Report stage, the site was shown as an independent site of 1.6 hectares of employment land, with the remaining OP3 land shown as an opportunity site. The overall site is now shown as a single allocation.

41. I note that a masterplan is required for the whole of the site. I appreciate that working with other parties to agree a masterplan may not be straightforward, but it should be possible to agree a plan that can be delivered in phases. I note that development in Newmachar may be subject to developer contributions, in accordance with policy RD2 of the plan.

42. I consider that splitting OP3 into two separate allocations would negate the purpose of the overall allocation, in that a coherent strategy for the delivery of employment land in Newmachar would be more difficult to achieve. The development of the site in separate parts would not lend itself to addressing the issues of structure planting to provide a new settlement edge, the impact on the service reservoir, or the provision of a buffer strip for the re-aligned watercourse. The council has confirmed that its delivery team would facilitate discussions with parties and assist in moving the site forward. Overall, I am satisfied that site GR075 should remain as part of OP3.

43. Kirkwood Homes is seeking to have the allocation for site OP3 amended to provide for 5 hectares of employment land and land for 40 homes in this plan period, with land to the north and south east identified as a future opportunity site for retail, community and housing uses (see non-allocated bid site GR079 below). The representation states that the employment allocation is too large and is inappropriate for Newmachar, and that delivering it is not possible in the plan period. The proposed alternative mix of uses on site OP3 could be delivered in the plan period, is not reliant on the distributor road, is within walking distance of facilities and could reserve land for the new road.

44. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. The re-allocation of part of site OP3 for 40 homes could potentially contribute to meeting this shortfall.

45. Whilst Newmachar is located within the Aberdeen Housing Market Area, it is not within a strategic growth area. I consider that allocations OP1 and OP2 for 435 homes in total would be consistent with paragraph 4.18 in the strategic development plan, which refers to “appropriate levels of local growth” for locations outwith the strategic growth areas. Furthermore, I note that the community council supports the employment allocation in the proposed plan and no substantive evidence has been submitted to demonstrate that the allocation would not be deliverable.

46. Alternative sites have been identified to meet the shortfall in housing land provision in the Aberdeen Housing Market Area and I conclude that allocation OP3 should not be amended to include housing. No modification to the plan is required.

Non-Allocated Bid Site GR079 – Land South East of Hillbrae Way

47. As I have indicated above, this representation seeks the identification of land to the north and south east of site OP3 identified as a future opportunity site for retail, community

and housing uses. The indicative masterplan, as submitted, illustrates a phased development to be delivered in later plan periods.

48. I note that general representations regarding the identification of future opportunity sites are addressed under issue 2 of this examination. This concludes that, whilst the strategic development plan allows local development plans to identify additional strategic reserves beyond 2032, there is no requirement to do so. The council's decision not to identify future opportunity sites is in accordance with the strategic development plan. There is therefore no justification to identify additional opportunity sites in Newmachar in this plan. No modification is required.

Non-Allocated Bid Site GR086 – Land at Mameulah, North of Kingseat Road

49. Bid site GR086 is located to the north of the settlement. At the time of my site visit, it was in agricultural use. The representation is seeking an allocation for 300 homes and 1.75 hectares of employment land to be delivered in the plan period. The representation states that site GR086 was considered as part of the Development Framework 2012, but was not actually allocated for development in any subsequent plan.

50. The strategic environmental assessment report assessed site GR086 as having some negative effects, including the loss of prime agricultural land, flood risks, increased travel requirements and proximity to the Straloch Gardens and designed landscape. Positive impacts such as an increase in the range of housing choice and increased access to housing were noted.

51. At the Main Issues Report stage, the site was identified as being 'reserved' to allow identified constraints to be resolved and to allow further discussion on the delivery of an eastern relief road. However, as stated above, the council has decided not to identify future opportunity sites in this plan and there is no requirement for it to do so.

52. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I acknowledge that this site could potentially contribute to meet this shortfall.

53. I note that the Council acknowledges merits of the site in terms of the long-term vision. The allocation of bid site GR086 would represent a major northern expansion of Newmachar for housing and business uses onto prime agricultural land. Given the existing housing and business allocations in Newmachar and the availability of other sites in the Aberdeen Housing Market Area to meet the shortfall in the housing land provision, I agree with the council that an expansion of this scale would not be justified at this time. I conclude that the site should not be allocated in the plan. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

1. Replacing the first sentence of the flood risk bullet point on page 610 with:
"A small watercourse runs through or adjacent to sites R1, OP1 and OP3."

2. Adding the following new final sentence to the strategic drainage and water supply bullet point on page 610 Services and Infrastructure:

“Early engagement with Scottish Water is recommended.”

3. Amending the settlement plan on page 613 to remove the R1 designation from the agricultural field which lies to the east of the football ground and replace it with a P6 protected land designation.

4. Adding the following new row to the protected land section of the settlement features table on page 609:

“P6 To protect an area of open space forming part of the green-blue network.”

5. Replacing the title for allocated site OP2 on page 611 with:

“OP2: Corseduick Road, Allocation: 130 homes”

6. Amending the entry for Newmachar OP2 in the relevant table in Appendix 6 to replace 95 with 130 in the final column (LDP 2022 allocation) and add 35 to the second last column (Local Growth AHMA). (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

7. Replacing the second paragraph in the allocation summary for OP3 : Redwood Cottage on page 612 with:

“A Flood Risk Assessment may be required due to a small watercourse running through the site. A buffer strip will be required adjacent to the watercourse, which should be integrated positively into the development. The buffer strip will need to allow sufficient space for restoration of the straightened watercourse. Enhancement through re-naturalisation and removal of any redundant features in the watercourse should be investigated. A Water Impact Assessment will be required to determine the impact of development on the service reservoir and pumping station. Early engagement with Scottish Water is recommended in this respect. A Transport Assessment will be required to determine an access strategy and connectivity with Newmachar. A pedestrian crossing facility is to be provided on Hillbrae Way. There could be improvement to the settlement edge to the south if combined with well-designed structure planting. Provision for active travel is required, with links into the town centre through the site layout.”

Issue 37	Westhill	
Development plan reference:	Proposed LDP, Appendix 7D Garioch, Page 620-627	Reporter: Sinéad Lynch
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>PP0049 Steven and Ruth Christie PP0168 Heather Cook PP0187 Cults, Bieldside and Milltimber Community Council PP0402 Westhill Developments (Brodiach) Ltd PP0411 ANM Group Ltd PP0523 Westhill and Elrick Community Council PP0542 Giancarlo Pia PP0673 Stewart Milne Homes PP0674 Stewart Milne Homes PP0675 Stewart Milne Homes PP0676 Stewart Milne Homes PP0685 Stewart Milne Homes PP0766 CALA Homes (North) Limited PP0948 Bancon Homes PP1130 Giancarlo Pia PP1184 Stewart Milne Homes PP1219 Scottish Environment Protection Agency PP1241 Nestrans PP1274 Barratt North Scotland and Dunecht Homes PP1275 Barratt North Scotland and Dunecht Homes PP1285 The Margaret Mitchell Discretionary Trust PP1300 NatureScot (Scottish Natural Heritage) PP1308 Stewart Milne Homes</p>		
Provision of the development plan to which the issue relates:	Westhill Settlement Statement	
Planning authority's summary of the representation(s):		
<p><u>General</u></p> <p>Concerns have been raised over road capacity in and around Westhill and it is considered that there is no road network capacity to accommodate additional housing. Additionally, it is noted that there is a lack of walking and cycling paths around Westhill (PP0168). Similarly, Westhill and Elrick Community Council has noted that the need for development to upgrade footpaths and cycle pathways was identified in a recent road transport questionnaire that the Community Council completed. There is an ambition to have a circular path network around Westhill and into the countryside, as well as good routes through it (PP0523).</p>		

Westhill and Elrick Community Council has noted that a Community Action Plan should be established to allow the future development in Westhill to be community led rather than developer led (PP0523).

Additionally, Westhill and Elrick Community Council has raised concerns over further large-scale development taking place along the A944 as this could lead to coalescence between Westhill and Kingswells. No modification sought (PP0523).

Nestrans has noted that Westhill is highly dependent on the performance and capacity of the transport links that run along the A944 corridor via Kingwells to Aberdeen and is supporting a corridor study looking at this specific route. Upon completion of the regional strategic model, ASAM19, it is anticipated that work considering the transport implications of any future growth options will be undertaken (RD0227.A) (PP1241). Westhill and Elrick Community Council has also raised concerns with the traffic network with the amount of traffic leaving the Aberdeen Western Peripheral Route (AWPR) going towards Westhill and the amount of traffic that will increase from the stadium which is less than a mile from Westhill's boundary with Aberdeen (PP0523).

Westhill and Elrick Community Council has indicated support for the Council's position to not allocate any additional bid sites but understands that developers may object to this decision. No modification sought. (PP0523).

A representee notes that the town is located immediately adjacent to the Aberdeen Strategic Growth Area as defined by the Aberdeen and Aberdeenshire Strategic Development Plan (ACSDP). Section 3.10 of the Proposed Local Development Plan at 3.10 advises as part of the Local Vision, the Plan "balances economic growth with the urgent challenges of sustainable development and climate change" and at paragraph 3.11 "the area around Aberdeen City continues to be the powerhouse of economic activity in the region and so the land allocations made in settlements around Aberdeen City reflect this." Unfortunately, these statements do not appear to apply in the case of Westhill as Aberdeenshire Council have failed to allocate sufficient land for housing in this sustainable settlement. The SDP states that local growth in individual settlements should relate to local needs, although the scale of this growth will vary place to place, paragraph 3.43 and at paragraph 4.18 it states appropriate levels of growth can be provided across the rest of the city region. Therefore, opportunities for growth can exist in Westhill. New homes are a requirement to fulfil the needs of the town to support the vast amount of employment uses in order to meet the sustainability requirement laid out in SPP and in the SDP. Westhill falls within the Local Growth Areas of the Aberdeen Housing Market Area and therefore, should have capacity for more housing to achieve "right development in the right places" (Scottish Planning Policy). More land should be released, in particular larger sites for development. Although Westhill has been considered a suitable town to expand, it was however ultimately concluded that none of the proposed releases could be taken forward without further studies, but the Council have not committed to these studies. Westhill currently has 4813 homes and an allocation of at least 10% of that would be reasonable. Any assessment required should be highlighted in the Settlement Statement and Action Programme (PP0675).

Vision

The statement in the Vision relating to traffic concerns is unsubstantiated and it is unreasonable to impose a moratorium to development on this basis. Additionally, it means

that other local needs addressed in the Vision are not being met by the Proposed Local Development Plan (PLDP) as two of the three sites allocated for housing are historical allocations and the OP3 site solely will not provide enough affordable housing for the settlement (PP0675).

Site R1 – For the future expansion of the health centre

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Site BUS – Safeguarded for business uses

The boundary of the BUS site as per the PLDP includes 3 private dwellings (Bridgefoot, Hazeldean and Malahal) and the land should be changed to exclude these houses from the boundary as no contact was made regarding the proposed use/designation of the land in 2012 (PP0049).

Green belt

Westhill and Elrick Community Council note that the green belt has been omitted from the list of protected sites even though it is shown on the settlement map (PP0523).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Strawberry Field Road

Westhill and Elrick Community Council are satisfied with the inclusion of the OP1 site. No modification sought (PP0523).

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

There is no information available on the feasibility and demand assessment for the OP1 site. Two options are presented for the site. The first to retain the green belt and remove sections that currently lie within the OP1 site. The second option for the site is to retain the site as existing, in accordance with the 2017 LDP but remove the requirement for a convenience store (PP1130).

Site OP2 – Burnland

Westhill and Elrick Community Council are satisfied with the inclusion of the OP2 site. No

modification sought (PP0523).

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

The site should be removed from the Plan as the area the site borders is a fairly rural community and there is no justification on how the numbers for the allocation have been decided. The allocation numbers seem to ignore the downturn in the oil industry and has a negative effect on demand for property in the area. Infill sites should be considered for housing instead of the OP2 site. There are large areas of employment land sitting vacant elsewhere in Westhill (PP0542).

Additionally, SPP at paragraph 119 advises that Local Development Plans should allocate a range of sites which are effective or expected to be effective in the Plan period. In allocating sites, Planning Authorities should be confident that the land can be brought forward in the Plan period. It is noted that the site should be removed and revert to white land as the site is constrained as the landowner is unwilling to sell the land. No delivery has happened on the site and no bid was submitted for the site during the Plan making process and the planning permission was granted in February 2008 with no property being built after 2013, therefore it is unlikely the land will come forward in the Plan period (PP0673).

Since there has been no demand for development in this location it would be better designated as open space to allow development for community leisure areas as there is limited green space in the area (PP0542).

Site OP3 – Land at Former Blockworks Site

Westhill and Elrick Community Council are satisfied with the inclusion of the site and particularly express support for the site as it is providing affordable housing which will help to meet local need (PP0523).

SEPA has requested that a statement to say that a Flood Risk Assessment may be required due to surface water flood risk on the site is added to the allocation summary for site OP3 (RD0214.B) (PP1219).

NatureScot request that the allocation summary for site OP3 includes a requirement for active travel facilities and good quality open space, as it is a large allocation, and it would improve placemaking and promote safe and convenient opportunities for active travel. There is the opportunity to link with existing areas of open space and core paths in the business park to improve amenity for this development (RD0255.B) (PP1300).

It is requested that the requirements for a noise impact assessment and appropriate mitigation to residential properties for the site to protect established neighbouring businesses and their operation (PP0674 and PP0676). It is essential that the economic benefit from the neighbouring industrial uses is not compromised by future development. PAN 1/2011 Planning and Noise requires development plans to guide development to the right locations and where necessary specifying requirements for design and layouts can help prevent and minimise the consequences of noise pollution (PP0674).

Another representee notes that the site will need a secondary access but given that the frontage of the site is only 90m it is not possible to have two points of access to Straik Road, especially given the proximity of the Gordon Park and Straik Place junctions. Additional information needs to be included regarding where suitable junctions can be located (PP0676).

Non-Allocated Site – Bid Site GR025 – Land at Kinmundy

A representee has requested the allocation of bid site GR025 for up to 20 homes. Westhill has a need for a diverse range of house types and tenures to meet market demand and local housing needs, as demonstrated in the Housing Land Audit (HLA). The Proposed Strategic Development Plan 2018 Report of Examination notes the housing need, as does the Westhill Capacity Study Update 2014, and the PLDP cites a requirement for affordable housing in the settlement Vision for Westhill. Whilst the SDP has not recommended to include Westhill as a Strategic Growth Area, the town remains a key location and as the fourth largest town in Aberdeenshire, allocations should be made to sustain the local economy and services. Site GR025 represents a measured, phased expansion of housing in Westhill to the east with no absolute constraints to development. The site would be laid out in a manner that ensures it will relate to existing development and the wider settlement. The site is close to the town centre, schools, pedestrian networks, and existing bus services. The site is not required to meet the functions of the green belt. The representee has included an Appendix (RD0063.A) in their representation which provides further detail to support their position (PP0411).

Non-Allocated Site – Bid Site GR032 – Land at Strawberry Fields

A representee objects to there not being sufficient housing land allocated in Westhill and the PLDP does not reflect the strategic importance of the settlement. To address this, bid site GR032 should be allocated on the basis it has scored well in the SEA, it provides a logical extension to Westhill in a sustainable, accessible location in an area of strong market demand, in close proximity to employment opportunities and facilities, delivering much needed affordable homes. There are no infrastructure constraints, and the site will ensure short term delivery of housing to meet the housing target and support the aims of the PLDP and objectives of the Settlement Strategy, as well as meeting SPP. The traffic concerns raised by Officers are unsubstantiated and not considered to be a constraint to development additionally, the site will not compromise areas important for their qualities in respect of landscape, natural or built environment. The representee has included an Appendix (RD0261.A) in their representation which provides further detail to support their position (PP1308).

Concerns are noted regarding the number of sites identified in the PLDP which are constrained in the HLA and carried forward from the previous LDP. No new sites have been identified for open market housing in Westhill over the next Plan period which is concerning in the context of the failure to deliver homes within the existing Plan period. The representee questions why OP2 has been allocated when it has not delivered any new homes since 2014 and no bid has been submitted. Bid site GR032 remains the most suitable area to accommodate future expansion of the settlement (PP1308).

Non-Allocated Sites – Bid Site GR039 – Land West of Westhill, South of the A944 (Site 1), Bid Site GR040 – Land West of Westhill, South of the A944 (Site 2) and Bid Site GR041 – Land West of Westhill, South of the A944 (Site 3)

Two representee have requested the allocation of bid sites GR039, GR040 and GR041 for a phased delivery of housing from immediate delivery through to Future Opportunity Sites (FOP). FOP sites provide the flexibility to review the delivery of allocations with the option for a drawdown on strategic reserve sites following an interim review and it is disagreed with Officers' fears that the sites could be drawn down early (PP1274 and PP1275). The two representees have included a number of Appendices (RD0232.A- RD0232.C and RD0233.A- RD0233.E) in their representations which provides further detail to support their position.

It is additionally noted that the land is not subject to any special ecological, historical or landscape designations, is free from flood risk and contamination and can be designed around the oil and gas pipelines. Areas of ancient woodland and surrounding historic interests could be successfully integrated into the overall development of the area without any negative impacts. The concerns and requests raised by Historic Environment Scotland (HES) and NatureScot should not be perceived as barriers to development as proposals would be taken forward in a highly sensitive manner (PP1275).

Concerns are noted about the Westhill Capacity Study being used as a basis for not including new housing allocations. A number of concerns have been noted with regards to the study including, lack of clarity on the study methodology for categorising constraints, factual inaccuracies and inconsistencies within the scoring criteria, and lack of public consultation. It is considered that capacity can be addressed, and that there are no strategic road network barriers to the proposed phasing options put forward and bid GR039 should be included as an initial allocation of 100 homes, with GR040 and GR041 reserved as future allocations (PP1275).

Non-Allocated Site – Bid Site GR063 – Land South of Mill of Brodiach

A representee has requested the allocation of bid site GR063 for housing. The nearby pipeline was considered to be a constraint by the Council but as noted by a recent planning application the Health and Safety Executive did not consider the nearby pipeline to be a constraint to development. It is noted that the site does not positively contribute to the green belt as it is set in the urban fringe and land to the south has been approved for a football stadium and training ground which undermines the green belt in the area. The site would form a close extension to the existing settlement and is in a sustainable location with the AWPR being accessible. A small section to the south of the site is noted at risk of flooding but the remaining capacity of the site could deliver 100 homes (PP0948).

Non-Allocated Site – Bid Site GR064 – Land North of Broadshade

There are considered to be a lack of allocations for Westhill and it is considered that additional sites are required in Westhill. Site GR064 is well placed to meet that requirement and Officers accepted that the site relates well to the existing residential development and although elevated the landscape assessment submitted with the development bid shows that there is relatively limited views towards the site from points of public access and the masterplan designed to account for the nearby Scheduled Monument. The site is well located in terms of access to existing facilities and is sustainable. A full site analysis and site capacity study was undertaken to address concerns raised in the MIR. The pipeline has no bearing on the future development potential as the majority of existing development is located in the HSE consultation zone.

Comments in the MIR stating that road infrastructure requirements may be difficult but no further information was given. However, GR064 has been designed to accommodate future phases and provides an opportunity to deliver a logical extension to Westhill at a sustainable and marketable location. The representee has included a number of Appendices (RD0114.A, RD0114.B and RD0114.C) in their representation which provides further detail to support their position (PP0685).

Non-Allocated Site – Bid Site GR066 – Land at Damhead Cadgerford and Backhill, South of Westhill

Cults, Bielside and Milltimber Community Council support the non-allocation of the site in the PLDP as the open landscape to the south of the B9119 should not be lost and there should be no coalescence between Westhill and Lower Deeside. No modification sought (PP0187).

The representee objects to the failure of the PLDP in allocating a proportionate amount of land for residential development in Westhill to meet the objectives of the SDP and the PLDP. A high-level strategy is proposed for a southern expansion of Westhill, showing how GR066 will help in the delivery of improvements to infrastructure and the provision of land to meet the identified demand for residential and employment uses. This would be in line with the SPP core principle of supporting economically, environmentally and socially sustainable places. The town's location in an SGA is a key consideration in meeting SDP, together with its further enhanced strategic location due to AWPR and public transport links, together with good foot/cycle path connectivity. There is a need for further allocations to balance out the residential and employment uses. The three housing allocations in the PLDP will not meet local housing needs. The Council should commit to allowing for larger releases of land in Westhill, through conducting the required studies.

The approach taken by the Council of using matters such as infrastructure as constraints as reasons not to allocate additional land is objected to. Site GR066 could be used to address and facilitate strategic infrastructure improvements through an appropriate scale of deliverable development allocation. Constraints to the southern edge of Westhill relate to the pipeline consultation zone which can be incorporated into responsible design. It is not accepted that local needs are being met in relation to the traffic congestion constraint identified by the Council. In addition, the SEA misrepresents the true position in assessing negative and significantly negative effects for the 6 topic areas, with landscape standing out as a clear anomaly with no detailed landscape analysis to back up the 'significantly negative' effect conclusion. It is argued that landscape and visual effects would be limited to a localised area. The representee has included an Appendix (RD0209.A) in their representation which provides further detail to support their position (PP1184).

Non-Allocated Site – Bid Site GR106 – Land South of Arnhall Business Park (Phase 4)

The representee objects to the PLDP for failure to identify land for commercial development. The settlement boundary should be extended to include bid site GR106 as an opportunity site for employment land and hotel or as strategic reserve land to ensure that there is sufficient supply for the period 2021-2032 and beyond. There needs to be sufficient land in the area, as identified in the HLA, to ensure Westhill functions as a global subsea centre. There is no flexibility for delivery of further employment land in this logical, sustainable location next to existing employment land. The representee has included a number of Appendices (RD0059.A, RD0059.B and RD0059.C) in their representation which

provides further detail to support their position (PP0402).

Non-Allocated Site – Bid Site GR132 – Land at Mains of Keir, South East of B979

Development in this location provides an appropriate extension to the north of Westhill. The site would allow for planned future growth, supporting and retaining the development pattern to the east and west, without coalescence with Kirkton of Skene. Westhill is a self-sustaining town that requires a long-term development strategy which is presently not being delivered by the PLDP. The settlement has a need for a diverse range of house types and tenures to meet market demand. All substantive allocations in Westhill have been built out and additional allocations are needed to sustain supply, and to meet the settlement's Vision statement which identifies a lack of smaller homes. If no additional housing land is made available there will be no provision of new affordable housing in Westhill. GR132 is vacant, brownfield land and the site, was not ruled out for future development in the MIR. The proposal presents a measured, phased expansion, with no absolute constraints, and no adverse impacts on the setting, and a site which can be well connected to Westhill. The representee has included an Appendix (RD0240.A) in their representation which provides further detail to support their position (PP1285).

Non-Allocated Site – Bid Site GR133 – Land at Souterhill Farm, North West of Westhill

There is a need to allocate additional housing in Westhill to meet ongoing need and demand for housing close to employment opportunities as there is an insufficient supply of effective housing sites identified in the Proposed LDP. The site is not constrained by the issues which are identified in the settlement Vision. Allocating no new sites within Westhill is contrary to the SDP noting Westhill as a "main focus for new investment". The 2014 Westhill Capacity Study identified the site within the 9 most suitable and sustainable and is the only residential option not within the green belt. The time passed since the study would be appropriate to consider the application of some of its recommendations, transport network improvements are required if several sites were to be developed but this small site in isolation would have a negligible impact and there is no need for additional studies to understand this site's suitability.

Concerns are raised that the Council did not fully consider the site or comprehensive analysis included with the bid due to errors in the site-specific assessment in the MIR. These include that the density can be more than 49 homes, it is not green belt, not constrained by a pipeline as confirmed by the pipeline operator, the core path is not a constraint, not disjointed addition as confirmed by the Capacity Study and is well connected to existing development, a Landscape and Visual Impact Assessment would not be required as this is included with the bid demonstrating a good fit, and the site does not rely on an unclassified road with access proposed from Blacklaws Brae. It is thought that the site rounds off the settlement and is contained, well connected with access to open space with provision of a large public park on site and a golf practice area adjacent which is needed by the golf club. Additionally, it would provide mixed use and housing which is needed for workers in the subsea engineering sector, accessible, education capacity, early delivery of needed affordable housing and has no particular biodiversity value so can be enhanced. The representee has included a number of Appendices (RD0135.A- RD0135.F) with their representation which provides further detail to support their position (PP0766).

Non-Allocated Site – New Site N010 – Land South of the A944

A mixed zoning should be introduced to the area south of Straik Road, Westhill. This area currently has many different uses on site. The area of land is adjacent to the OP3 site which is currently zoned for business in the 2017 LDP but changing to a housing allocation, specifically affordable housing. It is important that the potential opportunities and conflicts within this area are recognised and as such the site should be zoned as a mixed-use area. In the Main Issues Report, it was advised that the OP3 site would have the potential to deliver a mixed-use development (commercial, retail and housing). It would meet the Scottish Planning Policy, paragraph 30 “development plans should positively set opportunities to meet the development needs of the area in a way which is flexible enough to adapt to changing circumstances over time and supporting business sectors”. The representee has included an Appendix (RD0105.A) in their representation which provides further detail to support their position (PP0676).

Modifications sought by those submitting representations:

General

Modify the PLDP to ensure that no additional allocations are made in Westhill unless specific interventions are made (PP0168).

Modify the PLDP to include a reference to the ambition of having a circular path around Westhill and require development to contribute towards this (PP0523).

Modify the PLDP to include provision to allow a Community Action Plan to come forward (PP0523).

Modify the PLDP to ensure the Settlement Statement reflects that upon completion of the regional strategic model, ASAM19, it is anticipated that work considering the transport implications of any future growth options will be undertaken (PP1241).

Modify the PLDP to confirm within the Settlement Statement that there is traffic capacity as a result of Kingsford Stadium (PP0523).

Modify the PLDP to allocate large opportunity sites for housing in the Westhill Settlement Statement (PP0675).

Vision

Modify the PLDP to amend the Vision to review the following text, “Significant traffic congestion also remains an issue, particularly along Hay’s Way and around the town centre. These constraints mean that development within the Plan period will be focussed primarily on meeting local needs and maintaining Westhill’s function as a successful employment centre.” (PP0675).

Site BUS – Safeguarded for business uses

Modify the PLDP to amend the boundary of the BUS designation to exclude the privately owned dwellings (PP0049).

Green belt

Modify the PLDP to include the green belt in the list of protected land designation within the Settlement Statement (PP0523).

Site OP1 – Strawberry Field Road

Modify the PLDP to amend the OP1 site, to either remove the sections that are in the green belt from the allocation or to keep the site as per the 2017 LDP but remove the requirement for a convenience store (PP1130).

Site OP2 – Burnland

Modify the PLDP to remove the OP2 site (PP0542 and PP0673).

Modify the PLDP to amend the OP2 site to change from a housing allocation to a protected designation for open space (PP0542).

Site OP3 – Land at Former Blockworks Site

Modify the PLDP to amend the allocation summary for OP3 to add the following text to the fourth sentence, “A Flood Risk Assessment may be required due to surface water flood risk on site.” (PP1219).

Modify the PLDP to amend the allocation summary for OP3 to add the following text at the end of the allocation summary, “Active travel facilities and good quality open space are required. Efforts should be made, including through the site layout, to connect through the adjacent business park to core paths beyond, including the core path to the west across Peregrine Road.” (PP1300).

Modify the PLDP to amend the allocation summary for OP3 to add the following text to the allocation summary, “The design of any development on site OP3 in Westhill should include noise attenuation measures to protect the neighbouring employment uses.” and, “A Noise Impact Assessment is required.” (PP0674 and PP0676).

Modify the PLDP to amend the allocation summary for OP3 to add in information about where suitable junctions can be located (PP0676).

Non-Allocated Site – Bid Site GR025 – Land at Kinmundy

Modify the PLDP to include site GR025 as an opportunity for 120 homes (PP0411).

Non-Allocated Site – Bid Site GR032 – Land at Strawberry Fields

Modify the PLDP to include site GR032 for 180 homes with the settlement boundary altered accordingly (PP1308).

Non-Allocated Sites – Bid Site GR039 Land West of Westhill, South of the A944 (Site 1), Bid Site GR040 Land West of Westhill, South of the A944 (Site 2) and Bid Site GR041 Land West of Westhill, South of the A944 (Site 3)

Modify the PLDP to include site GR039 as an opportunity for 100 homes and GR040 and GR041 as future opportunity sites (PP1274 and PP1275).

Non-Allocated Site – Bid Site GR063 – Land South of Mill of Brodiach

Modify the PLDP to include site GR063 as an opportunity site for 100 homes (PP0948).

Non-Allocated Site – Bid Site GR064 – Land North of Broadshade

Modify the PLDP to include site GR064 as an opportunity site for 250 homes (PP0685).

Non-Allocated Site – Bid Site GR066 – Land at Damhead Cadgerford and Backhill, South of Westhill

Modify the PLDP to include site GR066 as an opportunity site for 200-250 homes and 3.18Ha of employment land (PP1184).

Non-Allocated Site – Bid Site GR106 – Land South of Arnhall Business Park (Phase 4)

Modify the PLDP to extend the settlement boundary and allocate GR106 as an opportunity site for employment land and hotel or identify as strategic reserve land (PP0402).

Non-Allocated Site – Bid Site GR132 – Land at Mains of Keir, South East of B979

Modify the PLDP to include site GR132 as an opportunity site, in whole or in part, as a future opportunity site for up to 90 homes (PP1285).

Non-Allocated Site – Bid Site GR133 – Land at Souterhill Farm, North West of Westhill

Modify the PLDP to include site GR133 as an opportunity site for 70 homes and adjacent golf practice area (PP0766).

Non-Allocated Site – New Site N010 – Land South of the A944

Modify the PLDP to include site N011 as an opportunity site for mixed use development (PP0676).

Summary of responses (including reasons) by planning authority:

General

Active travel is a main component of the PLDP and is something that is considered when any planning application is submitted to the Council. Westhill and Elrick Community Council note that there is a need for the upgrading of footpaths and cycle paths through new development, but developer obligations money sought from new development cannot be used to resolve existing problems. It is however, noted within the 'Services and Infrastructure' section of the PLDP under the 'local transport infrastructure' that development may require to contribute to footway extensions and cycle infrastructure thus meaning, any new development in Westhill could be contributing to the path network (AD0041.G, page 620-627). No change is required.

The Council notes the ambitions of Westhill and Elrick Community Council for a circular path network round Westhill. This is something that would be better to come into the Plan

preparation process at an earlier stage to allow for full consideration to be given to this concept. It should be highlighted that this is a proposal that could be highlighted through a Local Place Plan which is a new requirement of the Planning (Scotland) Act 2019, of which regulations associated with this particular aspect are expected in 2021. This would give the Community Council time to consider this before the preparation of the next Local Development Plan. No change is required.

Again, the Westhill and Elrick Community Council's request for a Community Action Plan is noted however, it is felt that this is something that would be better to come through under the new legislation of the Local Place Plans. The regulations are still to be adopted and consultation is expected on the proposed regulations during 2021. With this being said, the Local Place Plans still remain to be the most appropriate route for this to be taken forward as within the Planning (Scotland) Act 2019 Local Development Plans have to consider any registered Local Place Plans when preparing the Local Development Plan. No change is required.

Westhill and Elrick Community Council's concerns regarding coalescence are noted and it is currently noted within the PLDP (AD0041.G, 620-627). It is also one of the reasons that a number of the bid sites submitted to the Council were not supported for development through the Main Issues Report, Issues and Actions Papers and the PLDP. No change is required.

The Council confirms that it intends to address Nestrans comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Under the Strategic Development Plan's Spatial Strategy Westhill is noted as a town within the Local Growth and Diversification area. Therefore, development at a significant and strategic scale is not in keeping with the Strategic Development Plan. Development in Westhill should be at a scale aimed at meeting local needs. Although, it is noted in paragraph 3.45 that Westhill would be one of the main focuses for new investment within the Local Growth and Diversification Area there are a significant number of constraints noted for the whole settlement which are detailed within the Issues and Actions, page 103-112, noting that with these constraints in place significant new development should not be promoted (AD0016, page 23 and AD0040.E, pages 103-112). This is the main reason as to why there is currently limited growth allocated within Westhill. No change is required.

Vision

There are a significant number of constraints noted for the whole settlement which are detailed within the Issues and Actions Papers, noting that with these constraints in place significant new development should not be promoted (AD0040.E, pages 103-112). Through the Westhill Capacity Study Update 2014 there were a number of studies that were recommended to be carried out as a result of the study. The further studies to be undertaken are to consider the most appropriate and sustainable way forward for future development in Westhill. Nestrans note within their response to the consultation that the ASAM19 model is currently being undertaken to look at performance and capacity on the transport lines that run along the A944 corridor. It is anticipated that the work considering the transport implications of any future growth options will be undertaken and this could help towards issues raised in terms of capacity. However, smaller allocations have been made within Westhill that can be accommodated within the road capacities in the short to medium term until a point that the studies noted above are completed. No change is

required.

Site R1 – For the future expansion of the health centre

Comments from SEPA are noted. No change is required.

Site BUS – Safeguarded for business uses

A representee notes that three dwellinghouses have been included in the BUS designation but are in private ownership and should be removed from the boundary. It is deemed that it would be appropriate to remove these dwellinghouses from the designation to ensure that the allocation only contains land which is able to be developed. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Green belt

The green belt designation does not appear under the protected land list within the settlement features table as green belt is its own designation within the LDP under Policy R1 Special Rural Areas and associated Appendix 4. The green belt designation falls within the other designation section of the table as the policies associated within the green belt are different than those for protected land. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Strawberry Field Road

Support for the inclusion of the site is noted. No change is required.

Comments from SEPA are noted. No change is required.

Their concerns regarding the site are noted however, a planning application for 6 houses and a convenience store (APP/2020/0684) was approved in December 2020. This indicates that there is interest in the site. It is therefore, proposed that the OP1 site remains unchanged. No change is required.

Site OP2 – Burnland

Support for the inclusion of the site is noted. No change is required.

Comments from SEPA are noted. No change is required.

The OP2 site forms part of a larger development which has an extant planning permission on the site which leads for it to be appropriate to be an allocation within the LDP. Due to its allocation in the LDP it would therefore be included as part of the Delivery Programme.

This would then allow Officers within the Council's Delivery Team to liaise with the relevant parties to bring the site forward to completion. No change is required.

Site OP3 – Land at Former Blockworks Site

Support for the inclusion of the site is noted. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

A noise impact of a particular development is something that would be considered as part of any planning application process. However, if the Reporter is minded, to make an amendment, then the Council recommend that the allocation summary for site OP3 could be modified to read, "A Noise Impact Assessment may be required".

Issues relating to specific access requirements will be further assessed when a planning application is submitted for the site. This would involve discussions with the Council's Roads and Transportation colleagues to ensure that the best solution for the area can be sought. No change is required.

Non-Allocated Site – Bid Site GR025 – Land at Kinmundy

The Council does not support allocating bid site GR025 for 120 homes. There are a significant number of constraints noted for the whole settlement which are detailed within the Issues and Actions Papers, noting that with these constraints in place significant new development should not be promoted (AD040.E, pages 103-112). The Westhill Capacity Study, updated in 2014, does not provide a timeline as to when development in Westhill would be suitable. In any event, the Westhill Capacity Study Update 2014 does not identify this site as being one of the 'most suitable' locations for longer-term further expansion of the town, largely because of concerns that development in this location could weaken Westhill's spatial identity and structure, see Westhill Capacity Study Update 2014, AD0178, Appendix B: Area 4 Site Appraisal.

The Westhill Capacity Study does however recommend a number of further studies to be undertaken to consider the most appropriate and sustainable way forward for future development in Westhill. Nestrans note within their response to the consultation that the ASAM19 model is currently being undertaken to look at performance and capacity on the transport lines that run along the A944 corridor. It is anticipated that the work considering the transport implications of any future growth options will be undertaken. It is therefore seen as the most appropriate action to allow these studies to be undertaken and future development within Westhill to follow once the relevant information has been reviewed.

In terms of site-specific information, the site is noted as being constrained in terms of the green belt, pipeline consultation zone and access constraints which are noted within the Main Issues Report, AD0038.E, pages 84-92. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR032 – Land at Strawberry Fields

The Council does not support allocating bid site GR032 for 180 homes and amendment of the settlement boundary. There are a significant number of constraints noted for the whole settlement which are detailed within the Issues and Actions, AD0040.E, pages 103-112, noting that with these constraints in place significant new development should not be promoted. The Westhill Capacity Study, updated in 2014, does not provide a timeline as to when development in Westhill would be suitable. It does however recommend a number of further studies to be undertaken to consider the most appropriate and sustainable way forward for future development in Westhill. Nestrans note within their response to the consultation that the ASAM19 model is currently being undertaken to look at performance and capacity on the transport lines that run along the A944 corridor. It is anticipated that the work considering the transport implications of any future growth options will be undertaken. It is therefore seen as the most appropriate action to allow these studies to be undertaken and future development within Westhill to follow once the relevant information has been reviewed.

Coalescence between Westhill and Kirkton of Skene was noted as a constraint which the Main Issues Report, AD0038.E, page 84-92 which still remains a concern regarding development on the site. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR039 Land West of Westhill, South of the A944 (Site 1), Bid Site GR040 Land West of Westhill, South of the A944 (Site 2) and Bid Site GR041 Land West of Westhill, South of the A944 (Site 3)

The Council does not support allocating bid site GR039 for 100 homes nor bid sites GR040 and GR041 as FOPs. There are a significant number of constraints noted for the whole settlement which are detailed within the Issues and Actions Papers noting that with these constraints in place significant new development should not be promoted (AD0040.E, pages 103-112). The Westhill Capacity Study, updated in 2014, does not provide a timeline as to when development in Westhill would be suitable. It does however recommend a number of further studies to be undertaken to consider the most appropriate and sustainable way forward for future development in Westhill. Nestrans note within their response to the consultation that the ASAM19 model is currently being undertaken to look at performance and capacity on the transport lines that run along the A944 corridor. It is anticipated that the work considering the transport implications of any future growth options will be undertaken. It is therefore seen as the most appropriate action to allow these studies to be undertaken and future development within Westhill to follow once the relevant information has been reviewed. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR063 – Land South of Mill of Brodiach

The Council does not support allocating bid site GR063 for 100 homes. There are a

significant number of constraints noted for the whole settlement which are detailed within the Issues and Actions, AD0040.E, page 103-112, noting that with these constraints in place significant new development should not be promoted. Through the Main Issues Report the site was considered to be unsuitable for development for a number of reasons including the access to the site and the fact that the site would be physically disconnected from the settlement, see Main Issues Report, AD0038.E, page 84-92. The latter point is something that has been reviewed by the Reporter at the Examination of the 2012 Local Development Plan, who concluded that development at this location “would be physically detached from the built-up area as a result of the open space corridor that has been retained along the length of the gas pipeline that passes to the east of Westhill”, see Examination Report – Aberdeenshire Local Development Plan 2012, AD0032, page 597, paragraph 14. This message is echoed by the Reporter at the Examination of the 2016 Local Development Plan, who concluded “...the site lacks direct connection and integration with the settlement to the west given the open space corridor reserved for the pipeline.”, see Examination Report – Aberdeenshire Local Development Plan 2016, AD0036, page 656-657, paragraph 28. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR064 – Land North of Broadshade

The Council does not support allocating bid site GR064 for 250 homes. There are a significant number of constraints noted for the whole settlement which are detailed within the Issues and Actions, AD0040.E, pages 103-112, noting that with these constraints in place significant new development should not be promoted. Through the Main Issues Report the site was considered to be unsuitable for development for a number of reasons including the access to the site and negative landscape impacts including an adverse impact on the setting of Keir Hill and Beryhill Scheduled Monuments, see Main Issues Report, AD0038.E, pages 84-92. These concerns noted are still considered relevant. More information relating to the road network issues within Westhill is noted within the Issues and Actions paper, see page 103-112 including more information on the Westhill Capacity Study.

The Westhill Capacity Study, updated in 2014, does not provide a timeline as to when development in Westhill would be suitable. It does however recommend a number of further studies to be undertaken to consider the most appropriate and sustainable way forward for future development in Westhill. Nestrans note within their response to the consultation that the ASAM19 model is currently being undertaken to look at performance and capacity on the transport lines that run along the A944 corridor. It is anticipated that the work considering the transport implications of any future growth options will be undertaken. It is therefore seen as the most appropriate action to allow these studies to be undertaken and future development within Westhill to follow once the relevant information has been reviewed.

Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR066 – Land at Damhead Cadgerford and Backhill, South

of Westhill

The Council does not support allocating bid site GR066 for 200-250 homes and 3.18ha of employment land. Support for the Council's approach is noted. No change is required.

The scale of development proposed cannot be supported under the Strategic Development Plan's Spatial Strategy for the Local Growth and Diversification area as it is not of a scale aimed at meeting local needs. Although, it is noted in paragraph 3.45 that Westhill would be one of the main focuses for new investment within the Local Growth and Diversification Area there are a significant number of constraints noted for the whole settlement which are detailed within the Issues and Actions, AD0040.E, pages 103-112, noting that with these constraints in place significant new development should not be promoted. It would not be appropriate to support further development until these issues have been subject to more detailed consideration. The Westhill Capacity Study, updated in 2014, does not provide a timeline as to when development in Westhill would be suitable. It does however recommend a number of further studies to be undertaken to consider the most appropriate and sustainable way forward for future development in Westhill. Nestrans note within their response to the consultation that the ASAM19 model is currently being undertaken to look at performance and capacity on the transport lines that run along the A944 corridor. It is anticipated that the work considering the transport implications of any future growth options will be undertaken. It is therefore seen as the most appropriate action to allow these studies to be undertaken and future development within Westhill to follow once the relevant information has been reviewed.

There are a number of constraints noted within the Main Issues Report, AD0038.E, pages 84-92 that although could be designed and assessed further at any planning application stage it is considered at this time that the scale of development proposed is not required in Westhill and would preempt any outcomes of the studies that require to take place looking at the road network.

Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR106 – Land South of Arnhall Business Park (Phase 4)

The Council does not support allocating bid site GR106. As noted within the Issues and Actions paper, AD0040.E, pages 103-112, the site was not proposed to be included within the PLDP to allow for detailed consideration to be made regarding the future expansion of Westhill in the most sustainable way and once all of the relevant evidence has been compiled. It would also allow for the studies Nestrans note within their response to be completed for the settlement. No change is required.

Non-Allocated Site – Bid Site GR132 – Land at Mains of Keir, South East of B979

The Council does not support allocating bid site GR132 for 90 homes. There are a significant number of constraints noted for the whole settlement which are detailed within the Issues and Actions, AD0040.E, pages 103-112, noting that with these constraints in place significant new development should not be promoted. Through the Westhill Capacity Study update 2014 a number of studies were suggested to be completed in order to look at

the most appropriate and sustainable way forward for future development in Westhill. Nestrans note within their response to the consultation that the ASAM19 model is currently being undertaken to look at performance and capacity on the transport lines that run along the A944 corridor. It is anticipated that the work considering the transport implications of any future growth options will be undertaken. It is therefore seen as the most appropriate action to allow these studies to be undertaken and future development within Westhill to follow once the relevant information has been reviewed.

Another of the concerns noted within the Main Issues Report, AD0038.E, pages 84-92 is that the western part of the site could result in coalescence with Kirkton of Skene which remains a valid concern. It is however noted that the eastern side of the site would not have the same impact on the coalescence but there are site concerns over the impact that the site would have on the setting on Keir Hill Scheduled Monument. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR133 – Land at Souterhill Farm, North West of Westhill

The Council does not support allocating bid site GR133 for 70 homes and adjacent golf practice area. It is important to note that there are a significant number of constraints noted for the whole settlement which are detailed within the Issues and Actions, AD0040.E, pages 103-112, noting that with these constraints in place significant new development should not be promoted. The Westhill Capacity Study, updated in 2014, does not provide a timeline as to when development in Westhill would be suitable. It does however recommend a number of further studies to be undertaken to consider the most appropriate and sustainable way forward for future development in Westhill. Nestrans note within their response to the consultation that the ASAM19 model is currently being undertaken to look at performance and capacity on the transport lines that run along the A944 corridor. It is anticipated that the work considering the transport implications of any future growth options will be undertaken. It is therefore seen as the most appropriate action to allow these studies to be undertaken and future development within Westhill to follow once the relevant information has been reviewed.

As noted in the Main Issues Report, AD0038.E, pages 84-92, the site is noted to be disjointed from the settlement and is noted to be on a higher elevation than the rest of the built-up area in Westhill, therefore presenting a visual impact for the development. These concerns remain valid and therefore the site should not be proposed through the PLDP. No change is required.

Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – New Site N010 – Land South of the A944

The Council does not support allocating new site N010 for mixed-use development. The site was not put forward as a development bid so was not considered as such at the MIR stage, nor subject to site assessment and public consultation. The representation does not

include any site details or site location plan, nor supporting information such as an environmental assessment to allow a detailed evaluation of the suitability of the proposal. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Reporter's conclusions:

Preliminary matters

1. The examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 37. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

General

3. Westhill and Elrick Community Council and a resident wish to see the footpath and cycle pathways improved around and into the town. I note that on page 622, development may be required to contribute to the footway network to cycle infrastructure and to public transport. The council has suggested that the emerging Local Place Plan may be an appropriate process through which to pursue a foot and cycle strategy for the town. I agree, and note that such a strategy could be refined and finalised in a Local Place Plan, prior to the next local development plan process. No change to the plan is required.

4. I agree that the emerging Local Place Plan process would be best placed to address the request for a Community Action Plan. No modification to the plan is required.

5. Concerns regarding coalescence between Westhill and nearby settlements have been expressed. I note that the vision for Westhill at page 620 of the proposed plan states that coalescence with Kirkton of Skene to the west needs to be avoided. I am satisfied that the plan addresses this matter and so no modification to the plan is required.

6. The community council has commented on potential traffic implications of the new football stadium at Kingsford, but does not seek any modification on this matter. Nestrans has requested that the allocation summary in the settlement vision statement on page 620 reflects the work being undertaken on the corridor study along the A944 and the B9119, which is likely to lead to an evidence base for any future strategic decisions for development in and around Westhill. Suggested wording has been provided. I consider that the modification requested by Nestrans would provide clarification on transport requirements and opportunities for the settlement, and would clearly set out that future strategies for development in Westhill would be dependent on the outcomes of the potential strategic transport interventions that may be required. A modification on this

matter is recommended.

7. A number of representations, including those promoting additional housing sites, object to the lack of proportionate allocations for development in Westhill, in the plan period. They consider opportunities for growth in local growth and diversification areas, as set out in the strategic development plan, have not been addressed in Westhill and the plan should commit to larger land releases.

8. I agree that Westhill appears to be a sustainable and suitable location for appropriate development that contributes to the wider City Region. Whilst not located within a strategic growth area, new allocations in Westhill could help meet the strategic development plan allowance for the Aberdeen Housing Market Area. The 2014 Capacity Study identified areas for growth but noted that additional studies were required to progress development, particularly in relation to transport provision and infrastructure. Nestrans in its representation advises that an A944 and B9119 corridor study is underway and will provide the basis for further work. I have set out a modification to reference the need for further work to enable future growth options. This matter is considered further in the vision section, below.

Vision

9. A representation objects to the traffic concerns and the other constraints as set out in the second paragraph of the vision for Westhill. The representation states that local housing need is not being met by the plan allocations for this period and that placing a moratorium on additional allocations in the proposed plan on transport concerns is unreasonable.

10. I find that the constraints outlined in the vision for Westhill are properly based on the physical constraints that impact on the settlement and its potential future development. Subject to the modification suggested by Nestrans, the plan acknowledges that the A944 and B9119 corridor study is underway and provides the basis for further work, which in turn will inform future development scenarios. The total all tenure housing allocation for Westhill in this plan period is 111 homes. I agree that a settlement the size and nature of Westhill would normally be expected to make a bigger contribution to meeting housing land requirements in the Aberdeen Housing Market Area. However, the scope to allocate appropriate housing sites at this time is limited by the availability of the study outcomes. On this basis, I am satisfied that, until the further studies are complete, it would be premature to allocate significant development sites in the settlement. No further modification to the plan is required. My considerations on this matter provide the context for the assessment of representations seeking the allocation of housing bid sites in Westhill.

Site BUS – Safeguarded for business uses

11. A representation advises that three privately owned dwellings appear to have been included in the BUS allocation to the south of the settlement in error, and is seeking to have them removed. The council has confirmed that the inclusion of these is an error. I consider that the modification requested would provide clarity on the correct boundary for the BUS allocation. A modification on this matter is recommended.

Green belt

12. Westhill and Elrick Community Council has noted that the green belt has been omitted

from the list of protected sites set out in the proposed plan, although it is illustrated on the settlement map at page 624.

13. I note that the green belt in Aberdeenshire, including to the east of Westhill, is addressed under Policy R1 Special Rural Areas. Maps showing the detailed boundaries of the green belt are provided in appendix 4. The policies associated with the green belt are different to those associated with protected land, and each has been identified separately in the settlement features table in the plan. I am satisfied that the green belt designation is properly represented in the settlement statement and no modification to the plan is required.

Site OP1 – Strawberry Field Road

14. Site OP1 lies to the west of the settlement and to the north of the Straik Road. The site is bisected by large electricity pylons. At the time of my site visit, the site was an open field.

15. The representation objects to the inclusion of a convenience store in a planning application for the site, and seeks to have an economic justification for both the proposed new homes and the retail store. The representation also questions the need for any new homes in this part of Westhill, based on the contraction of the North Sea oil sector.

16. Site OP1 is allocated for 10 homes in line with an extant planning permission in principle for 10 homes. Whilst I note that a further planning consent has been granted for six homes and a retail convenience store, the allocation does not refer to a convenience store. Therefore, no change to the proposed plan is required to address the representation on this matter.

17. The planning history on the site supports the principle of housing development. An economic justification would not be needed when the use is acceptable in land use planning terms.

18. Despite the contraction in the North Sea oil sector, the strategic development plan identifies a need for new homes in both tenure sectors of the housing market in Aberdeenshire. Appropriate provision for new homes is an integral part of the development process and I am satisfied that allocating land for new homes in Westhill is both appropriate and necessary. No modification to the plan is required.

Site OP2 – Burnland

19. Site OP2 lies to the west of the settlement and to the south of the A944 Straik Road. At the time of my site visit, it was open fields.

20. A representation objects to the inclusion of the site in the plan, as it is considered to be in a rural location and there is no demand or justification for its development for housing. Another representation seeks the retention of the site within the settlement but the deletion of the housing allocation as it is constrained and would be better designated as open space.

21. I note that site OP2 is part of a larger development with planning permission, the majority of which has been built out. The council advises that if allocated in the local

development plan, the site could be included in the council's delivery programme, which would help support the completion of the development. I note that the community council supports the allocation.

22. I find that site OP2 is not in a rural area. It is within the settlement boundary and adjacent to established residential development to the east and south, with less dense development to the north and west. An economic justification would not be needed when the use is acceptable in land use planning terms.

23. I find that the allocation for 38 homes and commercial/retail uses reflects the previous planning permission on the site. I note that there is a constraint in terms of ownership, but the council is committed to working with stakeholders to deliver the site. The site is not currently used for open space or community leisure purposes and no evidence is provided to show how this alternative use would be delivered. No modification to the plan is required.

Site OP3 – Land at Former Blockworks Site

24. Site OP3 lies to the south of the A944 Straik Road, close to the centre of Westhill. It is in a mixed use area, with established residential development to the north, and hotel, light industry and commercial uses to the east, west and south. The site was cleared and vacant at the time of my site visit.

25. The Scottish Environmental Protection Agency (SEPA) has requested that the allocation summary for site OP3 reflects the need for a flood risk assessment. Suggested wording has been provided. I consider that the modification requested by SEPA would provide clarification on the requirements for any future planning application. A modification on this matter is recommended.

26. Nestrans has requested that the allocation summary for site OP3 reflects the need for development to provide for active travel and quality open space. Suggested wording has been provided. I consider that the modification requested by Nestrans would provide clarification on such matters, consistent with relevant policies in the proposed plan. A modification on this matter is recommended.

27. A representation has noted the specific requirements of the site relating to noise and access, as it is in a mixed use area where commercial and light industrial uses are already established to the south and east. I find that issues relating to noise would generally be addressed as part of the development management process. However, in this instance as the site is adjacent to existing uses, I agree with the council's suggestion that the allocation summary for site OP3 could be modified to read, "A Noise Impact Assessment may be required". A recommended modification to that end is set out below.

28. A representation has noted that the site would require a secondary access, but options are limited given the proximity of existing junctions on the A944. I agree with the council that in this case, options should be addressed through the development management process. I understand that planning permission has now been granted for development on this site. No modification to the plan is required in relation to this issue.

Non-Allocated Bid Site GR025 – Land at Kinmundy

29. Bid site GR025 is a greenfield site to the east of the settlement. To the west is established residential development, to the north, south and east is open countryside. At the time of my site visit, the site appeared to be in agricultural use.

30. A representation is seeking to have the site allocated for up to 120 homes. It is considered that the scale of housing allocations in the plan for Westhill is not appropriate, as it is too low to ensure a range and choice of sites. An indicative masterplan for the site has been submitted which illustrates the potential phasing and delivery, pipeline location, possible access points and open space of the development.

31. The strategic environmental assessment report assessed site GR025 as having some negative effects, including increased traffic flow, potential impact on Loch Skene, erosion of the green belt, landscape impacts and a pipeline. Positive impacts such as an increase in the range of housing choice and increased access to housing were noted. At the main issues report stage, the site was identified as being constrained by its location within the green belt and the pipeline zone. It was considered unsuitable for development. In the Issues and Actions paper, it was again noted that site GR025 was not supported.

32. The representation states that the site is not required to meet the functions of the green belt in this location, and that allocating sites should not be delayed until the proposed green belt review is carried out, as there is no fixed timeframe to deliver the review.

33. Policy R1 Special Rural Areas sets out the permissible uses in the green belt in Aberdeenshire and Appendix 4 illustrates the boundaries of the green belt. Paragraphs 49, 50, 51 and 52 of Scottish Planning Policy refer to the purpose of the green belt in supporting the local development plan spatial strategy. In this instance, I am satisfied that the proposed plan directs allocated development to the most appropriate locations in Westhill, and that the green belt in this location protects and enhances the character and landscape setting of the settlement. The loss of the green belt in this location would, I find, result in the erosion of the defined green belt boundary on the east side of Westhill. The uses proposed would not achieve the aims of the green belt in this location and would harm the character and setting of the town. I am satisfied that the site contributes to the green belt function in this area.

34. I have already addressed concerns regarding the limited scale of new housing allocations in Westhill and the implications of the current transport constraint in the vision section, above. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. However, alternative sites have been identified to meet this shortfall.

35. Overall, I conclude that housing development on this site would have an adverse impact on the integrity of the green belt and the landscape setting of Westhill. Given the availability of other suitable sites to meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider that meeting housing need would outweigh the negative effects outlined above. No modification is required.

Non-Allocated Bid Site GR032 – Land at Strawberry Fields

36. Bid site GR032 is being promoted for the development of up to 180 homes, with

associated infrastructure and open space. The site lies to the west of the settlement, to the south of the Old Skene Road and north of the A944 Straik Road. At the time of my site visit, the site appeared to be in agricultural use. The representation is supported by an indicative masterplan and accompanying site assessments.

37. The strategic environmental assessment report assessed site GR032 as having some negative effects, including increased traffic flow, flood risk, impact on infrastructure and a pipeline. Positive impacts such as an increase in the range of housing choice and increased access to housing were noted. At the main issues report stage, the site was identified as being constrained by the pipeline zone, the relationship with existing residential development and the potential for coalescence with Kirkton of Skene to the west. It was considered unsuitable for development. In the Issues and Actions paper, it was again noted that site GR032 was not supported.

38. I note that paragraph 255 of Scottish Planning Policy states that the planning system should promote a precautionary approach to flood risk and locate development away from medium to high risk areas. Paragraph 263 indicates that sites with a medium to high risk of flooding may be suitable for residential development in particular circumstances. I find that flood risk matters may not prevent housing development on the site, but the outcome of the flood risk assessment may have implications for overall development capacity.

39. The site is located to the south of the Old Skene Road, which has relatively new traffic and transport infrastructure, including access to public transport. The general transport constraint on development in Westhill would need to be taken into account in relation to this site. However, given the nature and location of the site, I consider that development may be justified in advance of the wider capacity studies, if required to meet strategic housing needs. However, a transport assessment would be necessary to explore this matter and identify any necessary mitigation on the transport network.

40. In terms of coalescence with Kirkton of Skene and the relationship with existing residential development, I consider that this is a matter which could be resolved through appropriate design and landscape mitigation. The Westhill Capacity Study identified the west of the settlement as suitable for future expansion. The indicative masterplan illustrates a layout which does not significantly extend the built envelope of the settlement to the west and which incorporates structural planting to create a defining boundary in visual terms. When approaching or leaving Westhill on the A944 or the Old Skene Road, I am satisfied that the visual impact of the development of the site would not give rise to an impression of coalescence.

41. The strategic environmental assessment noted that there may be impacts arising from the proposed development on social infrastructure. Whilst carrying out my site inspection, I noted the close proximity of the site to existing facilities such as a medical centre, primary school and local retail facilities. I have not been provided with any information to suggest that the existing facilities are unable to accommodate demand from an additional 180 homes. Where necessary, developer contributions could be sought, in line with policy RD2.

42. An overhead powerline runs through the site from north to south, and a pipeline runs north to south in the western part of the site. A request for further information (FIR 019) was issued to Stewart Milne Homes and the council, to gain a better understanding of the implications of the pipeline for housing development on this site.

43. The council advises that the pipeline is the Scottish Gas Network Leuchers Moss to Craibstone high pressure gas pipeline. It states that, based on mapped information provided by the Health and Safety executive, consultation zones associated with the pipeline would be a constraint to housing development.

44. However, the council acknowledges that during the development of the Broadshade estate to the north, the pipeline was partially re-routed and that re-routing extends into the northern part of bid site GR032. It understands that the new pipeline would have been encased, at least along the land north of the Old Skene Road, to reduce the separation distance from the nearest houses to six metres.

45. Stewart Milne Homes has confirmed that the encasing of the pipeline and a consequential reduction in the standoff distance to six metres in the Broadshade development was agreed with the Health and Safety Executive. It states that a similar solution would be available for bid site GR032. A revised indicative master plan, submitted by Stewart Milne Homes in response to the further information request, illustrates how a six metre standoff from the pipeline could be accommodated in the site layout. However, no evidence has been provided to indicate that this has been discussed and agreed with the Health and Safety Executive. The council states that, without evidence of discussions between the Health and Safety Executive and Stewart Milne Homes, the standard consultation zones should apply.

46. The council considers sites within a pipeline consultation zone to be physically constrained and that they should only be considered for allocation if there are no suitable alternatives. The examples referred to in Westhill by the representee are sites, which predate the previous two local development plans.

47. Whilst I acknowledge that it may be possible to overcome this constraint, given the council's response and the uncertainty regarding the Health and Safety Executive's position, I am unable to reach a conclusion on the implications of the pipeline for housing development on this site. Based on the information before me, I conclude that a housing allocation on this site would not be in accordance with Policy P4: Hazardous and Potentially Polluting Developments and Contaminated Land.

48. I have already addressed concerns regarding the limited scale of new housing allocations in Westhill in the vision section, above. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. However, alternative sites are available to meet this shortfall.

49. Overall, I consider that housing development on this site could be accommodated with limited impact on settlement coalescence and local services. However, given the uncertainty regarding the implications of the pipeline, I am unable to conclude that development of the site could contribute to meeting the strategic development plan allowance for the Aberdeen Housing Market Area in the period up to 2032. I therefore do not consider that this site should be allocated in the plan.

50. No modification is required.

Non-Allocated Sites – Bid Site GR039 – Land West of Westhill, South of the A944 (Site 1), Bid Site GR040 – Land West of Westhill, South of the A944 (Site 2) and Bid Site GR041 –

Land West of Westhill, South of the A944 (Site 3)

51. Representations are seeking the allocation of bid site GR039 for up to 100 homes. The identification of bid sites GR040 and GR041, as future opportunity sites for up to 3,000 homes, is also sought. All of the bid sites are supported by substantial background information and a transport position statement.

52. I note that general representations regarding the identification of future opportunity sites are addressed under Issue 2 of this examination. This concludes that, whilst the strategic development plan allows local development plans to identify additional strategic reserves beyond 2032, there is no requirement to do so. The council's decision not to identify future opportunity sites is in accordance with the strategic development plan. On the basis that there is no requirement to allocate future opportunity sites, I have not given further consideration to bid proposals GR040 and GR041.

53. Bid site GR039 lies to the west of the settlement and to the south of the A944 Straik Road. There is some low density residential and retail development to the north-east of the site, but it is surrounded by agricultural land to the north, south and west. At the time of my site inspection, the site was laid out as open fields.

54. The strategic environmental assessment report assessed site GR039 as having some negative effects, including increased traffic flow, impact on infrastructure and a pipeline. Positive impacts such as an increase in the range of housing choice and increased access to housing were noted. At the main issues report stage, the site was identified as being constrained by the pipeline zone, the distance from a primary school and a poor relationship with the existing settlement. It was considered unsuitable for development. In the Issues and Actions paper, it was again noted that site GR039 was not supported.

55. Potential impacts on Loch of Skene, Dunecht House Inventory Gardens and Designed Landscape, on ancient woodland, on scheduled ancient monuments and on protected species were also the basis for the non-inclusion of the site in the plan. I do note that bid site GR039 would be the furthest from these protected sites and I am satisfied that if developed as a discrete site and not as part of a 3,000+ homes development, then structural landscaping and careful design would have the potential to mitigate these potential impacts.

56. However, I find that the open character and setting of Westhill would be impacted if this development were to go ahead. It would read as an isolated pocket of development, visually unconnected to the established residential area of Burnland to the east. The site would not create a defensible boundary for the settlement and would erode the landscape setting of Westhill. It may be that careful design and structural landscaping could mitigate these issues, but, as an isolated site, I find that the landscape and visual impact would most likely remain unacceptable.

57. I have already addressed concerns regarding the limited scale of new housing allocations in Westhill and the implications of the current transport constraint in the vision section, above. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4s for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. However, alternative sites have been identified to meet this shortfall.

58. Overall, I conclude that housing development on this site would result in an adverse impact on the landscape and visual setting of the western edge of the settlement. Given the availability of other suitable sites to meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider that meeting housing need would outweigh the adverse landscape and visual impacts. No modification is required.

Non-Allocated Bid Site GR063 – Land South of Mill of Brodiach

59. A representation is seeking to have bid site GR063 allocated for residential development of up to 100 homes. The site lies to the east of Westhill, bound to the north by the Westhill Road, to the east by the Brodiach Burn and to the south and west by agricultural and playing fields. The site itself appears to be in agricultural use, and is broadly triangular in shape.

60. The representation considers that the site would form an extension to the existing settlement, that it does not contribute to the green belt, that the pipeline is not a constraint, and that flood risk can be managed. The consent for the football stadium and training facility to the south and east is also considered to undermine the principle of protecting the green belt in this location.

61. The strategic environmental assessment report assessed site GR063 as having generally negative effects, including increased traffic flow, flood risk, erosion of the green belt, impact on infrastructure and a pipeline. At the main issues report stage, the site was identified as being constrained by the pipeline zone, flood risk and a poor relationship with the existing settlement. It was considered unsuitable for development. In the Issues and Actions paper, it was again noted that site GR039 was not supported. NatureScot suggests that a development brief would be required to support any development, to reduce the loss of woodland, carbon rich soil and habitats, and to promote active travel.

62. I have already addressed concerns regarding the limited scale of new housing allocations in Westhill and the implications of the current transport constraint in the vision section, above. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. However, alternative sites have been identified to meet this shortfall.

63. Policy R1 Special Rural Areas sets out the permissible uses in the green belt in Aberdeenshire and Appendix 4 illustrates the boundaries of the green belt. Paragraphs 49, 50, 51 and 52 of Scottish Planning Policy refer to the purpose of the green belt in supporting the local development plan spatial strategy. In this instance, I am satisfied that the proposed plan directs allocated development to the most appropriate locations in Westhill, and that the green belt in this location protects and enhances the character and landscape setting of the settlement. The loss of the green belt in this location would, I find, result in the erosion of the defined green belt boundary on the east side of Westhill. The uses proposed would not achieve the aims of the green belt in this location and would harm the character and setting of the town. I do not consider that the recent consents for a football stadium and associated training facility provide justification for the release of green belt land for housing development in this location. It would also

result in a development which is detached from the settlement, due in part to the existing open space corridor. I am satisfied that the site contributes positively to the green belt functions in this area and its loss would have a negative impact.

64. The issue of flood risk is considered capable of being managed with buffer strips and by careful design in the site layout. The representation indicates that only a small part of the site is at risk, with the remaining part being able to provide up to 100 homes. I am satisfied that flood risk would not be an impediment to the development of the site.

65. The pipeline has been identified by the council as a constraint. The representation advises that, in the consideration of a refused planning application on the site, the Health and Safety Executive did not consider the pipeline to be a constraint. I note that the pipeline runs nearby and an open space corridor is to be maintained along its route in this location. However, this corridor would mean that bid site GR063 would be physically and visually separated from the eastern edge of Westhill and development would not be well integrated with the rest of the settlement.

66. The council indicates that the proposed layout would not meet its road standards. The bid proposal is unclear whether adequate access arrangements can be provided to serve a development of over 100 houses and so I am unable to reach a conclusion on this matter.

67. Overall, I conclude that that housing development on this site would have an adverse impact on the landscape and visual setting of the eastern edge of the settlement and the function of the green belt. Given the availability of other suitable sites to meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider that meeting housing need would outweigh the impact on the green belt and other negative effects outlined above. No modification is required.

Non-Allocated Bid Site GR064 – Land North of Broadshade

68. Bid site GR064 is being promoted for residential development, which could accommodate up to 250 homes. The site is located to the north west of Westhill, and immediately to the north of the recently established Broadshade residential development. At the time of my site visit, the site appeared to be in agricultural use. It is an open site bisected by an unmade road to Sunnybrae House and the farm beyond. It rises from south to north and has an elevated position.

69. The representation considers that sufficient land has not been allocated in Westhill to meet local needs, and that the bid site is fully deliverable without constraints.

70. The strategic environmental assessment report assessed site GR064 as having generally negative effects, including increased traffic flow, proximity to Loch Skene, negative impact on landscape character, the setting of a scheduled ancient monument Berryhill and on the pipeline. At the main issues report stage, the site was identified as being constrained by the pipeline zone, by difficult road infrastructure improvements and the potential impact on the scheduled ancient monuments Keir Hill and Berryhill. It was considered unsuitable for development. In the Issues and Actions paper, it was again noted that site GR064 was not supported.

71. I consider that the rising elevations to the north of the town from part of its character

and setting. I note the negative effects set out in the strategic environmental assessment report and main issues report, but I am satisfied that the visual impact of extending the built environment northwards could be mitigated with careful design and layout and with structural planting. I viewed the bid site from viewpoints to the west and south of Westhill, and found that, given the extent of existing residential development at Broadshade, additional development to the north would not be incongruous.

72. The strategic environmental assessment of site GR064 identifies a number of other negative effects, some of which it may be possible to mitigate. The supporting document provided by the representation highlights the scale of infrastructure that would be required to support the proposal. I find that I have insufficient details before me to take a view on potential mitigation measures to address matters such as the impact on the scheduled ancient monuments and transport.

73. I have already addressed concerns regarding the limited scale of new housing allocations in Westhill and the implications of the current transport constraint in the vision section, above. Matters relating to overall housing provision in the proposed plan are covered in issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. However, alternative sites have been identified to meet this shortfall.

74. Overall, I conclude that housing development on this site could potentially be accommodated with limited impact on settlement character and setting, and subject to appropriate mitigation, on scheduled ancient monuments and the transport network. However, given the uncertainty regarding the potential impact on the transport network, and the availability of other suitable sites to meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider that this site should be allocated in the plan. No modification is required.

Non-Allocated Bid Site GR066 – Land at Damhead Cadgerford and Backhill, South of Westhill

75. Bid site GR066 comprises three lots of land to the south of the settlement, south of the B9119. The sites are currently in agricultural use, and in open countryside.

76. Bid site GR066 is being promoted for 3.18 hectares of employment land on the part of the site immediately south of the B9119 and 200 - 250 homes on the Cadgerford / Bankhead Farm areas, as part of a southern expansion of Westhill. A wider development strategy (including land in Aberdeen City council area) was submitted in support of the representation, as was information on business and community evaluations in Westhill.

77. The strategic environmental assessment report assessed bid site GR066 as having generally negative effects, including increased traffic flow, proximity to Loch Skene, negative impact on landscape character, surface water flooding. At the main issues report stage, the site was identified as being constrained by the pipeline zone, by transport constraints, by educational requirements and a buffer to the Brodiach Burn. It was considered overall to be unsuitable for residential development at this time, and that this land should only come forward for development as part of an overall agreed strategic vision for significant growth in Westhill. I note the numbers and site area referred to in the main issues report (750 - 900 homes and 9 -10 hectares of employment land) also include land

in the Aberdeen City Council area. In the Issues and Actions paper, it was again noted that site GR066 was not supported.

78. The Westhill Capacity Study Update 2014 identifies land to the south of the settlement, including bid site GR066, as 'most suitable for development'. However, in advance of the supporting studies referred to by the council, no decisions have been taken regarding the scale, direction and timescales for the strategic growth of Westhill.

79. The strategic development plan identifies Westhill as an area suitable for local growth and diversification. Whilst only proposals within Aberdeenshire can be assessed through this examination, I consider that the overall development strategy, submitted in support of bid site GR066, would form a strategic expansion of the settlement and would represent more than just 'local growth'. I note that paragraph 3.45 of the strategic development plan indicates that Westhill would be a main focus for new investment. However, I agree with the council that this should happen in a planned manner, and should only be considered once the necessary supporting studies are complete.

80. The constraints identified in the site assessments appear to be matters that are capable of being resolved through the development management process and through site master planning and a development framework. However, at this time, development at this location would be remote from, and poorly connected to, the town centre, local facilities and other residential areas.

81. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. However, alternative sites have been identified to meet this shortfall.

82. Table 5 in the strategic development plan sets out targets for employment land allocations to be addressed in local development plans. However, these relate to strategic growth areas and therefore would not require the allocation of site GR066 for employment purposes. Furthermore, this bid is for a mixed use proposal and does not promote a separate business allocation.

83. Overall, I conclude that there is no justification for a strategic southerly expansion of Westhill at this time. The allocation of bid site GR066 is not required to meet strategic housing or employment needs, and development on the southernmost part of this site would be poorly integrated with the rest of the settlement. No modification is required.

Non-Allocated Bid Site GR106 – Land South of Arnhall Business Park (Phase 4)

84. Bid site GR106 is located to the south of the B9119, and immediately south of the Arnhall Business Park. At the time of my site visit, the site was in agricultural use.

85. The representation is seeking the allocation of the site (11.6 hectares) for employment and hotel use, as an extension to the existing business park to the north. Its identification as an opportunity site in this plan is sought, and if that is not accepted, the site should be identified as Strategic Reserve land and included in Appendix 1; Employment Land Allocations.

86. As I have indicated above, the strategic development plan (Table 5) sets out targets for employment land allocations to 2032, and strategic reserve land for the period 2033 – 2044. These relate to strategic growth areas and therefore would not require or justify the allocation of site GR106 for employment purposes in this plan.

87. However, the strategic development plan also states that local development plans should identify and maintain an appropriate amount of business land for Local Growth and Diversification Areas in Aberdeenshire. The vision for Westhill at page 620 of the proposed plan sets out that the town functions as an established employment hub and is a centre for global excellence in the subsea sector. It also notes that Westhill supports emerging industries. The representation indicates that no sites for employment have been allocated and that opportunities to meet demand for employment land cannot be met in the settlement.

88. Site GR106 was identified as a reserved site in the main issues report. However, the council is concerned that giving reserved status to land south of the B9119 could be interpreted as indicating its preferred direction of future growth. I have noted above that the Westhill Capacity Study Update 2014 identifies land to the south of the settlement as 'most suitable for development'. However, in advance of the supporting studies referred to by the council, no decisions have been taken regarding the scale, direction and timescales for the strategic growth of Westhill. Whilst bid site GR106 could form part of a strategic southerly expansion of the settlement, I consider that it could also come forward on its own as an extension to Arnhall Business Park.

89. Given Westhill's status as a global subsea centre of excellence and established employment hub, as highlighted in the vision section of the settlement statement, I agree with the representee that an extension to the existing business park would be appropriate, if required. I am satisfied that this would be a suitable future use for this site and would not prejudice the outcome of the ongoing supporting studies or decisions regarding the future growth of Westhill.

90. I therefore consider that bid site GR106 should be identified as Strategic Reserve Employment Land for development post-2032, but capable of being brought forward prior to that date, should circumstances allow and subject to relevant policies in the plan. Paragraph 5.11 in the strategic development plan states that "in exceptional circumstances, for example if it is essential to put this Plan's Vision or Spatial Strategy into practice, applications for planning permission may be considered before 2033 on land identified as Strategic Reserve for Employment". Whilst Westhill is not located within a strategic growth area, I consider it appropriate to refer to the future potential extension of Arnhall Business Park as strategic employment land.

91. I recommend that the plan is modified to identify site GR106 as SR1 - reserved for strategic employment land (11.6 hectares) in the other designations section of the settlement features table and on the Westhill settlement map. The site should also be added to the "Strategic Reserve – beyond 2032" column of table 2 in appendix 1: Employment Land Allocation. Modifications to this effect are set out below.

Non-Allocated Bid Site GR132 – Land at Mains of Keir, South East of B979

92. A representation is seeking to have the whole or part of bid site GR132 allocated as a reserved site for future delivery of up to 90 homes, should current allocated sites fail to

deliver. The representation is supported by a planning statement which contains a site analysis and a development concept.

93. Bid site GR132 is located to the north west of Westhill, to the north of the Broadshade residential development and south of the B979. At the time of my site visit, it appeared to be in agricultural use.

94. Although reserve or future opportunity sites had been included in the early stage of the plan preparation, the council decided not to identify such sites in the proposed plan. The strategic development plan at paragraph 4.20 states that 'Local Development Plans may choose to make provision for additional Strategic Reserves for Housing for the period 2033 to 2040 in line with Table 3, but this is not a requirement.' I find that the council's decision not to include future opportunity sites in this plan is in accordance with the strategic development plan. There is no therefore no justification to allocate a housing site of 90 homes as a future opportunity at this time. No modification to the plan is required.

Non-Allocated Bid Site GR133 – Land at Souterhill Farm, North West of Westhill

95. A representation is seeking the allocation of bid site GR133 for up to 70 homes and a golf practice area. The site lies to the north of the settlement, to the west of Westhill Drive and with the golf course to the south. To the west and north is open countryside. At the time of my site visit, the site appeared to be in agricultural use.

96. The representation indicates that the site is considered to be 'most suitable and sustainable' in the Westhill Capacity Study 2014; it is located adjacent to the settlement boundary to the west, is free from constraints and could be delivered in the plan period.

97. The strategic environmental assessment report assessed bid site GR133 as having generally negative or neutral effects, including increased traffic flow, surface water flooding, water capacity issues, proximity to Loch Skene, negative impact on landscape character, impact on the character of the area, and the pipeline consultation zone. At the main issues report stage, the site was identified as being constrained by the pipeline zone, by being within the green belt, by being accessed by an unmade road, and by the core path running through the site. It was not shown as a preferred option for development. In the Issues and Actions paper, it was again noted that site GR133 was not supported. NatureScot advised that landscape and visual impacts were likely to arise from the disconnect from the settlement boundary. Historic Environment Scotland noted that the site had the potential to impact on the scheduled ancient monument at Berryhill.

98. I note that the council's assessment of the site appears to contain a number of factual errors. The representee has brought these to my attention and for clarity I will set them out. The representation is seeking an allocation for 70 not 49 homes. The site is not in the green belt. It is adjacent to the settlement boundary. The site is not constrained by the pipeline consultation zone or the core path. A landscape and visual impact assessment has been submitted with the representation. The site would not be accessed from an unclassified road, but from Blacklaws Brae which is an adopted road.

99. I am satisfied that the site would not be disjointed from the settlement, but could fit well with the established residential neighbourhoods to the east and south. The ridgeline of Hill of Keir would be north of the site, with the proposed development occupying a similar position to existing residential development on Meadowlands Drive to the east. I viewed

the site from various viewpoints to the north, south, south-west and south east. I am satisfied that the site would not present an over-prominent built element in the landscape, and that structural planting would be capable of providing any required screening.

100. A traffic assessment was submitted with the representation which concludes that the development would have an acceptable impact on the local transport network. Flood risk and water capacity issues are matters that could be addressed at planning application stage. I find that the proximity to Loch Skene and Berryhill could also be addressed through site layout and design. I note that in the site appraisal prepared by the representee, the core path is identified as an opportunity. I would support this approach, and agree that it could be designed into an overall street pattern.

101. I have already addressed concerns regarding the limited scale of new housing allocations in Westhill and the implications of the current transport constraint in the vision section, above. Matters relating to overall housing provision in the proposed plan are covered in issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. However, alternative sites have been identified to meet this shortfall.

102. As explained above, I find that the scope to allocate appropriate housing sites at this time is limited by the availability of the transport study outcomes. On this basis, I am satisfied that until the further studies are complete, it would be premature to allocate significant development sites in the settlement.

103. Overall, I conclude that housing development on this site could be accommodated with limited impact on the settlement and its landscape character and setting. However, given the uncertainty regarding the potential impact of housing development in Westhill on the transport network, and the availability of other suitable sites to meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider that this site should be allocated in the plan. No modification is required.

Non-Allocated New Site N010 – Land South of the A944

104. A mixed use zoning is sought for an area south of the A944 Straik Road. The site location plan submitted with the representation illustrates an area encompassing land to the east of Enterprise Drive and to the north of Peregrine Road.

105. It would appear, from the representation, that the purpose of the proposed zoning is to recognise the existing mixed use nature of this area, as well as promoting mixed use development opportunities. The representation does not provide any details of particular proposals to be assessed.

106. Site N010 is shown in the proposed plan as “white land” within the settlement boundary. Proposals for changes of use or redevelopment of sites within this area would be assessed against relevant policies in the plan and would not require a mixed use allocation. The local development plan policies would also allow consideration of potential conflicts between existing uses and future development proposals. No modification to the plan is required.

Reporter's recommendations:

Modify the local development plan by:

1. Adding the following new fifth paragraph to the vision section on page 620:
"Upon completion of the regional strategic model (ASAM19), it is anticipated that work considering the transport implications of any future growth options will be undertaken."
2. Adding the following new entry to the other designations section of the settlement features table in the settlement statement on page 621:
"SR1 - reserved for strategic employment land (11.6 hectares)"
3. Adding the following new four sentences to the end of the allocation summary for OP3: Land at Former Blockworks Site on page 623:
"A Flood Risk Assessment may be required due to surface water flood risk on site. Active travel facilities and good quality open space are required. Efforts should be made, including through the site layout, to connect through the adjacent business park to core paths beyond, including the core path the west across Peregrine Road. A Noise Impact Assessment may be required."
4. Amending the Westhill settlement map on page 624 and 625 to exclude the privately owned dwellings (Bridgefoot, Hazeldean and Malahal) from the BUS designation.
5. Amending the Westhill settlement map on pages 624 and 627 to show bid site GR106 as strategic reserved land designation SR1.
6. Adding Westhill SR1 to the Garioch section of Table 2: Employment Land Allocations in appendix 1 on page 100, with 11.6 hectares added in the Strategic Reserve – beyond 2032 column.

<p>Issue 38</p>	<p>Other Settlements AHMA (Garioch) North – Goval, Hatton of Fintray, Keithhall, Kingseat and Kinmuck</p>	
<p>Development plan reference:</p>	<p>Proposed LDP, Appendix 7D Garioch, Page 547-550 Proposed LDP, Appendix 7D Garioch, Page 575-577 Proposed LDP, Appendix 7D Garioch, Page 583-585 Proposed LDP, Appendix 7D Garioch, Page 586-587</p>	<p>Reporter: Sinéad Lynch</p>
<p>Body or person(s) submitting a representation raising the issue (including reference number):</p>		
<p>Goval PP1227 Drum Property Group PP1245 Drum Property Group</p> <p>Hatton of Fintray PP0272 Scottish Water PP0326 Fintray Community Council PP0435 MTM Construction PP1102 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1343 Historic Environment Scotland</p> <p>Keithhall PP1083 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1281 Bancon Homes PP1317 The Church of Scotland General Trustees</p> <p>Kingseat PP0063 Morrison Construction PP0247 Frontier Agriculture PP0272 Scottish Water PP0973 Kingseat Development 2 Ltd. PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage) PP1343 Historic Environment Scotland</p> <p>Kinmuck PP0580 John McIntosh PP1219 Scottish Environment Protection Agency</p>		
<p>Provision of the development plan to which the issue relates:</p>	<p>Hatton of Fintray Settlement Statement Keithhall Settlement Statement Kingseat Settlement Statement Kinmuck Settlement Statement Other Garioch Settlements</p>	

Planning authority's summary of the representation(s):**Goval**Non-Allocated Site – Bid Site GR143 – Land South of Goval Junction

A representee has requested that bid site GR143 be allocated for a mix of uses including a hotel, fuel station, charging station, Park & Choose, restaurant, farm shop, garden centre and an activity centre. The representee has argued that the site should be included on the basis of this being an obvious location for convenient roadside services that are needed close to the Aberdeen Western Peripheral Route (ABERDEEN WESTERN PERIPHERAL ROUTE). They note that the Strategic Development Plan does not rule out development adjacent to the AWPR route or junctions and the site would support SPP outcomes. The proposed development is strategically located to attract existing trips from the adjacent strategic and local road network. The impact of this development on the road network will be limited and not have a major impact on the ABERDEEN WESTERN PERIPHERAL ROUTE or its junctions. The site would support the Local Transport Strategy by assisting in the delivery of 'Park and Choose', providing new strategically located recharging facilities, and other facilities serving passing traffic and wider accessibility to sustainable transport modes. There are, no overriding land use, environmental, road safety or traffic management justifications for not allocating this site for the proposed range of uses, and previous reasons given in the MIR are disputed. The proposal has been planned to avoid impacts on surrounding woodland, there is only limited surface water flooding, and there would be limited landscape impact. Furthermore, green belt zoning is not a reason for ruling out new opportunities and each bid should be considered individually and in relation to an up-to-date green belt review. The representee has included an Appendix (RD0229.A) in their submission which provides further detail to support their position (PP1245).

Non-Allocated Site – Bid Site GR144 (part) – Land North of Goval Junction, Little Goval

A representee has requested that bid site GR144 (part) be allocated for 15 homes. The representee has argued that the site should be allocated on the basis that it offers the opportunity to increase housing mix and diversity, provides for self-build and custom-built housing plots to meet local needs, and the opportunity for a new sustainable rural lifestyle. The representee does not consider the site's location in the countryside as a valid justification to discount the site, as other bids have been supported in the countryside and the local landscape has been irreversibly changed due to the AWPR and considers the site would have a positive fit into the wider landscape as a small household group. Presence of the green belt should not be a reason for ruling out new opportunities as each bid should be considered individually and in relation to an up-to-date green belt review. The proposal has been planned to avoid impacts on surrounding woodland, there is no flood risk on the site. The proposed development has good transport links including cycle links, supporting the possibility to work from home and access services sustainably, so providing for a need demonstrated by the Covid pandemic. The siting of this development within the accessible rural area ensures good access to employment and services. The limited scale housing will complement the current hamlet at Little Goval, providing a continuation of the existing housing. The proposed site boundary has been reduced to address the MIR suggestion of the site representing underdevelopment. The representee has included an Appendix (RD0217.A) in their submission which provides further detail to support their position (PP1227).

Hatton of Fintray

Vision

Fintray Community Council has expressed support for the proposed settlement Vision for Hatton of Fintray (PP0326).

Fintray Community Council has expressed support for the Proposed Local Development Plan (PLDP) maintaining the current designated area of green belt as this benefits the environment and historic landscape (PP0326).

Flood Risk

Scottish Environment Protection Agency (SEPA) has recommended for consistency that a new 'Flood Risk' section and bullet point be included to note that due to the presence of a small watercourse adjacent to the OP1 site that a Flood Risk Assessment may be required (RD0214.B) (PP1219).

Services and Infrastructure

Scottish Water request that in the Hatton of Fintray 'Services and Infrastructure', under 'Strategic drainage and water supply' that text is added to read, "There is limited supply at Hatton of Fintray septic tank. Early engagement with Scottish Water is recommended" (PP0272).

SEPA has confirmed that it has no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – North of B977

Historic Environment Scotland (HES) notes that Hatton of Fintray is located approximately 210m west of the Scheduled Monument known as Jasmine Cottage, cursus monument and barrows 160m south east of (SM 6572) but given the location of site OP1 adjacent to the existing settlement and the distance to the monument, HES is content that the proposed development will not significantly impact on its setting (RD0266.A). No modification sought (PP1343).

SEPA has recommended a minor amendment to the last sentence in the allocation summary of site OP1 to state "this" rather than "these" as it refers to the enhancement of only one watercourse (RD0214.B) (PP1219).

Fintray Community Council has noted support for the OP1 site on the provision that 16 homes are a binding limit. They also note that a proportion of the site should be designated as open space/amenity land, that the development reflects the character of the settlement and should include appropriate landscaping and safe cycle/pedestrian access to the school and wider settlement. Furthermore, development should make a contribution towards the community, recreation and learning facilities in the area (PP0326).

A representee objects to the reduced size of the existing allocation as the original bid GR044 was accepted at the Main Issues Report (MIR) with an increase from 12 to 32

homes to avoid underdevelopment. This location is not suitable for a higher density development on a reduced site area approach. Higher density would not be in keeping with the lower density, larger plots which characterise the settlement. Keeping the existing allocation boundary of the site would still provide a dense development at 16 homes from the current 8 homes allocation. The representee notes that while Hatton of Fintray is not in a Strategic Growth Area, the site is a desirable small-scale addition to the settlement and has good connectivity to the A96 and Aberdeen Western Peripheral Route. It has not come forward only due to the general economic downturn in the area. The reduced site size does not make sense from a delivery or good planning perspective. The representee has included an Appendix (RD0066.A) in their submission which provides further detail to support their position (PP0435).

A representee has suggested that site OP1 should be removed on the basis of non-delivery or the allocation reduced to 8 homes (PP1102).

Keithhall

Site R1 – To provide a car park for the village hall

SEPA has confirmed that it has no flooding, strategic drainage or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

A representee supports the safeguarding of site R1 for provision of car parking at the Village Hall. No modification sought (PP1317).

Flood Risk

SEPA requests that the second 'Flood Risk' bullet point adds site OP1 or include it as a separate new bullet point, as this site requires a Flood Risk Assessment (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that it has no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – South of Inverurie Road

SEPA has confirmed that it has no flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has expressed support for the allocation of site OP1 and welcomes the increased capacity at the site (PP1317).

This allocation entered the housing land audit in 2006 and is included in the long-term constrained schedule in the 2019 Housing Land Audit as an ownership constrained site. The position agreed by the Planning Authority at the time of the 2019 audit was that the timescale for resolving the constraint was unknown. No planning applications have been submitted to advance development on the site in the past 15 years. Initially, the site had a capacity of 5 houses, and this has increased to 15 houses in successive LDPs. The recruitment of long-term constrained sites to meet the strategic allowances is not a

competent approach to the delivery of housing through the development plan. Generally, constrained sites within the established supply at the base date of a local development plan should be discounted unless the constraint is known to be temporary in nature. This is not the case in this instance. There is nothing to justify the inclusion of this site as an allocation which will contribute to meeting the strategic allowances and nothing to support the increase in its capacity from 15 houses to 36 (PP1083).

Non-Allocated Site – Bid Site GR060 – Land at Tweedale

A representee continues to object to the effective embargo on greenfield housing allocations in the Blackburn to Inverurie Strategic Growth Area pending confirmation of the preferred route of the A96. Dualling of the A96 is a strategic project that is not intended to provide capacity for housing in particular areas and that it is for the LDP to ensure that housing can be delivered along with the necessary infrastructure. This site could offer a solution to traffic congestion by delivering the majority of a route from the east of Inverurie to the north allowing traffic to bypass the town centre. It is contended that there is an effective housing land shortfall within the Aberdeen Housing Market Area and this site would contribute to meeting that. An assessment of this bid on the Designed Landscape is provided. The representee has included two Appendices (RD0237.A and RD0237.B) in their submission which provides further detail to support their position (PP1281).

Non-Allocated Site – Bid Site GR128 – South of Inverurie Road

A representee has noted that bid site GR128 was supported as a preferred option in the MIR and extended to the east to take in the full extent of the site. No justification has been provided for the change in the site within the PLDP and the representee considers this a missed opportunity to establish the long-term future of Keithhall. It is noted that the site is available, deliverable and does not present any particular challenges in terms of topography or gradient. Allocation of the larger site would allow for a more comprehensive and integrated development and it is suggested that the expansion of the allocation would result in the creation of a more sustainable and higher quality development (PP1317).

Kingseat

Site BUS1 – Safeguarded for business uses

SEPA has confirmed that it has no flooding, strategic drainage or water supply issues with the designation summary for site BUS1 (RD0214.B). No modification sought (PP1219).

Two representees have requested that site BUS1 is reallocated as an opportunity site for housing. The representees have outlined that the site is undeliverable as business land due to marketability constraints (PP0063 and PP0973).

Site BUS2 – Safeguarded for business uses

SEPA has confirmed that it has no flooding, strategic drainage or water supply issues with the allocation summary for site BUS2 (RD0214.B). No modification sought (PP1219).

A representee notes that the site BUS2 is well outwith the main development area at the former Kingseat Hospital Site. In the MIR the site was shown to be within the settlement boundary but with no designation. The Garioch Area Committee discussed placing the site

outwith the settlement. Should it remain within the Kingseat settlement boundary, then the representee requests that the BUS2 allocation be removed from the PLDP as the site falls outwith the settlement boundary. The representee has included an Appendix (RD0034.A) in their submission which provides further detail to support their position (PP0247).

Flood Risk

SEPA has confirmed that it has no comment to make on the 'Flood Risk' bullet point in the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

Scottish Water request that in the Kingseat 'Services and Infrastructure' under 'Strategic drainage and water supply' that text is added to read, "Kingseat connects to the Newmachar Waste Water Treatment Works which is at capacity. A Growth Project has been initiated and early engagement with Scottish Water is required to discuss build out plans of any sites" (PP0272).

SEPA has requested amending the 'Strategic drainage and water supply' bullet point to provide transparency and highlight the significant waste water treatment issues at Kingseat as it is connected to the Newmachar network which is at capacity, and the growth project cannot be confirmed until a technical solution is found, as the existing receiving waters have little dilution potential for an increase in discharge, which may limit development in the Plan period (RD0214.B) (PP1219).

Site OP1 – Former Kingseat Hospital

SEPA has confirmed that it has no flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

NatureScot has requested that the allocation summary for site OP1 in Kingseat includes a requirement for active travel provision and good quality open space, as this site offers remediation of a brownfield site, and the additional wording would help promote good quality open space and safe and convenient active travel opportunities (in accordance with the PLDP policies) (RD0255.B) (PP1300).

HES has noted that site OP1 lies within the Kingseat Conservation Area, and while there are no listed buildings within the Conservation Area, there are five buildings, associated with the former hospital, that are on the national Buildings at Risk Register. Therefore, HES encourage priority is given to restoring/regenerating and safeguarding the setting of these 'at risk' buildings, together with the other former hospital buildings, settlement plan layout and spaces, that contribute positively to the special architectural and historic character of the Conservation Area (RD0266.A) (PP1343).

Kinmuck

Flood Risk

SEPA has confirmed that it has no comment to make on the 'Flood Risk' bullet point in the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that it has no issues with the statement on ‘Strategic drainage and water supply’ (RD0214.B). No modification sought (PP1219).

Non-Allocated Site – Bid Site GR118 – Land South West of Meadow Croft

A representee has requested that bid site GR118 be allocated for 15 homes. It is noted that this site would be intended to support self and custom-build options which is promoted by the Scottish Government policies and the Planning (Scotland) Act 2019. The site is flat and located close to a core path and has a consented access point. The site is in a sustainable location in close proximity to Inverurie which has strategic rail and road network connections. Kinmuck offers local services including a primary school which the development will help to support. The overall impact of the site will be limited. Concerns regarding drainage infrastructure can be addressed as private treatment is both possible and viable. Scottish Water previously noted there was capacity at the water works and it would also be the intention to include SuDS infrastructure and full engagement with Scottish Water and SEPA would take place. In terms of the impact on the adjacent category B-listed building, this will be addressed at the design stage of a planning application and should not preclude allocation in the LDP as careful design and identified green space will provide separation between the new development and the listed building. The representee has included an Appendix (RD0085.A) in their submission which provides further detail to support their position (PP0580).

Modifications sought by those submitting representations:

Goval

Non-Allocated Site – Bid Site GR143 – Land South of Goval Junction

Modify the PLDP to include bid site GR143 for a mix of uses including a hotel, fuel station, charging station, Park & Choose, restaurant, farm shop, garden centre and an activity centre (PP1245).

Non-Allocated Site – Bid Site GR144 (part) – Land North of Goval Junction, Little Goval

Modify the PLDP to include part of bid site GR144 for 15 homes (PP1227).

Hatton of Fintray

Flood Risk

Modify the PLDP to add a new ‘Flood Risk’ section and bullet point that reads, “Due to the presence of a small watercourse adjacent to OP1 a Flood Risk Assessment may be required.” (PP1219).

Services and Infrastructure

Modify the PLDP to add text under ‘Strategic drainage and water supply’ that reads, “There is limited supply at Hatton of Fintray septic tank. Early engagement with Scottish Water is recommended.” (PP0272).

Site OP1- North of B977

Modify the PLDP to amend the last sentence of the allocation summary for site OP1 to state “this” rather than “these” as it refers to the enhancement of only one watercourse (PP1219).

Modify the PLDP to increase the area of site OP1 to that allocated in the LDP 2017 and subject to bid GR044 (PP0435).

Modify the PLDP to remove site OP1 or allocate for 8 homes (PP1102).

Keithhall

Flood Risk

Modify the PLDP to add a new bullet point to the ‘Flood Risk’ section noting that site OP1 requires a Flood Risk Assessment (PP1219).

Site OP1 – South of Inverurie Road

Modify the PLDP to delete the contribution of 36 houses towards meeting the strategic allowances in the Local Growth Area from the OP1 allocation in Keithhall, (Table 2, Appendix 6). Identify a new alternative effective allocation in the Local Growth Area of the Aberdeen Housing Market Area (PP1083).

Non-Allocated Site – Bid Site GR060 – Land at Tweedale

Modify the PLDP to include bid site GR060 for housing (PP1281).

Non-Allocated Site – Bid Site GR128 – South of Inverurie Road

Modify the PLDP to include bid site GR128 for 32 homes (PP1317).

Kingseat

Site BUS1 – Safeguarded for business uses

Modify the PLDP to change the BUS1 allocation to an opportunity site for housing (PP0063).

Site BUS2 – Safeguarded for business uses

Modify the PLDP to remove site BUS2 from the settlement boundary (PP0247).

Services and Infrastructure

Modify the PLDP to read, “... A Growth Project has been initiated and early engagement with Scottish Water is required to discuss build out plans of any sites.” (PP0272).

Modify the PLDP to highlight the significant waste water treatment issues at Kingseat as it

is connected to the Newmachar network which is at capacity, and the growth project cannot be confirmed until a technical solution is found, as the existing receiving waters have little dilution potential for an increase in discharge, which may limit development in the Plan period (PP1219).

Site OP1 – Former Kingseat Hospital

Modify the PLDP to include a requirement for active travel provision and good quality open space (PP1300).

Kinmuck

Non-Allocated Site – Bid Site GR118 – Land South West of Meadow Croft

Modify the PLDP to include bid site GR118 for 15 homes (PP0580).

Summary of responses (including reasons) by planning authority:

Goval

Non-Allocated Site – Bid Site GR143 – Land South of Goval Junction

The Council does not support allocating bid site GR143 for a mix of uses including a hotel, fuel station, charging station, Park & Choose, restaurant, farm shop, garden centre and an activity centre. The site was not identified as a preferred option in the MIR. The Council maintain the reasons set out at that time (see MIR Garioch Appendix, AD0038.E). Whilst the site is accessible from the ABERDEEN WESTERN PERIPHERAL ROUTE, the AWPR is not a development corridor and the additional impact to the adjacent junction would need to be determined. The SDP 2020 clearly indicates that “Local Development Plans must ensure that the transport benefits created by the road are “locked in” and that the capacity of the route, and its junctions, is not negatively affected by development. Local Development Plans, in line with the sequential test and Town Centre First Principle, should expressly avoid any new development that would result in a negative impact on the route or any junction. Any new development adjacent to the Aberdeen Western Peripheral Route...will be resisted unless it has been properly considered through the Development Plan process, and any proposals which are not identified by a Local Development Plan will generally not be supported.” (AD0016, paragraph 3.14 SDP). In addition, it is recognised that there is an expectation that land used to facilitate delivery of the ABERDEEN WESTERN PERIPHERAL ROUTE should be restored (AD0087, AD0163 and AD0183). The site is likely to have a significant effect on the landscape character of the site area and its setting. No change is required.

Non-Allocated Site – Bid Site GR144 (part) – Land North of Goval Junction, Little Goval

The Council does not support allocating bid site GR144 for 15 homes, in part or in its entirety. The site was not identified as a preferred option in the MIR. Whilst is noted that the representee has indicated a willingness to reduce the proposed development area, it is maintained landscape impact would require to be carefully considered. The site is also situated within the green belt. It is considered that the AWPR is not a development corridor and as such promotion of such a development would not be appropriate (see MIR Garioch Appendix, AD0038.E). In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 –

Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Hatton of Fintray

Vision

Support from the Fintray Community Council for the Vision and area of green belt for Hatton of Fintray are noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Comments from SEPA are noted. No change is required.

Site OP1 – North of B977

Support expressed for site OP1 is noted along with the comments from HES.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

As outlined in proposed Policy H1 (paragraph H1.3) site capacities are intended to be indicative. Unfortunately, the Council can give no guarantees to Fintray Community Council that a subsequent planning application for the site could not propose a greater scale of development. This is a matter that would be considered through the development management process in determining whether the proposal is suitable in respect of its layout, siting and design, in accordance with relevant policies and other material considerations. No change is required.

The Council acknowledges that bid site GR044 was a preferred option in the MIR for 32 homes. Due to the site being located within the Aberdeen Housing Market Area, the Council applied a standard density of 25 homes a hectare to the bid site. However, on the basis of concern received in response to the MIR, including from Fintray Community Council, surrounding the scale of development proposed, recommended that the site area be reduced to that required to accommodate 16 homes. This recommendation was agreed by the Garioch Area Committee at its special meeting on 3 September 2019 (see MIR Issues and Actions paper, AD0040.E). No change is required.

The Council appreciates that the site has been "marketability" constrained in the HLA for some time. However, the receipt of a bid in response to the Council's call for sites in 2018 and consideration of the site through the MIR, indicates to us that there is appetite from the landowner/developer in bringing the site forward. Site OP1 is considered the most

appropriate location for future growth of the settlement. No change is required.

Keithhall

Site R1 – To provide a car park for the village hall

Support expressed for site R1 is noted along with the comments from SEPA. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – South of Inverurie Road

Support expressed for site OP1 is noted along with the comments from SEPA. No change is required.

This site should remain within the Plan as the Council do not consider that marketability would be a constraint that could not be overcome. The site is located within the AHMA, in which marketability is not considered to be a constraint that would impede development coming forward on the site. Additionally, it is also considered that due to the site's location within the AHMA that other constraints are more likely to come forward given the pressure for development. It is acknowledged that this site has not progressed quickly but due to the landownership there are a number of protocols that require to be followed before the site can progress towards development. Given the above information it is considered that the site can progress towards development. No change is required.

Non-Allocated Site – Bid Site GR060 – Land at Tweeddale

The Council does not support allocating bid site GR060 as an opportunity site. The site was not identified as a preferred option in the MIR. The Council maintain that the site is detached from the settlement, and the scale of development proposed is considered to be significantly disproportionate to the size of the settlement and capability of local services to accommodate development (see MIR Garioch Appendix, AD0038.E). The concerns highlighted remain valid through the Issues and Actions Paper, AD0040.E, page 54 and continue to remain valid. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR128 – South of Inverurie Road

The Council does not support allocating bid site GR128 for 32 homes. The Council appreciate that bid site GR128 was identified as a preferred option in the MIR. In order to address the concern raised in response to the MIR, surrounding the scale of development

proposed, including from Inverurie Community Council, Officers recommended that the bid should not be allocated in the Proposed LDP. This recommendation was agreed by the Garioch Area Committee at its special meeting on 3 September 2019 (see MIR Issues and Actions paper, AD0040.E). Whilst the Council see some merit in the site, which has been recognised in the Proposed LDP, development of site OP1 should not prejudice future expansion. However, the Council do believe it would be premature at this stage to allocate the bid as an opportunity site. No change is required.

Kingseat

Site BUS1 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

The Council disagree with the suggestion that BUS1 should be identified as an opportunity site for residential development. The purpose of a BUS designation is to safeguard existing employment/business sites. The existing units are designed to accommodate employment uses. Paragraph B2.2 of proposed Policy B2 Employment/Business Land clearly sets out the circumstances where alternative development proposals would be permitted. At such time as a detailed proposal for the redevelopment of site BUS1 comes forward and planning permission approved, the Council believe it appropriate to retain the BUS designation as proposed. No change is required.

Site BUS2 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Given the relationship that the warehouses subject to the proposed BUS2 designation and adjacent cottages had with the existing settlement boundary, it was felt prudent to bring these into the built-up extent of the settlement boundary. This change was indicated in the MIR (see Garioch Appendix, AD0038.E, page 54). As outlined in the Issues and Actions papers, no comment was received in response to the change to extend the settlement boundary to include the warehouses, (AD0040.E). The Garioch Area Committee at its special meeting of 3 September 2019 recommended that the BUS designation be identified. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council note comments received from SEPA and Scottish Water. The Council believe that the revised text provided by Scottish Water would satisfy SEPA's modification. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Former Kingseat Hospital

Comments from SEPA and HES are noted. No change is required.

The Council confirms that it intends to address Nature Scot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Kinmuck

Flood Risk and Services and Infrastructure

Comments from SEPA in respect to sections on 'Flood Risk' and 'Services and Infrastructure' are noted. No change is required.

Non-Allocated Site – Bid Site GR118 – Land South West of Meadow Croft

The Council does not support allocating bid site GR118 for 15 homes. The site was not identified as a preferred option in the MIR (see MIR Garioch Appendix, AD0038.E). The Council maintain that given the lack of services available it is not considered that it is appropriate to promote further housing development in Kinmuck at this time. This view was supported by respondents to the MIR, including Inverurie Community Council (see Issues and Actions papers, AD0040.E). In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to the settlement statement matters covered in Issue 38. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Goval

Non-Allocated Bid Site GR143 – Land South of Goval Junction

3. A representation has sought a mixed use allocation for bid site GR143, which is located south of the Goval Junction on the Aberdeen Western Peripheral Route (AWPR) A90 and the A947. The uses proposed would include a hotel, a fuel station, charging station, Park & Choose, restaurant, farm shop, garden centre and an activity centre. The site had been used as a construction compound during the construction of the AWPR.
4. It is claimed that it would support the Local Transport Strategy by assisting in the delivery of 'Park and Choose', providing new strategically located recharging facilities, and

other facilities serving passing traffic and wider accessibility to sustainable transport modes. The representation notes that there are no roadside-specific services proposed on the AWPR, leading to longer journeys as traffic leaves the route at various points to access local services. It considers that the proposed development would enable travellers to leave and re-join the route whilst maintaining the flow of traffic at the junction and on the AWPR itself. A transport assessment dated 2019 accompanies the representation.

5. It is considered that the proposal would be in accordance with the strategic development plan, which requires that the route and its junctions are not negatively affected by development.

6. The council has indicated that it does not support the proposal. Paragraph 3.14 in the strategic development plan states that “Local development plans, in line with the sequential test and Town Centre First Principle, should expressly avoid any new development that would result in a negative impact on the route or any junction. Any new development adjacent to the Aberdeen Western Peripheral Route...will be resisted unless it has been properly considered through the Development Plan process, and any proposals which are not identified by a Local Development Plan will generally not be supported”.

7. I do not consider that the allocation of bid site GR143 for a hotel, a fuel station, charging station, Park & Choose, restaurant, farm shop, garden centre and an activity centre would be justified. In the strategic environmental assessment, negative effects in the form of surface water flooding, loss of trees and ancient woodland, loss of greenbelt land and landscape impact were identified. The remainder of effects were neutral. At Main Issues Report stage, the proposal was not supported for the same reasons. The Aberdeen Western Peripheral Route is not a development corridor and promotion of such a development is not supported.

8. Although a transport statement has been submitted in support of the representation, I find that it does not appear to assess the actual impact on the A90 junction or offer a definitive response to the requirements of paragraph 3.14 of the strategic development plan. I am unable to assess the impact of the proposed development on the AWPR and the Goval junction.

9. The transport assessment suggests that many of the trips to the development would be diverted trips from the key transport corridors routing past the site. The representation is not supported by an assessment of the proposal’s potential social and economic impact on nearby settlements and town centres that offer similar facilities and from where such trips might be diverted. I appreciate that some of those diverted trips may offer environmental benefits in the form of reduced travel. However, this would be an out of centre location in terms of policy B1 town centres and policy B3 tourist facilities.

10. The site is in the green belt, where the purpose is to protect the character and landscape setting of the city (strategic development plan paragraph 6.9). Although this site had been used as a construction compound, it has been restored and could revert to providing a landscape setting for the city. The representation suggest that the woodland would be retained in any proposal.

11. Overall, I am not satisfied that the proposal has demonstrated that the potential benefits outweigh the impacts on the A90 and its junctions, or on nearby settlements and centres that already provide such services. No modification to the plan is required.

Non-Allocated Bid Site GR144 (part) – Land North of Goval Junction, Little Goval

12. An allocation for 15 homes is sought for bid site GR144. The site would provide self-build and custom-built housing plots to meet local needs, and the opportunity for a new sustainable rural lifestyle. The site is located within the triangle created by the A90 Aberdeen Western Peripheral Route, the A947 and the B977. It lies to the north of the existing access road to Little Goval Cottages.
13. The representation argues that it is an appropriate use in the green belt, it is in an accessible rural area, would provide choice in the local housing market and has good transport links.
14. In the strategic environmental assessment, negative effects in the form of surface water flooding, loss of trees and ancient woodland, loss of greenbelt land and landscape impact were identified. The remainder of effects were neutral. At Main Issues Report stage, the proposal was not supported for the same reasons. The council noted that the AWPR is not a development corridor and promotion of such a development is not supported.
15. The site would be visually prominent if developed and there could be impacts on the residential amenity of new homes from the close proximity to the road network. I have not been provided with any information on this matter, and so am unable to reach a conclusion. Its location in the countryside and in the green belt gives rise to landscape impact and setting issues, as the wooded setting of the city in this location would change, should this site be developed for housing. I appreciate that the woodland itself would be unaffected but the visual impact would change to be a developed setting.
16. Given the availability of other sites in rural areas outwith the green belt in Aberdeenshire, I am satisfied that this site would not represent the best development option or location for self-build plots. I find that there are other sites available to meet the strategic development plan allowance for the Aberdeen Housing Market Area, and I do not consider that the allocation of bid site GR144 would be justified. No modification is recommended.

Hatton of Fintray

Flood Risk

17. The Scottish Environment Protection Agency (SEPA) has requested the addition of a flood risk section to the Hatton of Fintray settlement statement. I agree that in the interests of consistency, a new bullet point be added to note the presence of a watercourse next to site OP1 and that a Flood Risk Assessment may be required. Modifications on these matters are recommended below.

Services and Infrastructure

18. Scottish Water has requested that the strategic drainage and water supply bullet point be amended to reflect the status of services in the settlement and to encourage early dialogue with Scottish Water. I agree that in the interests of clarity, the bullet point should be amended. A modification on this matter is recommended below.

Site OP1 – North of B977

19. SEPA has requested the alteration of the reference to watercourses in the allocation summary to the singular. I agree that in the interests of clarity, the reference should be amended. A modification on this matter is recommended below.

20. Fintray Community Council is seeking to have the 16 home allocation on site OP1 set as a capacity limit. I appreciate the concern expressed regarding the potential number of homes based on the council's standard density per hectare calculation and note that at Main Issues Report stage, the area of the site was reduced to limit the number of homes to 16. I note that there is no restriction on the number of homes that could be applied for through a planning application, but it is for the development management process to determine the optimum outcome for the site, though the application of the council's policies and standards.

21. A representation is seeking to increase the site area to reflect the original allocation in previous plans, which would result in a larger site area, but to set the number of homes to be delivered at 16. The representee advises that larger plots tend to be typical in Hatton of Fintray and that 16 homes would still reflect the council's strategy. I find that in applying the council's standard density per hectare calculation, a smaller site size with the same number of units is appropriate. It would result in a more efficient use of land and of resources.

22. A representation is seeking to have the site removed due to it being marketability constrained in the housing land audit 2019. The site identified in the 2019 housing land audit is for eight homes on a larger site. I consider that the reduction in the site area and increased density may improve the marketability of the site. No substantive evidence has been submitted to indicate otherwise.

23. No modification to the plan is required.

Keithhall

Flood Risk

24. SEPA has requested the addition of site OP1 to the flood risk section in the proposed plan. I agree that in the interests of consistency, the bullet point should be amended to note that for site OP1, a Flood Risk Assessment may be required. A modification to that end is recommended below.

Site OP1 – South of Inverurie Road

25. A representation objects to the inclusion of site OP1 in the plan and the increase in the number of homes it could deliver, as it is noted as ownership constrained in the housing land audit 2019. In order to gain a better understanding of the implications of the existing constraint, this site was included in a further information request (FIR008). Responses were received from the council and the Church of Scotland General Trustees, the site owner. The council explained that the site was recorded as ownership constrained due to a tenancy on the land, which has now expired. The site owner has indicated its intention to release the site to the market. On this basis, I am satisfied that the constraint has been

resolved and the site would be deliverable within the plan period. No modification to the plan is required.

Non-Allocated Bid Site GR128 – South of Inverurie Road

26. Bid site GR128 is immediately adjacent to site OP1, and lies to the south of the B993 and west of the road that leads to the B977. At the time of my site visit, it was in agricultural use.

27. The representation is seeking the allocation of the site for up to 32 homes in this plan period. It notes that the site had been supported for inclusion in the plan in the Main Issues Report and that it is available, deliverable and would create a more sustainable and higher quality development.

28. I note that, following concern expressed regarding the scale of development, the site was not included in the proposed plan. I agree that given the small size of Keithhall, an allocation for 32 homes in addition to site OP1, would be excessive. I am not convinced that an additional 32 homes would be deliverable within the plan period and therefore the allocation could not be justified on the grounds of contributing towards the strategic development plan allowance for the Aberdeen Housing Market Area. I note that the allocation summary for site OP1 makes specific reference to the potential for possible future expansion of the settlement onto bid site GR128, but not in this plan period. I consider this to be a reasonable approach. No modification to the plan is required.

Non-Allocated Bid Site GR060 – Land at Tweedale

29. A representation promotes the development of bid site GR060 for 400 homes and associated infrastructure. The site is located outwith any settlement, lying to the east of Port Elphinstone and west of Keithhall. The southern boundary of the site is formed by the B993, with the woodlands of the Keithhall estate forming the boundaries to the north, east and west. The site is in single ownership and immediately available for development, and was supported in representations by a designed landscape appraisal and a landscape and visual appraisal. In addition to 400 homes, the representation suggests that a portion of a new eastern relief road for Inverurie could be delivered by the proposal. Objection is raised to the lack of allocations of greenfield housing in the area and to the shortfall in effective housing land in the Aberdeenshire Housing Market Area.

30. In the strategic environmental assessment, negative effects in the form of waste water and water mains capacity, surface water flooding, the loss of prime agricultural land, landscape impact and a permanent negative effect on an inventory garden and designed landscape were identified. At Main Issues Report stage, the proposal was not supported, as the scale of development was considered disproportionate to the size of Keithhall and the constraints already identified. In the Issues and Actions Paper, objections were noted from NatureScot, Historic Environment Scotland and SEPA, based on impact on ancient woodland, mature policy woodland in a designed landscape and the Keith Hall Inventory garden and designed landscape.

31. The suggestion that the site could deliver an eastern relief road for Inverurie is considered to be of little value at present, as the allocations for development in the town of Inverurie could and would contribute proportionately to any such road. I find that the site has little or no physical or visual connections to any settlement, and is remote from

services and facilities.

32. I agree that the proposal could have a negative impact on the key features of the Keith Hall inventory garden and designed landscape, the policy woodland and ancient woodland. I appreciate that detailed consideration would need to be given to the impact of the proposed layout on these cultural and landscape interests, and mitigation could potentially minimise any such impacts. However, I conclude that, even with mitigation, the proposal is likely to detract from the setting of the Keith Hall inventory garden and designed landscape.

33. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Whilst this site could potentially contribute to meeting this shortfall, I conclude that the negative effects outlined above would outweigh the benefits in terms of providing additional land for housing. Furthermore, the scale of development on bid site GR060 could potentially inhibit the delivery of the existing strategic allocations at Inverurie and Port Elphinstone. There are other sites available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area. No modification is required.

Kingseat

Site BUS1 – Safeguarded for business uses

34. Two representations are seeking to have site BUS1 reallocated as an opportunity site for housing. One is seeking to have 50% of the business park allocated for housing, specifically the area comprising units 4, 5 and 6 at Kingseat Business Park. The other is suggesting demolishing the existing pavilions and redeveloping the whole of the site.

35. Kingseat Business Park is located to the east of the settlement, south of the B979. I noted at my site inspection that the signage appeared to be for Newmacher Business Centre, which may relate only to the central pavilion. The northern pavilion did not appear to be occupied but the remainder of the site appeared to be let and in use.

36. The council advises that the purpose of a BUS designation is to safeguard existing employment/business sites.

37. Paragraph B2.2 of policy B2 (Employment/Business Land) in the proposed plan clearly sets out the circumstances where alternative development proposals would be permitted. I note that it should be demonstrated that there is no reasonable prospect of the employment land becoming marketable for business development. The alternative use, in this case residential, must benefit the local community and not prejudice the strategic employment land requirement.

38. I find that the proposed re-allocation of site BUS1 has not been fully evidenced. Although there is anecdotal evidence of difficulty in letting the business space, there is no formal marketing report or history of a marketing campaign to illustrate this. The potential benefits of the alternative use have not been demonstrated.

39. I agree that retaining the business use, until such time as a detailed proposal for the redevelopment of the site comes forward, is appropriate. Any such proposal could be dealt

with through the development management process. No modification to the plan is required.

Site BUS2 – Safeguarded for business uses

40. A representation from the owner and operator of site BUS2 is objecting to the allocation of the site as land safeguarded for business use, and to the site being included within the settlement boundary.

41. The site comprises warehouse and business units, and lies to the north of the B979, to the north-east of Kingseat Avenue. At the time of my site inspection, the site appeared to be in use.

42. The inclusion within the settlement boundary of the site and Wood Cottages, which are also located to the north of the B979, was shown in the Main Issues Report. The Issues and Actions Paper indicates that it was a committee decision to identify the site as business allocation. Given the nature of the existing uses on the site, I consider a business allocation to be justified. I also consider it reasonable to extend the settlement boundary to include the built development to the north of the B979 road.

43. Allocating the warehouses as a business use does not prevent its redevelopment for an alternative use. I find that paragraph B2.2 of policy B2 (Employment/ Business Land) clearly sets out the circumstances where alternative development proposals would be permitted. I am satisfied that the interests of the owner/operator are not prejudiced by the allocation or inclusion within the settlement boundary, as it would not affect the day to day operation of the business and would not prevent alternative uses being considered. No modification to the plan is required.

Services and Infrastructure

44. SEPA and Scottish Water have both requested changes to the strategic drainage and water supply section, in reference to the Newmacher waste water treatment works and the growth project. The representation by Scottish Water updates the current position and addresses the matters raised by SEPA. I agree that the revised text provided by Scottish Water clarify the position on waste water capacity for the settlement and a modification to that end is set out below.

Site OP1 – Former Kingseat Hospital

45. NatureScot has requested that the allocation summary for site OP1 in Kingseat be amended to include a requirement for active travel provision and good quality open space. The council agrees. I find that the additional wording would help promote good quality open space and active travel opportunities, consistent with relevant policies in the plan. A modification is recommended to this effect.

Kinmuck

Non-Allocated Bid Site GR118 – Land South West of Meadow Croft

46. A representation is seeking the allocation of bid site GR118 for up to 15 homes. The site is located to the south-west of the settlement, to the south of the B979. The site would

support self build and custom build homes for which there has been significant local interest. At the time of my site visit, the site was in agricultural use.

47. The strategic environmental assessment identifies negative effects in the form of waste water capacity and impact on a B-listed building (Friends Cottage), which could be mitigated by landscaping. All other effects would be neutral. At Main Issues Report stage, the proposal was not supported as it was considered to constitute an underdevelopment of land, as the site has capacity for up to 30 homes. The site is within a pipeline consultation zone and may affect the B-listed building. The site was not included in the proposed plan given the lack of services available in Kinmuck.

48. The vision for Kinmuck indicates that there is no capacity for significant new development due to constraints such as public waste water infrastructure. The key objective is to preserve the amenity and character of the village.

49. I note that there are no development opportunities allocated in Kinmuck in this plan period and that services in the village itself are limited. Access to services, facilities and further transport options are only available in Keithhall and in Inverurie, all of which would require travel to and from the site.

50. If the site were developed for self build and custom homes, then I agree that the density could be lower than the council's standard 25 homes per hectare. However, it would not be appropriate to allocate the site for such specific housing types, nor prevent development proposals which are of a higher density and a different housing type from coming forward.

51. I am satisfied that appropriate landscaping and open space setbacks could mitigate any potential impact on the near-by B-listed building and preserve the character and amenity of the settlement. Appropriate landscape buffers on the approach to Kinmuck from the north would also serve to preserve the setting of the village.

52. I have insufficient information before me regarding the implications of the pipeline consultation zone. However, it is potentially a matter that could be addressed at design stage in accordance with policy P4 and the Health & Safety Executive land use planning methodology.

53. Whilst the provision of 15 homes could contribute towards the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider this to be a sustainable location for new housing development. The proposal would result in increased travel by private car, which would be contrary to one of the intended outcomes of the plan. I conclude that site GR118 should not be allocated for development. No modification to the plan is required

Reporter's recommendations:

Modify the local development plan by:

Hatton of Fintary

1. Adding a new flood risk section to the Hatton of Fintary settlement statement on page 547, with the following new bullet point:

“• Due to the presence of a small watercourse adjacent to OP1 a Flood Risk Assessment maybe required.”

2. Adding the following new sentences to the end of the ‘Strategic drainage and water supply’ bullet point in the Hatton of Fintary settlement statement on page 548:
“There is limited supply at Hatton of Fintray septic tank. Early engagement with Scottish Water is recommended.”

3. Replacing the word ‘these’ with ‘this’ in the final sentence of the fourth paragraph in the allocation summary for OP1: North of B977 in the Hatton of Fintary settlement statement on page 549.

Keithhall

4. Adding the following new third bullet point to the Flood Risk section of the Keithhall settlement statement on page 575:

“• A Flood Risk Assessment will be required for site OP1.”

Kingseat

5. Replacing the last sentence of the ‘Strategic drainage and water supply’ bullet point in the Kingseat settlement statement on page 583 with:

“A Growth Project has been initiated and early engagement with Scottish Water is required to discuss build out plans of any sites.”

6. Adding the following new final sentence to the allocation summary for OP1: Former Kingseat Hospital in the Kingseat settlement statement on page 584:

“Development should include provision for active travel and good quality open space.”

Issue 39	Other Settlements AHMA (Garioch) East/South – Cullerlie, Dunecht, Echt, Garlogie, Kirkton of Skene and Lyne of Skene	
Development plan reference:	Proposed LDP, Appendix 7D Garioch, Page 539-540 Proposed LDP, Appendix 7D Garioch, Page 543-544 Proposed LDP, Appendix 7D Garioch, Page 545-546 Proposed LDP, Appendix 7D Garioch, Page 599-600 Proposed LDP, Appendix 7D Garioch, Page 601-602	Reporter: Sinéad Lynch
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Cullerlie PP0600 Cullerlie Estate PP0602 Cullerlie Estate</p> <p>Dunecht PP0451 Cabardunn Development Company Limited and Dunecht Estates PP1219 Scottish Environment Protection Agency</p> <p>Echt PP0057 Neil Donaldson PP0191 Mackinnon Norman PP0329 Cecilia Taylor PP0342 Robin White PP0357 Paula and John Houston PP0426 Tatiana Viliene PP0500 Cabardunn Development Company Limited and Dunecht Estates PP0501 Cabardunn Development Company Limited and Dunecht Estates PP0545 Valerie Dick PP0555 Charles and Allyson Gibb PP0735 The Children of Echt (Petition) PP0742 Andy Jack PP0844 Ainslie Scott PP0846 George Smith PP0931 Elizabeth MacLeod PP0949 Tom and Lynn Hand PP1024 Echt and Skene Community Council PP1127 Reuben Jack PP1219 Scottish Environment Protection Agency PP1307 The Church of Scotland General Trustees PP1418 Rachel Mayo-Jack</p> <p>Garlogie PP1219 Scottish Environment Protection Agency PP1417 Cabardunn Development Company Limited and Dunecht Estates</p>		

Kirkton of Skene

PP1219 Scottish Environment Protection Agency
PP1282 Barratt North Scotland

Lyne of Skene

PP0663 Stewart Milne Homes
PP1219 Scottish Environment Protection Agency

Provision of the development plan to which the issue relates:

Dunecht Settlement Statement
Echt Settlement Statement
Garlogie Settlement Statement
Kirkton of Skene Settlement Statement
Lyne of Skene Settlement Statement
Other Garioch Settlements

Planning authority's summary of the representation(s):

Cullerlie

Settlement Status

One representee has stated that Cullerlie should be recognised as a settlement and have a Settlement Statement. The settlement should consist of land subject to bid site GR098 (discussed below), land occupied by Flora's restaurant and land to the east, south and southwest of bid site GR098 (PP0600).

Non-Allocated Site – Bid Site GR098 – Land at Cullerlie Smithy

A representee has requested that bid site GR098 be allocated as a mixed-use site for housing and retail/ employment uses. Development of bid site GR098 site would allow the creation of a rural hub in an area where there is already an established employment and residential use. The representee has disagreed that the analysis of the site in the Issues and Action Paper provides sufficient rationale to exclude GR098 as the site benefits from a semi-rural location, space and amenity can be provided and existing services in the area. The representee has included two Appendices (RD0095.A and RD0095.B) in their submission which provides further detail to support their position (PP0600).

Non-Allocated Site – Bid Site GR099 – Land East of Birchmoss Depot

A representee has requested that bid site GR099 be allocated for 4.6 ha employment land (Class 4, 5 and 6). The representee has indicated an aspiration to expand in an easterly extension to the existing employment development land at Birchmoss and considers this would be an attractive option for research or storage uses and could provide opportunities for small or medium sized businesses which are seeking smaller plots of land to establish or grow their operations on small footplates. An allocation would provide an attractive and well-located space within Aberdeenshire. The representee has disagreed that the analysis of the site in the Issues and Action Paper provides sufficient rationale to exclude GR099. The representee has included a number of Appendices (RD0097.A, RD0097.B and RD0097.C) in their submission which provides further detail to support their position (PP0602).

Dunecht

Flood Risk

Scottish Environment Protection Agency (SEPA) has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land to the West of Tillybrig

SEPA has confirmed that they have no flooding, strategic drainage or water supply issues with site OP1 (RD0214.B). No modification sought (PP1219).

Non-Allocated Site – Bid Site GR094 – North of Dunecht, West of B977

A representee has requested that bid site GR094 be allocated for 50 homes. The development potential of this site was previously recognised in preparation of the Local Development Plan (LDP) 2012 and in the Main Issues Report (MIR) 2019. As site OP1 is nearing completion, site GR094 would increase availability of housing in Dunecht, and benefit from, and help sustain, a range of local services, including the primary school. Dunecht is a popular settlement being in close proximity to Westhill and Aberdeen with associated employment opportunities, and good transport links. The site location would avoid ribbon development. The representee disagrees that there would be significant impact on the Scheduled Monument as this would be addressed, and flood risk appropriately mitigated through development management procedures. The site could be delivered following adoption of the Plan or split into two phases with 25 homes in the first 5 years and the remaining 25 delivered following an interim review of the Plan. The representee has included a number of Appendices (RD0070.A, RD0070.B and RD0070.C) in their submission which provides further detail to support their position (PP0451).

Echt

Site P2 – To protect area of open space at risk from flooding and forming part of the green-blue network

A representee supports inclusion of site P2 as open space and landscaping to be provided in bringing forward development proposals on site OP1 (PP0500).

A representee notes that it is proposed to plant trees, but this area is prone to flooding and is often boggy. Trees previously planted have died and there is concern that the same will happen again. Any dead trees should be replaced in a timely manner (PP0426).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the

Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

There is no public transport and other areas are poor in terms of inter-area transportation. The lack of cycle paths and pedestrian safety are issues. The need to travel and reliance on cars is exacerbated by a lack of facilities to support additional population and poor transportation. Access to public transport, active travel provision and local facilities in the settlement should be clarified (PP0057).

Site OP1 – North of Forbes Park

One representee welcomes the allocation of OP1 for 25 homes, as it will ensure the continued growth of the village to meet demand, and it will sustain local services and facilities. The representee has included a number of Appendices (RD0079.A, RD0079.B and RD0079.C) in their submission which provides further detail to support their position (PP0500).

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B) (PP1219).

A number of representees object to inclusion of site OP1 (PP0057, PP0191, PP0329, PP0342, PP0357, PP0545, PP0555, PP0735, PP0742, PP0844, PP0846, PP0931, PP0949, PP1024 (Echt and Skene Community Council), PP1127 and PP1418). A range of reasons were cited including that:

- The proposal would constitute overdevelopment and the settlement should be afforded time to absorb recent development (PP0191, PP0555, PP0742, PP0846, PP1024 and PP1418).
- There is a lack of infrastructure to support development (PP0329, PP0545, PP0555, PP0846 and PP0949).
- There is no mains gas available (PP0949).
- The Echt Waste Water Treatment Works is already or near capacity (PP0357, PP0555, PP0742, PP0931, PP0949, PP1127 and PP1418).
- The primary school will be over capacity (PP0329, PP0357, PP0545, PP0555, PP0931, PP0949 and PP1024).
- Echt is served poorly by public transport (PP0329, PP0357, PP0545, PP0555, PP0742, PP0844, PP0931, PP0949, PP1024 and PP1418).
- Development would result in increased car dependency and impact on roads, traffic, parking and safety (PP0357, PP0545, PP0555, PP0735, PP0742, PP0844, PP0931, PP0949, PP1127 and PP1418).
- Development would cause habitat loss for a range of species, flora and fauna (PP0545, PP0555, PP0735, PP0844, PP0846, PP0931, PP0949, PP1127 and PP1418).
- A footpath would be lost because of development (PP0735, PP0742, PP0844, PP0846, PP1127 and PP1418).
- The site is at risk from flooding (PP0057, PP0329, PP0342, PP0357, PP0742, PP0844, PP0846, PP0931 and PP1418).
- Development will cause noise and disruption, particularly during construction

(PP0545, PP0555, PP0735, PP0846, PP0949 and PP1127).

- The impact development would have on housing prices, particularly given the decline in oil and gas meaning that houses are taking longer to sell (PP0329, PP0545, PP0555 and PP0949).
- The design of recent development has not been sympathetic to cultural heritage or the surrounding architecture. There is concern that this may be repeated (PP0931).
- Development would not follow the traditional linear pattern of the settlement (PP0357, PP0742 and PP1418).
- Overshadowing, overlooking and loss of privacy (PP0846).
- Clarity is sought with regards to local provision for recycling (PP0545).

Representees have included Appendices (RD0045.A- RD0045.B, RD0197.A and RD0274.A – RD0274.B) in their submission which provides further detail to support their position (PP0342, PP1127 and PP1418).

Non-Allocated Site – Bid Site GR093 – South East of Echt, South of B9119

A representee has requested that bid site GR093 be allocated as a Future Opportunity Site for 42 homes. This site was identified as a preferred site in the MIR 2019, but site GR092 (OP1) was subsequently allocated. It is argued that site GR093 is deliverable, free from constraints and would ensure the longer-term growth aspirations of the settlement, as well as the future sustainability of the broad range of existing services and amenities within the settlement, including a local shop and post office, primary school, church and restaurant. The site would form a natural south easterly expansion and consolidate the existing boundaries of the settlement. The representee has included a number of Appendices (RD0080.A, RD0080.B and RD0080.C) in their submission which provides further detail to support their position (PP0501).

Non-Allocated Site – New N002 – Echt Glebe

A representee requests that a new site (N002) be allocated for 25 homes. The site was not submitted as a bid at call for sites or MIR consultation stages. The site has been recommended for development by a local church group to meet local housing needs. Any uplift value from the sale of the site would be reinvested back into the local community. A phased development of 25 homes is promoted and would utilise an existing field access and development would reflect the scale and density of existing housing in the area. There may also be scope, to take non-vehicular access via the playing fields to the north of the site. The site is well located in relation to the existing development and could be viewed as a natural and logical expansion of the settlement. Development would meet local housing needs and help sustain and support the range of services, shop and facilities that are currently available in Echt. The site lies adjacent to a listed manse and old churchyard, and the layout of the development would respect the setting of these. There are no flood risk issues, no known heritage or archaeological constraints within the site. The site would allow for an appropriate level of development to meet local housing needs in an attractive and accessible settlement. The Settlement Statement advises a car park is an aspiration of the community and development of this site could also provide a location for the new car park. There could be an opportunity to provide an off-road footpath/cycleway through the site to link with the school and playing fields for a safe route to school. The site can be advanced as a suitable housing site to meet local needs in an accessible and sustainable location that would, complement existing housing development in the area and meet objectives of the settlement by meeting local housing needs; sustaining local services; and

enhancing the role and attractiveness of the settlement, in addition it could provide a new car park. The representee has included two Appendices (RD0260.A and RD0260.B) in their submission which provides further detail to support their position (PP1307).

Garlogie

Flood Risk

SEPA requests that for consistency, a new 'Flood Risk' section and bullet point is added to state that, "Garlogie lies within an area potentially vulnerable to flood risk and Flood Risk Assessments may be required." (RD0214.B) (PP1219).

Services and Infrastructure

SEPA requests that for consistency, a new 'strategic drainage' bullet point is added to state that there is no public waste water infrastructure in Garlogie (RD0214.B) (PP1219).

Non-Allocated Site – Bid Site GR095 - Land North of Roadside of Garlogie

A representee has requested the allocation of bid site GR095 for 15 homes as it would ensure the sustainable and balanced growth of Garlogie, allow for consolidation of the village layout by improving the existing ribbon pattern of development, whilst making a modest contribution to strategic housing targets set by the Aberdeen City and Shire Strategic Development Plan. The representee welcomes the identification of Garlogie as a settlement but it is argued that this would be meaningless without allowing modest expansion to meet local demand. The development would support and sustain local services and facilities in the village including the school, increase housing choice and provide affordable housing where there is demand and developer interest. It is added that the proposal of 15 homes would be sympathetic, unobtrusive, and the open space would create a focal point for the village. It is refuted that there is no strategic need to allocate this site as it would bolster the existing effective allocations, allow for managed growth of Garlogie that has not benefitted from any development in the last 30 years, it is accessible and it would be deliverable. The proposed housing would be screened by existing housing and landscaping. The representee disagrees that there would be impact on an archaeological site. The representee has included a number of Appendices (RD0273.A, RD0273.B and RD0273.C) to support their position (PP1417).

Kirkton of Skene

Vision

A representee has requested that the statement, "There has been significant development pressure around Kirkton of Skene in recent years, but the need to preserve the setting and character of the settlement mean that the settlement is not an appropriate location for significant new development and as such no development allocations have been made during the Plan period." is removed and replaced with, "There has been a limited amount of new development around Kirkton of Skene in recent years, but a modest amount of development is required to help sustain the range of important existing services within Kirkton of Skene. An allocation for 45 new homes has been made at Land southwest of Old Skene Road. The delivery of additional homes on this well screened site will avoid coalescence with Westhill." (PP1282).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Service and Infrastructure

SEPA requests, for consistency, the addition of a 'Strategic drainage and water supply' bullet point that includes text, which is confirmed by Scottish Water, on the capacity of its infrastructure in Kirkton of Skene (RD0214.B) (PP1219).

Non-Allocated Site – Bid Site GR116 – Land South West of Old Skene Road

A representee requests that bid site GR116 be allocated for 45 homes. This development would assist in the economic contribution to the settlement in the longer term. The representee has included a number of Appendices (RD0238.A- RD0238.E) in their submission which provides further detail to support their position (PP1282).

Lyne of Skene

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Service and Infrastructure

There is a lack of drainage infrastructure but there is scope for connecting the development to the mains' drainage or to a standalone system (PP0663). SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Non-Allocated Site – Bid Site GR031 (Site A) – Sites A, B and C

A representee requests that bid site GR031 (Site A) be allocated for 40 homes and a retail/community facility. Development can be delivered in a phased manner, covering 2 to 3 Plan periods. The site occupies the frontage of the B977 which offers an ideal location for the retail/community facility. Landscaping on the southern boundary would be provided to enhance the setting of the settlement. Lyne of Skene is able to absorb sensitive development and the site forms a logical and sustainable expansion of the settlement. The settlement is served by public transport. The representee has included an Appendix (RD0102.A) in their submission which provides further detail to support their position (PP0663).

Modifications sought by those submitting representations:

Cullerlie

Settlement Status

Modify the PLDP to recognise Cullerlie as a settlement (PP0600).

Non-Allocated Site – Bid Site GR098 – Land at Cullerlie Smithy

Modify the PLDP to include bid site GR098 for a mix of uses including housing and retail/employment uses (PP0600).

Non-Allocated Site – Bid Site GR099 – Land East of Birchmoss Depot

Modify the PLDP to include bid site GR099 for 4.6 ha employment land with the allocation summary to read, “This is a newly allocated site that forms a logical extension to the already existing Birchmoss Depot. New and extended planted boundaries will ensure that the development of the site will be sympathetic to the character and setting of the surrounding area. Employment land uses in Classes 4,5 and 6 with supporting ancillary uses are considered to be acceptable here.” (PP0602).

Dunecht

Non-Allocated Site – Bid Site GR094 – North of Dunecht, West of B977

Modify the PLDP to include bid site GR094 for 50 homes (PP0451).

Echt

Site P2 – To protect an area of open space at risk from flooding and forming part of the green-blue network

Modify the PLDP to state that any dead trees should be replaced in a timely manner (PP0426).

Services and Infrastructure

Modify the PLDP to clarify access to public transport, active travel provision and local facilities in the settlement (PP0057).

Site OP1 – North of Forbes Park

Modify the PLDP to remove site OP1 (PP0191, PP0329, PP0342, PP0357, PP0545, PP0555, PP0735, PP0742, PP0844, PP0846, PP0931, PP0949, PP1024, PP1127 and PP1418).

Non-Allocated Site – Bid Site GR093 – South East of Echt, South of B9119

Modify the PLDP to include bid site GR093 as a future opportunity site for 42 homes (PP0501).

Non-Allocated Site – New N002 – Echt Glebe

Modify the PLDP to include site N002 for 25 homes (PP1307).

Garlogie

Flood Risk

Modify the PLDP to add a new 'Flood Risk' section and bullet point, "Garlogie lies within an area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment. Flood Risk Assessments may be required." (PP1219).

Services and Infrastructure

Modify the PLDP to add a new bullet point, 'Strategic drainage and water supply': There is no public waste water infrastructure in Garlogie." (PP1219).

Non-Allocated Site – Bid Site GR095 - Land North of Roadside of Garlogie

Modify the PLDP to include bid site GR095 for 15 homes (PP1417).

Kirkton of Skene

Vision

Modify the PLDP to amend the Vision to read, "There has been a limited amount of new development around Kirkton of Skene in recent years, but a modest amount of development is required to help sustain the range of important existing services within Kirkton of Skene. An allocation for 45 new homes has been made at Land South West of Old Skene Road. The delivery of additional homes on this well screened site will avoid coalescence with Westhill." (PP1282).

Service and Infrastructure

Modify the PLDP to add a new 'Strategic drainage and water supply' bullet point that sets out the capacity of Scottish Water infrastructure, which has been confirmed by Scottish Water (PP1219).

Non-Allocated Site – Bid Site GR116 – Land South West of Old Skene Road

Modify the PLDP to include bid site GR116 for 45 homes (PP1282).

Lyne of Skene

Non-Allocated Site – Bid Site GR031 (Site A) – Sites A, B and C

Modify the PLDP to include bid site GR031 (Site A) for 40 homes and a retail/community facility (PP0663).

Summary of responses (including reasons) by planning authority:

Cullerlie

Settlement Status

The Council does not agree to preparing a Settlement Statement for Cullerlie in Appendix 7

as there are no land use allocations or other designations proposed. As outlined in the Issues and Actions Papers, AD0040.E, page 118), it is maintained that Cullerlie is an unsustainable location and that development should be focused towards, existing settlements, in accordance with paragraphs 40 and 81 of SPP (AD0012). Development in this area would be considered under the relevant policies in the PLDP. No change is required.

Non-Allocated Site – Bid Site GR098 – Land at Cullerlie Smithy

The Council does not support allocating bid site GR098 for a mix of uses including housing and retail/employment uses. Bid site GR098 was not identified as preferred option in the MIR 2019 (see MIR 2019, Appendix Garioch, AD0038.E, page 94). The site is distant from amenities or community facilities which would promote high car dependency. As outlined in the Issues and Actions Papers (see MIR Issues and Actions Papers, AD0040.E, Issue 120 Garioch Landward), it is maintained that Cullerlie is an unsustainable location and that development should be focused towards, existing settlements, in accordance with paragraphs 40 and 81 of SPP (AD0012). Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR099 – Land East of Birchmoss Depot

The Council does not support allocating bid site GR096 for 4.6 ha employment land. Bid site GR099 was not identified as preferred option in the MIR 2019 (see MIR 2019, Appendix Garioch, AD0038.E, page 94). The site is distant from any settlement which would promote high car dependency. The existing depot at Birchmoss is relatively self-contained. There is no established need that would justify allocating further employment land at this time. Should such demand have been established, our preference would be to direct development opportunities towards existing settlements, in accordance with SPP. No change is required.

Dunecht

Flood Risk and Services and Infrastructure

Comments from SEPA in respect to sections on ‘Flood Risk’, ‘Services and Infrastructure’ and site OP1 are noted.

Non-Allocated Site – Bid Site GR094 – North of Dunecht, West of B977

The Council does not support allocating bid site GR094 for 50 homes. It is acknowledged that site GR094 was identified as a ‘reserved’ option in the MIR 2019 (see MIR 2019, Appendix Garioch, AD0038.E, page 20). However, in considering responses to the MIR consultation it was recommended that the site should not be allocated as an opportunity site in the PLDP on the basis of comments received from Historic Environment Scotland and NatureScot (Scottish Natural Heritage) (see MIR Issues and Actions Papers, Issue 99 Dunecht, AD0040.E, pages 19-21). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Echt

Site P2 – To protect an area of open space at risk from flooding and forming part of the green-blue network

Support expressed for site P2 is noted. Site P2 is associated with the development of site OP1 and the Planning Authority expects this site to be enhanced to include a buffer strip as outlined in the allocation summary for site OP1. 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, would require to be replaced by plants of similar size and species to those originally required to be planted. This matter can be addressed through the development management procedures and inclusion of an appropriate condition to any planning permission granted. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council has no control over the timetabling or routes offered by bus providers as these are operated by private organisations. Echt is currently on a route served by buses however the frequency and routes of local bus services are not, matters that can be addressed directly through the Plan-making process. PLDP policy P1.5 requires development to be “well connected to create well connected places that require intermodal shifts and active travel”. No change is required.

Site OP1 – North of Forbes Park

Support expressed for site OP1 is noted along with comments from SEPA.

The Council note that there are concerns surrounding the proposed allocation. Echt is located within a "local growth and diversification area", which the Strategic Development Plan (SDP) 2020 identifies as being appropriate for a level of growth related to local needs and encouraging sustainable mixed communities (see SDP 2020, AD0016, Spatial Strategy, paragraphs 3.44 and 3.45). Site OP1 is a new allocation in the PLDP and was subject to a bid (GR092) received in response to the Council's call for sites in 2018. Bid site GR092 was not identified as a preferred option in the MIR 2019. The MIR acknowledged that there was little to separate the merits of the bid proposals in Echt but at that time bid site GR093 was considered to be the Officers' preference. It was not possible to support both sites due to constraints associated with creating additional capacity at Echt School (see MIR 2019, AD0038.E, Appendix Garioch, page 24). Responses received to the MIR 2019 consultation indicated a preference to see bid site GR092 developed rather than site GR093 (see MIR Issues and Actions Papers, AD0040.E, Issue 101 Echt, pages 24-26). As such it was recommended that bid site GR092 be allocated in the PLDP and to reduce the developable area to account for part of the site at risk from flooding. This area has been identified as P2 in the PLDP.

In terms of the comments raised by representees, many of these matters can be addressed at such time as a planning application comes forward such as mitigating impact on local roads infrastructure, school capacity, waste water treatment and flood risk. Likewise, sympathetic and high-quality layout, siting and design can ensure that overshadowing, overlooking and loss of privacy does not arise. Policies of the PLDP will ensure that impact on species is considered and mitigated where appropriate. Similarly, the PLDP includes a policy requiring new development to include appropriate opportunities for walking or cycling. Conditions can be applied to any planning permission to ensure that noise and disruption during construction are appropriately managed. Requirements from new development in respect of waste and recycling is already addressed in the proposed Settlement Statement for Echt. Impact on house prices is not a matter that can be addressed through the Plan-making process. Whilst Echt is on a bus route, it is acknowledged that development would be largely car dependent. However, Echt is well served by local services and amenities and is considered an appropriate location for new development. This accords with paragraph 40 of SPP which outlines that new development should be within or adjacent to settlements. No change is required.

The Council would generally be supportive of the belief that Echt should be permitted a period of time to allow the settlement to consolidate and react to the level of growth experienced during the recent Plan periods. The Council believe that the most appropriate time for this to take place would be after the forthcoming Plan period, following completion of the OP1 site and this should be fully considered and debated in preparing the next LDP but at this time, no change is required.

Non-Allocated Site – Bid Site GR093 – South East of Echt, South of B9119

The Council does not support allocating bid site GR093 for 42 homes. As noted above, there was little to separate the merits of the bid received in Echt. The Council maintain that following feedback to the MIR 2019, that bid site GR092 was in fact the more appropriate site to include within PLDP. It is not possible to allocate both sites due to constraints associated with providing additional capacity at Echt School (see MIR Issues and Actions Papers, Issue 101 Echt, AD0040.E, pages 24-26). Further consideration and debate is also required as to whether Echt needs time to absorb recent growth before further land is allocated for development. The Council propose this should be considered in preparing the next LDP for the Aberdeenshire area. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – New N002 – Echt Glebe

The Council does not support allocating new site N002 for 25 homes. The site was not put forward as a development bid so was not considered as such at the MIR stage, nor subject to site assessment and public consultation. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Garlogie

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Site – Bid Site GR095 - Land North of Roadside of Garlogie

The Council does not support allocating bid site GR095 for 15 homes. Bid site GR095 was not identified as a preferred option in the MIR 2019 (see AD0038.E, page 97). As outlined in the Issues and Actions Papers (see AD0040.E, page 119), it was considered appropriate to identify Garlogie within the "Settlement Statement" appendix of the PLDP only on the basis that it contains a conservation area, maintaining consistency with the approach taken for other settlements. The Vision contained within the Settlement Statement, identifies the primary planning objective is to preserve the amenity and character of the settlement and highlights that Garlogie is not considered an appropriate location for new development. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Kirkton of Skene

Vision

There has been significant development pressure around Kirkton of Skene in recent years. This is demonstrated in the development bids received to the Council's call for sites in 2018 and previously in 2013, relative to the size of the settlement. Development pressure nearby at Westhill also has a bearing on the desire to not direct new development to Kirkton of Skene. The most recent development in Kirkton of Skene is a development comprising of 20 homes at Kirkville completed in 2013. Given the objective to prevent coalescence with Westhill it is maintained that Kirkton of Skene is not an appropriate location for significant new development and that no development allocations should be made for the forthcoming Plan period. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Service and Infrastructure

Aberdeenshire Council confirms that clarification has been sought from Scottish Water (see email from Scottish Water, AD0139). The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Site – Bid Site GR116 – Land South West of Old Skene Road

The Council does not support allocating bid site GR116 for 45 homes. Bid site GR116 was not identified as preferred option in the MIR 2019 (see MIR 2019, Appendix Garioch, AD0038.E, page 63). As outlined in the Issues and Actions Papers and the Vision contained within the Settlement Statement, it is maintained that it would not be appropriate to identify opportunity sites in Kirkton of Skene at this time (see MIR Issues and Actions Papers, Issue 110 Kirkton of Skene, AD0040.E, pages 80-82). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Lyne of Skene

Flood Risk

Comments from SEPA are noted. No change is required.

Service and Infrastructure

Comments from representees, including SEPA are noted. No change is required.

Non-Allocated Site – Bid Site GR031 (Site A) – Sites A, B and C

The Council does not support allocating bid site GR031 (Site A) for 40 homes and a retail/community facility. No part of bid site GR031, including Site A, was identified as a preferred option in the MIR 2019 (see MIR 2019, Appendix Garioch, AD0038.E, page 65). It is maintained that the proposal represents a scale of development over and above that which could be considered as appropriate to meet local needs in a settlement of the scale and nature of Lyne of Skene. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Reporter's conclusions:

Preliminary matters

1. The examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 39. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Cullerlie

3. A representation seeks to have Cullerlie identified as a settlement in the plan. It is suggested that the existing café and the land to the south, south-east and south-west of the café site should encompass the extent of the proposed settlement.
4. The council does not support the designation of Cullerlie as a settlement, as there are no land use designations, no facilities and in terms of location, it is considered unsustainable.
5. I note that the glossary in the plan provides a definition of a settlement. In this instance, and as observed at my site inspection, there is no identifiable boundary for a settlement, there is no built up area, there is no street lighting and no reduced speed limit. There are less than 15 residential address points (the information submitted with the accompanying representation for the site indicates approximately eight new homes). Overall, I find that the requirements for settlement status are not met in this location, even taking account of the proposal below.
6. No modification is required.

Non-Allocated Bid Site GR098 – Land at Cullerlie Smithy

7. In addition to seeking settlement status, the representation also promotes bid site GR098 as a mixed-use allocation for homes, retail and employment uses. This could create a rural hub which would be sustainable and provide accommodation which is difficult to access in semi-rural locations.
8. The site is located at the junction of the B9125 and Couper's Road. It is currently comprised of a commercial building fronting the road to the north, with extensive parking areas and access from the north and the east. The southern part of the site is open farmland, with some farm buildings on the western boundary. There are a number of farm cottages and buildings on the western side of Couper's Road that are included within the proposed site.
9. The council considers that the site is remote from services and would be reliant on private transport, and that development in the plan area should focus on existing settlements. The strategic environmental assessment identifies mainly neutral effects, with the exception of a Health and Safety pipeline consultation zone. The scale of the proposed development was considered unlikely to give rise to significant effects. In the Issues and Actions Paper, bid site GR098 is discussed at Issue 120 Garioch Landward. The council concluded that Cullerlie is an unsustainable location and that development should be focused towards existing settlements, in accordance with Scottish Planning Policy. In addition to the representation seeking the allocation, there were two representations objecting to it.
10. Overall, I conclude that that development on this site would not be appropriate, given that it does not have settlement status, is remote from services and likely to be car reliant. I have insufficient information before me to comment on the implications of the pipeline consultation zone on the development potential of the proposed site. The identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area (see issue 5) would not justify an additional allocation of residential land in a location which is not in or adjacent to an existing settlement.

11. No modification to the plan is required.

Non-Allocated Bid Site GR099 – Land East of Birchmoss Depot

12. Birchmoss Depot is an existing industrial estate on the north side of the B9125. The site is in a relatively isolated location, with no adjacent or nearby settlements. Banchory is five miles away, Westhill is five miles away and Aberdeen is 12 miles away. The site is surrounded on all sides by agricultural land, which was in use at the time of my site inspection.

13. The representation is seeking to have 4.6 hectares of land allocated for employment uses, to accommodate an easterly expansion of the existing employment site. It is envisaged that future employees would be from the locality, so travel would be minimised. The site would provide opportunities for small and medium size businesses to access smaller plots in an attractive and accessible location. Any screening issues could be addressed through a landscape condition.

14. The council does not support the request for an allocation of employment land at Birchmoss Depot. It considers the site to be remote and that it would be car dependant. It also does not consider that there is a need for employment land in this location, as such a need would be met in existing settlements. The potential detrimental impact on the setting of a nearby scheduled monument was also noted.

15. I am satisfied that that appropriate screening could mitigate against the potential impact on the nearby scheduled monument. In terms of the unsustainable location and increase in travel requirements to access the site, I find the concerns of the council to be valid. Birchmoss Depot is in a relatively isolated location, with no housing or local services nearby. There are no existing settlements within five miles and commercial and passenger vehicles would need to travel relatively far distances to access the site. I have not been made aware of a mechanism which would ensure that workers travel from a defined local area. I also find that a need for additional employment land in this remote location has not been demonstrated.

16. No modification to the plan is required.

Dunecht

Non-Allocated Bid Site GR094 – North of Dunecht, West of B977

17. An allocation for 50 homes has been requested in a representation relating to bid site GR094. The site is located to the north-west of the settlement, and at the time of my site visit, appeared to be in productive agricultural use.

18. The site is bound to the north by a local road, to the east by the B977 which runs from Dunecht to Kintore, to the west by agricultural land and to the south by the Corskie Burn which is heavily wooded on its banks and the settlement beyond. Dunecht is a linear settlement with a range of services. In Dunecht, one site for housing is currently partially complete with the remainder of the site under construction on the western edge of the settlement.

19. The Main Issues Report noted the site as reserved, meaning that it was not preferred for immediate development. A number of potential constraints were identified, including impact on the linear character of the village; potential risk of flooding; and the pipeline consultation zone.

20. The strategic environmental assessment identifies mainly neutral effects, with the exception of the potential negative impact of increased travel requirements and the potential significant adverse impact on the setting of the Upper Corskie scheduled monument. The scale of the proposed development was considered unlikely to give rise to other significant effects

21. The representation advises that the pipeline would not impact on the layout or design of the site, nor would any development need to be located on the floodplain. The linear nature of the village would not be unduly affected, as the site would be naturally screened and the A944 would remain the primary focus of the village. The support for the site expressed in previous local development plan preparation processes is noted.

22. The council does not support the allocation of bid site GR094. Following the Main Issues Report submissions, comments from Historic Environment Scotland and NatureScot regarding the potential impact on the scheduled ancient monument at Upper Corskie and the character and distinctive historical vernacular in Dunecht raised concerns about the potential impact of the proposed development.

23. I recognise that it may be possible to mitigate some of the potential negative effects, in particular the impact on the scheduled ancient monument. I agree with the representation that the linear nature of the village could be retained, as the A944 corridor would remain the dominant feature of the village. However, given the availability of other sites to meet the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider that the allocation of bid site GR094 is justified at this time. Non-site specific representations relating to the identification of land with potential for future long term development are addressed under Issue 5. This concludes that there is no requirement for the local development plan to identify sites for the period beyond 2032.

24. No modification is required.

Echt

Site P2 – To protect area of open space at risk from flooding and forming part of the green-blue network

25. The purpose of designation P2 is to protect land to the northeast of allocation OP1 as open space, because it is a risk from flooding. The provision and management of tree planting in this area is not a matter for the local development plan. No modification is required.

Services and Infrastructure

26. The matters raised in relation to existing services and facilities in Echt are addressed in the section below on site OP1. No modification is sought to the services and infrastructure section of the settlement statement.

Site OP1 – North of Forbes Park

27. Site OP1 is located to the north east of the settlement. It is allocated in the proposed plan for 25 homes and includes an area of protected land, which is at risk of flooding (P2). At the time of my site visit, the land was in agricultural use. It is a flat site, bordered by fields to the north and east, and by the established Forbes Park residential development to the south and west. Echt is a small settlement but has a number of local services including a school, post office/shop, village hall, restaurant and church. The village is located on the four quadrants created by the junction of the B119 and the B977.

28. The site was promoted through a bid submission and is included in the proposed plan as the sole allocation for residential development in the settlement. The site has been identified as contributing to the strategic development plan allowance for the Aberdeen Housing Market Area and the council is content that the site can deliver 25 homes in the plan period. Echt is located within an area identified as being suitable for a level of growth related to local needs and encouraging sustainable mixed communities, as set out in paragraphs 3.44 and 3.45 of the strategic development plan. The potential for flooding has been recognised, and allocation P2 has been made to limit development in that part of the site.

29. A number of representations have been made relating to the principle of allocating land for new homes in Echt. The basis for such objections is that there is sufficient housing available in the village; access to public transport is limited; the site is subject to flooding; there are school capacity issues; and other settlements are better placed to accommodate development.

30. In relation to concerns regarding the impact on waste water capacity, the settlement statement explains that increased capacity would be provided through a Scottish Water growth project. Policy RD2 of the proposed plan provides the mechanism to seek developer contributions towards increased education capacity and infrastructure improvements, if needed as a result of development. Both primary and secondary education are identified in the settlement statement as potentially requiring developer contributions from residential development. I noted on my site visit that, although Echt has traditionally been arranged around the cross roads, more recent development at Forbes Park has expanded that pattern to the north-east. I find that further development in that area would not have an adverse impact on the settlement layout and pattern. The strategic environmental assessment concluded that the development of site OP1 would have a neutral or positive impact on habitats and biodiversity. Echt is served by public transport in the form of a bus service, but I note that this is not a frequent service.

31. At present, the details of the layout and design of any development at land north of Forbes Park are not known. Policy P1 (Layout, Siting and Design), Policy P2 (Open Space and Access in New Development) and the other relevant policies of this plan would be used to assess proposals with regard to impact on the amenity of neighbouring properties and the character and appearance of the area. There would be opportunities for participation in the development management process once a planning application is submitted and I am satisfied that this would be the most appropriate point in the planning process to consider such potential impacts. Impact on house prices is not in itself a relevant planning consideration.

32. I am satisfied that Echt is a suitable location for housing growth in this plan period, at

the scale provided for in site OP1. Further, at paragraph 3.46, the strategic development plan sets out that new housing should be in, or an extension to, existing settlements, particularly those which are well served by public transport. Although access to public transport is limited, there are services available in the village itself providing local facilities that do not require access to transport.

33. No modification to the plan is required.

Non-Allocated Bid Site GR093 – South East of Echt, South of B9119

34. A representation has been submitted seeking the identification of land to the south-east of Echt as a future opportunity site for 42 homes. This site lies to the south of the B9119. At the time of my site inspection, the site appeared to be in agricultural use.

35. General representations regarding the identification of future opportunity sites are addressed under issue 5. This concludes that, whilst the strategic development plan allows local development plans to identify additional strategic reserves beyond 2032, there is no requirement to do so. The council's decision not to identify future opportunity sites is in accordance with the strategic development plan.

36. Within this context, there is no justification to allocate bid site GR093 as a future opportunity site in the plan. The representee has not suggested that any part of the site would come forward in the period to 2032 and I have no evidence before me to indicate that the site could help meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area.

37. I note that the site has been assessed through the strategic environmental assessment process and Main Issues Report stage. However, given my conclusions above, I have not undertaken a detailed assessment of the merits or otherwise of the bid proposal. No modification is required.

Non-Allocated New Site N002 – Echt Glebe

38. A representation to the proposed plan was made, seeking the allocation of a site at Echt Glebe for 25 homes. The site lies to the south of the village, to the east of the B977.

39. To the east and west across the B977, the site is bound by agricultural land. To the north are the school playing fields and to the south is a house and its grounds.

40. I note that submissions for this site were not made at the bid or Main Issues Report stages of the plan preparation. The site has therefore not been the subject of a strategic environmental assessment, nor has it been subject to any form of key agency or public consultation. Notwithstanding the information provided in support of the bid, I am unable to fully assess the merits or otherwise of the site at this time.

41. In any event, I conclude that there is no justification to allocate additional housing land in Echt for the period up to 2032. Whilst a shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area has been identified under issue 5, other suitable sites are available to address this matter. No modification to the plan is required.

Garlogie

Flood Risk

42. The Scottish Environment Protection Agency (SEPA) has requested a new flood risk section be included in the Garlogie settlement statement. I agree that, in the interests of consistency, a section on flood risk should be included. A modification on this matter is recommended.

Services and infrastructure

43. I agree that a new strategic drainage and water supply bullet point should be added to the services and infrastructure section. This should include the information provided by Scottish Water which notes that there is no public waste water infrastructure in Garlogie. A modification to this effect is recommended.

Non-Allocated Bid Site GR095 - Land North of Roadside of Garlogie

44. Site GR095 lies to the north on Garlogie and to the west of the B9126. The site is generally flat, and wooded to the eastern boundary. To the north and west is open agricultural land and to the south is the settlement boundary.

45. The representation is seeking an allocation for 15 homes in this plan period. The site could contribute to the sustainable and balanced growth of Garlogie, it would support local facilities and provide affordable housing. The identification of Garlogie as a settlement is welcomed. There has been no development in the village for a long period and 15 homes would not be an excessive addition.

46. The council disagrees, and considers that the historic and traditional characteristics of Garlogie should be protected. It does not consider the village to be an appropriate location for development and confirms that the aim of designating it as a settlement is to preserve its amenity and character. The strategic environmental assessment identifies two negative effects, the distortion of the linear pattern of the settlement, which was considered unlikely to be capable of being mitigated against, and the effect on the setting of the hut circles and field system to the east (a scheduled ancient monument).

47. I am satisfied that appropriate screening could mitigate the potential impact on the nearby scheduled monument and archaeological sites. However, the existing pattern of development in Garlogie would be altered in a manner which would not be in keeping with the nature of the village, as the linear form of development would be changed. Furthermore, the conservation area would not be enhanced or preserved by the proposed development.

48. Overall, I conclude that that development on this site would not be appropriate, given the potential impacts on the character of the village. The identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area (see Issue 5) would not justify an additional allocation of residential land in this location. Other suitable sites have been identified to address this matter.

Kirkton of Skene

Vision Statement

49. The request to alter the text of the vision statement is made as part of a representation relating to bid site GR116 and is addressed below.

Service and Infrastructure

50. SEPA has requested the addition of a new section on strategic drainage and water supply. I agree that this would provide pertinent information relating to drainage and water services in Kirkton of Skene, and a recommendation to that effect is set out below.

Non-Allocated Bid Site GR116 – Land South West of Old Skene Road

51. A representation seeks the allocation of land to the south and east of the settlement for up to 45 homes. The site is located to the south of an existing residential development at Kesson Gardens and to the south of the village centre. To the south lies a nursing home and grounds in the former Kirkton House estate, including listed buildings and their curtilages. At the time of my site visit, the site appeared to be an open field.

52. The strategic environmental assessment concluded that the site would have generally neutral effects, with the exception of the potential for surface water flooding, the potential for increased travel impacts and the impact on the church and graveyard.

53. At the Main Issues Report stage, the importance of maintaining the open countryside between the settlement and Westhill to prevent coalescence was noted. The settlement was not considered to be a suitable location for development, due to the likelihood of coalescence with Westhill and the issue of available capacity of Skene primary school.

54. The representation provides background information to address the matters raised by the council.

55. I am satisfied that measures to accommodate additional pupils at the primary school could be secured through developer obligations if required, in accordance with policy RD2. I do not consider that educational impact would justify the non-allocation of the site.

56. Having visited the site and the settlement, I agree that some limited views of the church from the east across the proposed site may be affected by housing development on bid site GR116. However, depending on site layout and landscaping, the impact could potentially be mitigated and may not be detrimental to the setting of the listed building.

57. The issue of coalescence with the nearby town of Westhill to the east is pertinent. The intervening farmland is open in this location, providing a countryside setting for both settlements and clearly distinguishing the boundaries of each. The bid site would extend development in an easterly direction, which would reduce the gap between Kirkton of Skene and Westhill.

58. Whilst the vision statement indicates that Kirkton of Skene has a good range of facilities for its size, residents would require to travel outwith the settlement for the majority of education, health and other local services. I consider that the bid proposal would result in increased travel by private car, which would be contrary to one of the intended outcomes of the plan.

59. Matters relating to overall housing provision in the proposed plan are covered in

Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I acknowledge that this site could potentially contribute towards meeting this shortfall. However, I conclude that the negative effects outlined above would outweigh the benefits in terms of providing additional land for housing. There are other sites available to meet the identified shortfall in the strategic development plan allowance. No modification is required.

60. The requested amendment to the vision section of the settlement statement would not be appropriate, following my conclusions above. No modification is required.

Lyne of Skene

Non-Allocated Bid Site GR031 (Site A)

61. Bid site GR031 is located to the south west of the village of Lyne of Skene, a small settlement which lies to the north-west of Westhill and north of Dunecht, on the crossroads of the B9126 and the B977.

62. The bid submission includes three parcels of land which are being promoted by a housebuilder as a phased development over a number of plan periods. In total, the sites could deliver up to 157 homes. However, only Site A is the subject of a representation to the proposed plan. It is intended to provide a mix of house sizes and tenures, including self-build plots.

63. At the time of my site visit, Site A was in agricultural use. It appears generally flat with no obvious topographical or landscape features.

64. The strategic environmental assessment concluded that the site would have generally neutral effects, with the exception of the potential for surface water flooding and potential for increased travel impacts. The positive effect of an increase in the range of housing choice was noted.

65. At the Main Issues Report stage, limited public transport infrastructure and the lack of a sewerage network in the area were identified as constraints. The ability of the site to potentially address the identified constraints is acknowledged, but the scale of development proposed is not considered appropriate for the settlement and could negatively affect the sense of place.

66. The representation sets out that Lyne of Skene is able to absorb sensitive development and the site forms a logical and sustainable expansion of the settlement. The settlement is served by public transport, and the development would provide the local services that have recently been lost in the village. The representation was supported by a strategic masterplan which sets out the features of all three sites, site opportunities and constraints and potential phasing and layouts.

67. I find that the scale of development proposed could address the lack of provision of sewerage facilities in the village, and the issue of flood risk has been addressed in the strategic masterplan. I am satisfied that these matters would not prevent the allocation of the site for development.

68. However, the scale of development proposed, being up to 40 homes with retail and community uses on Site A, would be transformative and would have a potential negative impact on the settlement. The delivery of those homes over a number of plan periods would have a cumulative effect on the village, but ultimately with the same negative impact. If delivered organically, at a rate of five homes per plan period, the risk would be that the constraints identified relating to sewerage would not be capable of being addressed.

69. Overall, I conclude that that development of Site A would not be appropriate, given the potential impacts on the character of the village. Other suitable housing sites have been identified to meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area identified in issue 5. No modification to the plan is required.

Reporter's recommendations:

Modify the local development plan by:

Garlogie

1. Inserting a new Flood Risk section into the Garlogie settlement statement on page 545 with the following new bullet point

“• Garlogie lies within an area potentially vulnerable to flood risk and Flood Risk Assessments may be required.”

2. Inserting the following new first bullet point into the Services and Infrastructure section of the Garlogie settlement statement on page 545:

“• Strategic drainage and water supply: There is no public wastewater infrastructure in Garlogie.”

Kirkton of Skene

3. Inserting the following new first bullet point into the Services and Infrastructure section of the Kirkton of Skene settlement statement on page 600:

“• Strategic drainage and water supply: There is currently sufficient capacity at Nigg Waste Water Treatment Works. A Water Impact Assessment and a Drainage Impact Assessment may be required to identify any mitigation measures that may be required for both water and wastewater networks.”

Issue 40	Other Settlements AHMA (Garioch) West – Cluny and Sauchen, Kemnay, Midmar and Millbank	
Development plan reference:	Proposed LDP, Appendix 7D Garioch, Page 535-538 Proposed LDP, Appendix 7D Garioch, Page 578-582 Proposed LDP, Appendix 7D Garioch, Page 605-606 Proposed LDP, Appendix 7D Garioch, Page 607-608	Reporter: Sinéad Lynch
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Cluny and Sauchen PP0003 Peter Overton PP0016 Donna Overton PP0074 Vee Macaulay PP0082 Vivienne Ritchie PP0125 Heather Overton PP0672 Stewart Milne Homes PP0681 Stewart Milne Homes PP0682 Stewart Milne Homes PP0842 Amy Johnston PP0896 Ken Hood PP1219 Scottish Environment Protection Agency PP1229 Hallam Land</p> <p>Kemnay PP0042 David Turner PP0272 Scottish Water PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian PP1239 CHAP Group (Aberdeen) Ltd PP1240 CHAP Group (Aberdeen) Ltd</p> <p>Midmar PP0065 Cluny, Midmar and Monymusk Community Council PP0275 Midmar Public Hall PP0297 Midmar Public Hall PP0470 Dr Jacqueline Randell PP0539 Nigel Bennett PP0611 Corsindae Estate PP0612 Corsindae Estate PP0613 Corsindae Estate PP0882 Hilary Davies PP1219 Scottish Environment Protection Agency PP1292 Midmar Men's Shed PP1343 Historic Environment Scotland</p>		

Millbank PP1219 Scottish Environment Protection Agency	
Provision of the development plan to which the issue relates:	Cluny and Sauchen Settlement Statement Kemnay Settlement Statement Midmar Settlement Statement Millbank Settlement Statement
Planning authority's summary of the representation(s):	
<p>Cluny and Sauchen</p> <p><u>Site R1 – For development of a community hub</u></p> <p>A number of representees object to the inclusion of site R1 (PP0003, PP0016, PP0074, PP0082, PP0125, PP0896 and PP1229). A range of reasons were cited including that:</p> <ul style="list-style-type: none"> • The proposed site is the only green open space left within the settlement other than the children's playpark (PP0003, PP0016 and PP0125). • The proposed site is currently protected land due to the wildlife and this has not changed (PP0003, PP0074, PP0082 and PP0125). • The proposed community hub was earmarked to be on the eastern side of the settlement (PP0003 and PP0125). • There is no parking available at the site and the extra traffic will affect residents living in the Linton (PP0003, PP0016, PP0082, PP0125 and PP0896). • This area is not suitable for a community hub (PP0074, PP0082 and PP0896). • There is more need to extend Cluny Primary School which does not have a proper gym hall and food hall (PP0074). • There is a community building in Millbank which is rarely used, and Alford has a new campus (PP0074). • The Vision states this is a "community aspiration", but the community has not agreed to a site and that everything is at the discussion stage (PP0082). • It will increase footfall, affect their quality of life with noise impacts and loss of privacy (PP0082, PP0125 and PP0896). • Despite the Community Council supporting site R1 for the location of a future community hub, the local community support site P2 for the location of a community hub (PP0896). • The allocated land for site R1 should be reallocated as open space as per the LDP 2017 (PP0896). • There is a lack of services and the proposed community hub would result in a loss of trees (PP0074 and PP0896). • No indication is given on when the community hub will be delivered (PP1229). <p><u>Site R2 – To provide a safe route to school</u></p> <p>A representee has raised concern regarding traffic speed through Cluny which is dangerous in such close proximity to a housing development and school. The proposed path at this site would be a welcome addition, however, there remains danger to walkers between Sauchen and Cluny as traffic conditions continue. The representee would like further action to address these concerns through the installation of traffic calming measures (PP0842).</p>	

Flood Risk

Scottish Environment Protection Agency (SEPA) has recommended amending a 'Flood Risk' bullet point to state that a Flood Risk Assessment (FRA) will only be required for "this" site, as only site OP1 is mentioned (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that it has no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Main Street

SEPA has no issues with the allocation text for site OP1 (RD0214.B). No modification sought (PP1219).

A representee requests that the reference to the requirement for an emergency access be removed from the allocation summary. It is noted that this has already been provided between Cluny Meadows and Main Street (PP0672).

Non-Allocated Sites – Bid Sites GR030 – Land South West of Sauchen, North of A944

A representee objects to the non-inclusion of bid GR030 in the Main Issues Report as an opportunity site in the Cluny and Sauchen Settlement Statement for retail/café and also that the settlement boundary was not extended to include this site. There is no physical or technical constraint, and the site can be delivered in the short-term. The community desired to have this development which was evident from the developer's community engagement as part of a pre-application consultation for a housing development in the village. In the MIR stage, it was recognised that the need to provide local amenities outweighed the site being zoned as prime agricultural land. The shape and size of the site limits its value for agricultural use. No clear explanation was provided as to why this site was withdrawn. In the Issues and Actions Paper, it was mentioned, "a possible solution to the community's aspiration for a community hub to be established in this settlement" and that alternative site has been established by the community for this purpose. The argument made was that a community hub is a meeting place/community venue. This is not a logical explanation. The representee has included two Appendices (RD0111.A and RD0111.B) in their submission which provides further detail to support their position (PP0682).

Non-Allocated Sites – Bid Sites GR096 – Land South of Main Street (Smaller Site) and GR097 Land South of Main Street (Larger Site)

A representee has requested that bid sites GR096 and GR097 be allocated for housing development. The smaller site (bid site GR096) would comprise of 40 homes and a 'community hub' facility set to the western portion of the larger site (bid site GR097). The larger site (GR097) could accommodate 100 to 120 homes and a community hub. This site is considered as a logical extension to the settlement, which is set close to a bus stop, is 1 mile from the primary school and is in close proximity to the play park. In the MIR, the Council's assessment of the site indicates that "there are concerns surrounding potential for visual impact upon the setting of the village". The representee disagrees with this

statement noting that the site shares many of the characteristics of the adjacent allocated site OP1, including its proximity to the existing settlement and landscape features. The sites are noted in the MIR as being adjacent to the Cluny Burn which is at risk of flooding. In response to this a flooding and drainage study has been undertaken and the result shows no constraints that would preclude development. The representee has included a number of Appendices (RD0218.A, RD0218.B and RD0218.C) in their submission which provides further detail to support their position (PP1229).

Non-Allocated Site – Bid Site GR115 – Land at Mains of Sauchen, North West of Sauchen

A representee requests that bid site GR115 be allocated for 150 homes. The representee considers that this site would result in a carefully planned extension of the settlement. This site is deliverable during the Plan period in the short-term and would bring community benefit through the inclusion of a community facility and parkland. The representee considers that the assessment in the MIR in relation to the impact on the setting of the village is overstated as it was not recognised the potential enhancements which would be provided from the significant area of parkland. The MIR also failed to note the landscape buffer that would be provided to the waste water treatment works which would benefit the site and the wider area. The representee has included two Appendices (RD0110.A and RD0110.B) in their submission which provides further detail to support their position (PP0681).

Kemnay

Site R1 – For medical/community facilities

NHS Grampian has indicated support for the inclusion of site R1 in the Kemnay Settlement Statement (PP1223).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Site R2 – For future expansion of the Kemnay Community Garden

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R2 (RD0214.B). No modification sought (PP1219).

Site BUS1 – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS1 (RD0214.B). No modification sought (PP1219).

A representee has highlighted that this site includes a piece of garden ground which should not be included in the BUS1 site. The site should be moved to exclude the area as shown in supporting evidence. The representee has included two Appendices (RD0004.A and RD0004.B) in their submission which provides further detail to support their position (PP0042).

Site BUS2 – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS2 (RD0214.B). No modification sought (PP1219).

A representee has requested that site BUS2 be reallocated to housing land for up to 65 homes. The representee notes that development in Kemnay should be in line with local needs as a 'Local Growth and Diversification Area' as defined in the Strategic Development Plan (SDP). There is a demonstrable continued local demand for a range of housing, with Housing Land Audit (HLA) delivery rates demonstrating a consistent demand. Since the site was allocated for business development in 2006 there has been no interest for that use. The existing housing allocation will be delivered by 2021, essentially leaving no effective housing land supply in Kemnay during the Plan period. This is contrary to SDP and the PLDP which will constrain the housing supply in Kemnay, put greater pressure on existing housing stock and have an adverse impact on the affordability of housing (PP1239).

A representee requests that site BUS2 be removed as land for business use in favour of reallocation as housing land (subject to bid site GR134 discussed below). It is noted that the take up of business land in Kemnay has been subdued, with greater demand for business and employment land in the Aberdeen to Huntly Strategic Growth Area. It is more appropriate to allocate business land in Inverurie, Kintore, Thainstone and Blackburn. Any demand in Kemnay can easily be met through existing allocations at BUS1 and BUS3 which are more appropriately located to the north of the settlement (PP1240).

Site BUS3 – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS3 (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has indicated that they object to the PLDP unless text is added to the 'Flood Risk' section to note that, "Flooding records show in a significant portion of the site OP1 to be at fluvial flood risk from the River Don and a small watercourse on its southern boundary. A Flood Risk Assessment will be required." (RD0214.B) (PP1219).

SEPA has also recommended rewording of the second 'Flood Risk' bullet point due to the site being a distance away from the River Don flood extent and on relatively high ground but having a small watercourse on its northern boundary (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that it has no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – West of Milton Meadows

SEPA has indicated that they object to site OP1 unless a new 'Flood Risk' bullet point is added as noted above. SEPA has also requested that the first sentence of the last paragraph of the allocation summary is deleted and replaced with, "A significant portion of

this site has flooded historically. A Flood Risk Assessment will be required to determine the developable area and layout of the site.” (RD0214.B) (PP1219).

Site OP2 – Birley Bush Depot

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219). Scottish Water suggested adding text to the allocation summary to read, “Capacity may be limited depending on use, early engagement with Scottish Water is recommended.” (PP0272).

Non-Allocated Site – Bid Site GR134 – Land at Kirkstyle Farm (North) (Option 1)

A representee has requested that bid site GR134 be allocated for 65 homes. It is noted that this site would contribute to the effective housing land supply in Kemnay and the Aberdeen Housing Market Area, and on the basis that there is no demand for business use. Residential use would be compatible with surrounding land uses and there are opportunities to ensure good connectivity with Kemnay. Constraints identified in the MIR are either unmerited or have viable solutions, and housing use is better suited to deal with topography and landscape impact than business use. The site has already made a ‘technical start’ through formation of access and SuDS pond. The representee has included two Appendices (RD0225.A and RD0225.B) in their submission which provides further detail to support their position (PP1239).

Non-Allocated Site – Bid Site GR135 – Land at Kirkstyle Farm (South) (Option 2)

A representee has requested that bid site GR135 be allocated for 111 homes. The identified constraints including topography, landscape impact, lack of coalescence, flooding and drainage are unmerited or have viable solutions. There would be sensitive design, with habitat value enhanced. The site is a logical location for new housing land and could create an attractive planned residential gateway into Kemnay. It is further noted that the site GR135 should be included as a strategic reserve site to come forward after development of site GR134. This would balance development to the north of the settlement. The site would align with the SDP which directs development to areas such as Kemnay where levels of growth should relate to local needs. The development would meet the local needs identified in the settlement Vision. With only a single housing allocation of 20 homes in Kemnay, based on the HLA projected delivery by 2021, there will be no effective housing land supply in Kemnay during the Plan period. This would be contrary to SDP and PLDP objectives, put greater pressure on existing housing stock, and have an adverse impact on the affordability of local housing. The representee has included two Appendices (RD0226.A and RD0226.B) in their submission which provides further detail to support their position (PP1240).

Midmar

Flood Risk

SEPA has confirmed that it has no comment to make on the ‘Flood Risk’ bullet point in the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that it has no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Roadside of Corsindae

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219). Historic Environment Scotland (HES) note that site OP1 is located 305m and 210m respectively southwest of the scheduled monuments known as Craiglea, cairn 265m W of (SM 12122) and Craiglea, ring-marked boulder 440m WNW of (SM12174), but HES is content that any impact on their setting is not significant for HES' interests (RD0266.A). No modification sought (PP1343).

A number of representees object to the inclusion of site OP1, including Cluny, Midmar and Monymusk Community Council (PP0065, PP0275, PP0297, PP0470, PP0539, PP0611, PP0613, PP0882 and PP1292). A range of reasons were cited including that:

- This site was earmarked for community space as per a planning application (APP/2014/0148), and development could impact on the use of Midmar Hall, as the site will erode the green buffer zone (PP0065, PP0470, PP0539 and PP0882).
- The site is subject to condition to provide landscaping, footpaths and a public garden that is yet to be delivered (PP0613).
- Housing development could lead to restrictions relating to noise levels from the use of the hall and the Men's Shed (PP0065, PP0275, PP0297, PP0470, PP0539, PP0613 and PP1292).
- Concern at the increase made to the site capacity through the loss of an area of protected land (PP0297).
- The community garden should be built on this land in line with the extant planning permission at the site (PP0275, PP0470, PP0882 and PP1292). The representees have included a number of Appendices (RD0039.A-RD0039.B and RD0247.A) in their submissions which provides further detail to support their position (PP0275 and PP1292).
- The previous development at the site was started but has never been completed, this should be complete rather than allocating a further ten homes on green space (PP0539 and PP0882).
- If the currently consented 9 houses are not viable, then perhaps the focus should be on amending the currently consented housing site for a more representative mix of housing tailored to the local market, before abandoning the public gardens and landscaping scheme (PP0613).
- The development will result in the loss of protected land (PP0613 and PP0882).
- This site fails the test of effectiveness as outlined in PAN 2/2010 in terms of "land use" as there is a preferred, consented and deliverable, scheme for public gardens and landscaping which is protected in the existing LDP and will help achieve the priorities for the settlement (PP0613).
- Midmar is a suitable location for new housing in order to support LDP priorities but an alternative site to OP1 should be allocated. The representee has included an Appendix (RD0099.A) in their submission which provides further detail to support their position (PP0611).

Non-Allocated Site – Bid Site GR054 – Land South of Midmar School

Representees, including Cluny, Midmar and Monymusk Community Council, have requested that bid site GR054 be allocated for 20 homes (PP0065, PP0611 and PP0882). Cluny, Midmar and Monymusk Community Council has noted that this site is supported by the school and members of the community. It would provide housing more suited to the area, with a high percentage of affordable houses to encourage more local workers with young families and would support Midmar Primary School, which has a falling school roll and hosts community functions (PP0065).

The area has recently benefitted significantly from the removal of the commercial forestry plantation. This would likely be reversed if the development subject to the bid was not possible and should the area be replanted with commercial forestry. The ancient woodland status is disputed, and agreement has been reached with Forestry Scotland to place compensatory woodland elsewhere. There are allocated sites nearby that have not come forward and it might be worth considering other options. It is not clear why roads capacity is a constraint for this proposed site and not the proposed OP1 site. The site would meet the tests of effectiveness as set out in PAN 2/2010. The representee has included an Appendix (RD0099.A) in their submission which provides further detail to support their position (PP0611).

Development of the site would help meet the housing needs of the settlement and in sustaining the local primary school. The site was not preferred due to the presence of ancient woodland. The landowner disputes this as there is evidence of cultivation and a network of small stone dykes (PP0882).

Non-Allocated Site – Bid Site GR055 – Land at Tillybirloch

A representee has requested that bid site GR055 be allocated for 4 homes. Tillybirloch is located in the Aberdeen Housing Market Area and is a small hamlet with one local employer. The LDP does not identify it as a settlement and as such no priorities are identified. Bid site GR055 is within walking distance to the local school at Midmar where there is also a community hall. There is a bus stop in close proximity to the site. The site would have no negative impact on the settlement, would have a positive impact on both facilities in Midmar, including supporting the primary school roll. Development would deliver market housing, at reasonable prices, and an additional affordable home. Four houses at this location would not represent overdevelopment. The representee has highlighted that proposed site is not prime quality agricultural land for the purposes of planning (Grade 3.2). Layout, siting and design of the site would be in compliance with the Councils design guidance can be demonstrated in the event that the principle is accepted (PP0612).

Millbank

Flood Risk

SEPA has confirmed that it has no comment to make on the 'Flood Risk' bullet point in the Settlement Statement (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that it has no issues with the statement on 'Strategic drainage and

water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land at Millbank Crossroads

SEPA has confirmed it has no issues with the allocation text for site OP1. No modification sought (RD0214.B) (PP1219).

Modifications sought by those submitting representations:

Cluny and Sauchen

Site R1 – For development of a community hub

Modify the PLDP to remove site R1 (PP0003, PP0016, PP0074, PP0082, PP0125, PP0896 and PP1229).

Modify the PLDP to reinstate the protected land designation (PP0896).

Site R2 – To provide a safe route to school

Modify the PLDP to add text to the designation summary for site R2 to address traffic concerns (PP0842).

Flood Risk

Modify the PLDP to amend the 'Flood Risk' bullet point to state that the Flood Risk Assessment will only be required for "this" site (PP1219).

Site OP1 – Main Street

Modify the PLDP to remove the requirement for emergency access from the allocation summary for site OP1 (PP0672).

Non-Allocated Sites – Bid Sites GR030 – Land South West of Sauchen, North of A944

Modify the PLDP to include bid site GR030 for retail/café (PP0682).

Non-Allocated Sites – Bid Sites GR096 – Land South of Main Street (Smaller Site) and GR097 Land South of Main Street (Larger Site)

Modify the PLDP to include bid site GR096 or GR097 for 40 or 100-120 homes respectively (PP1229).

Non-Allocated Site – Bid Site GR115 – Land at Mains of Sauchen, North West of Sauchen

Modify the PLDP to include bid site GR115 for 150 homes (PP0681).

Kemnay

Site BUS1 – Safeguarded for business uses

Modify the PLDP to amend the boundary of the BUS1 designation to exclude the privately owned garden ground (PP0042).

Site BUS2 – Safeguarded for business uses

Modify the PLDP to reallocate site BUS2 as an opportunity site for 65 homes (PP1239).

Modify the PLDP to remove site BUS2 (PP1240).

Flood Risk

Modify the PLDP to add a 'Flood Risk' bullet to read, "Flooding records show that a significant portion of the site OP1 to be at fluvial flood risk from the River Don and a small watercourse on its southern boundary. A Flood Risk Assessment will be required." (PP1219).

Modify the PLDP to amend the second 'Flood Risk' bullet point to read, "Due to the presence of a small watercourse on its northern boundary a Flood Risk Assessment will be required for site BUS1. A buffer strip will be required along the watercourse. Re-naturalisation of the watercourse and removal of any redundant features should be investigated." (PP1219).

Site OP1 – West of Milton Meadows

Modify the PLDP to remove the first sentence of the last paragraph of the allocation summary and replace with, "A significant portion of this site has flooded historically. A Flood Risk Assessment will be required to determine the developable area and layout of the site." (PP1219).

Site OP2 – Birley Bush Depot

Modify the PLDP to add text to the allocation summary to read, "Capacity may be limited depending on use, early engagement with Scottish Water is recommended." (PP0272).

Non-Allocated Site – Bid Site GR134 Land at Kirkstyle Farm (North) (Option 1)

Modify the PLDP to include bid site GR134 for 65 homes (PP1239).

Non-Allocated Site – Bid Site GR135 Land at Kirkstyle Farm (South) (Option 2)

Modify the PLDP to include bid site GR135 for 111 homes (PP1240).

Midmar

Site OP1 – Roadside of Corsindae

Modify the PLDP to remove site OP1 (PP0065, PP0275, PP0297, PP0470, PP0539, PP0611, PP0613, PP0882 and PP1292).

Non-Allocated Site – Bid Site GR054 – Land South of Midmar School

Modify the PLDP to include bid site GR054 for 20 homes (PP0065, PP0611 and PP0882).

Non-Allocated Site – Bid Site GR055 – Land at Tillybirloch

Modify the PLDP to include bid site GR055 for 4 homes (PP0612).

Millbank

No modifications sought.

Summary of responses (including reasons) by planning authority:

Cluny and Sauchen

Site R1 – For development of a community hub

The Council acknowledges objection received to site R1. The location of a suitable site for the development of a community hub has been subject to discussion through the Plan-making process. During the Council's pre-MIR engagement with the Midmar, Cluny and Monymusk Community Council, it was evident that development of a community hub or a central place where the community could meet and come together was a key community aspiration. This aspiration was reflected in the MIR and a number of the bids received to the Council's call for sites included provision for a community hub as part of their submission. However, the majority of these bids were focused towards further growing the settlement in terms of new housing. Again, in discussion with the Community Council the demand for further housing was questioned.

At the MIR stage, an alternative site was preferred by Officers – site GR030. Support was received for this site in responses to the MIR. However, as outlined in the Issues and Actions papers since the publication of the MIR, negotiations on this matter had progressed and an alternative site had been identified by the community within the existing P2 site (AD0040.E, page 17). This site was considered to be a more appropriate location for a community hub. The PLDP makes it clear that until development of a community hub comes forward that the land should be maintained as open space. No change is required.

Site R2 – To provide a safe route to school

The Council acknowledges the issue raised by the representee. However, the Council is unable to address traffic speeds and traffic calming through the R2 designation. The Council do however believe that delivery of this route will contribute towards improving pedestrian safety between Cluny Primary School and Sauchen. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Main Street

Comments from SEPA are noted. No change is required.

It is noted that part of site OP1 is now subject to Full Planning Permission for 27 homes (APP/2019/2302 approved 3 March 2020). A planning application for Full Planning Permission was also pending as at, 1 February 2021 (APP/2020/1259) for a further 49 homes. It is noted that the approved Masterplan outlines that, “an emergency access to serve the site can be provided onto Main Street between the recycling centre and the landscaping strip to the south of the centre” (AD0081, page 13). This access, between Main Street and Cluny Meadows was included as part of an earlier phase of development. However, the Council note that the Council’s Roads Development Team in responding to the most recent planning application (AD0064, consultation response 17 September 2020) for the third phase of development, have commented that a suitable emergency access is required to be provided to serve all parts of the development, indicating that the existing access between Main Street and Cluny Meadows serves only part of the wider development. Until such time as this matter has been resolved, the Council does not agree with the removal of the requirement outlined in the allocation summary that requires an emergency access to be provided. No change is required.

Non-Allocated Sites – Bid Sites GR030 – Land South West of Sauchen, North of A944

The Council does not support allocating bid site GR030 for retail/café. It is acknowledged that through the Main Issues Report the site was identified as an officer’s preference for development as it was easily accessible and provided a needed amenity for the settlement (AD0038.E, page 16). It was however, noted within the Issues and Actions papers that the site was no longer to be proposed to be allocated within the plan as the community has identified a more suitable location for this particular use within the village, which was to be the preferred option (AD0040.E, page 17). As such, the bid is not proposed to be allocated within the plan. No change is required.

Non-Allocated Sites GR096 Land South of Main Street (Smaller Site), Sauchen and GR097 Land South of Main Street (Larger Site)

The Council does not support allocating bid site GR096 nor bid site GR097 for 40 or 100-120 homes, respectively. These sites were not identified as Officers’ preferences in the MIR 2019. The Council maintain the reasons outlined for dismissing these bid sites at that time. The site is identified as being prime agricultural land and the southern part of the site adjacent to the Cluny Burn is at risk from flooding. Concerns also exist surrounding the potential for visual impact upon the setting of the settlement (AD0038.E). It is noted that a number of those responding to the MIR supported the Officers’ view not to promote the site, including the Community Council (AD0040.E). In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR115 Land at Mains of Sauchen, North West of Sauchen

The Council does not support allocating bid site GR115 for 150 homes. These sites were not identified as Officers’ preferences in the MIR 2019. The Council maintain the reasons

outlined for dismissing these bid sites at that time. Development is significantly constrained by a flood risk and the presence of prime agricultural land. Concern was also expressed concerning the potential for adverse visual impact upon the setting of Sauchen, with the overall scale of the site resulting in a disproportionate extension to the settlement. It was highlighted that the site is located in proximity to Cluny Castle Gardens and Designed Landscape, a nationally important heritage asset and new housing would have to be designed around an existing waste water treatment facility which should be discouraged (AD0038.E). It is noted that a number of those responding to the MIR supported the Officers' view not to promote the site, including the Community Council (AD0040.E). In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Kemnay

Site R1 – For medical/community facilities

Support expressed for site OP1 is noted along with the comments from SEPA. No change is required.

Site R2 – For future expansion of the Kemnay Community Garden

Comments from SEPA are noted. No change is required.

Site BUS1 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address the representees comment regarding the allocation boundary as shown on the settlement map through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site BUS2 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

The Council does not agree that site BUS2 should be reallocated for housing development. The site was subject to a bid received in response to the Council's call for sites in 2018 (bid site GR134). The site was not identified as Officers' preference in the MIR 2019. The Council maintain the reasons outlined for dismissing the bid site at that time outlining that constraints associated with the site including flood risk, topography and landscape impact, mean that it would be inappropriate to develop housing on this site (AD0038.E). It is noted that a number of those responding to the MIR supported the Officers' view not to promote the site (AD0040.E Issues and Actions papers). In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

The Council acknowledges that the BUS2 site has remained undelivered for some time.

The site is not listed as constrained in the Employment Land Audit 2019 (AD0018, page 31). On the basis that an access has been created and the site appears to be partially serviced the Council do not believe that the site should be removed from the LDP. In addition, during pre-MIR discussions with Kemnay Community Council, they indicated a desire to retain the areas of employment land identified in the settlement (AD0164 Place Standard Notes - Pre-MIR consultation - Kemnay Community Council). Through its allocation and subsequent inclusion in the associated Delivery Programme, the Council's Delivery Team would be able to facilitate any discussion required between parties and work with them to bring the site forward. If the Reporter is minded, to make an amendment, then the Council recommend that site BUS2 could be reallocated as an opportunity site for 2.8ha employment land given the site remains undeveloped.

Site BUS3 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comments through non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 - West of Milton Meadows

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Birley Bush Depot

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Site – Bid Site GR134 Land at Kirkstyle Farm (North) (Option 1)

The Council does not support allocating bid site GR134 for 65 homes. The Council have addressed the representee's request in responding to unresolved matters associated with site BUS2 above. No change is required.

Non-Allocated Site – Bid Site GR135 Land at Kirkstyle Farm (South) (Option 2)

The Council does not support allocating bid site GR135 for 111 homes. This site was not identified as Officers' preference in the MIR 2019. The Council maintain the reasons outlined for dismissing the bid site at that time. The site is considered to be isolated in relation to the existing pattern of development, with little or no coalescence to existing development to the north or west. The site would be visually prominent given the topography of the site and possible impacts on the Bennachie Special Landscape Area

(AD0038.E). It is noted that a number of those responding to the MIR supported the Officers' view not to promote the site (AD0040.E Issues and Actions papers). In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Midmar

Flood Risk and Services and Infrastructure

Comments from SEPA in respect to sections on 'Flood Risk' and 'Services and Infrastructure' are noted.

Site OP1 – Roadside of Corsindae

Comments from SEPA and HES are noted. No change is required.

The Council acknowledges objection received to site OP1. The site was subject to a development bid received in response to the Council's call for sites in 2018. It was subsequently identified in the MIR 2019 as a preferred option for 20 homes. The site capacity was increased from the 10 homes originally sought through the bid to reflect a standard density of 25 homes per hectare applied to sites in the Aberdeen Housing Market Area. The MIR recognised that the site was identified as protected land in the LDP 2017 but that a project to deliver a public garden and landscaping associated with the adjacent development site had not yet come forward. The bid was seen as an infill site which was deemed to be appropriate for housing development. Objection was received in response to the MIR, including from Cluny, Midmar and Monymusk Community Council, (AD0040.E). However, the Council agreed with Scottish Natural Heritage's (now NatureScot's) view that this site was more suitable for housing than bid site GR054. The allocation summary outlines that a landscape buffer would be required to minimise any landscape impact along the northern boundary of the site. No change is required.

Non-Allocated Site – Bid Site GR054 – Land South of Midmar School

The Council does not support allocating bid site GR054 for 20 homes. Whilst the Council acknowledge support received for this site, including from Cluny, Midmar and Monymusk Community Council, we do not agree that bid site GR054 should be allocated in the LDP. This site was not identified as Officers' preference in the MIR 2019. The Council maintain the reasons outlined for dismissing the bid site at that time. The Council agree that the site is well situated in proximity to the primary school however is constrained due to the presence of ancient woodland. Notwithstanding the presence of trees, the ancient woodland designation seeks to preserve the integrity of soil ecological processes and associated biodiversity associated with areas of ancient woodland as an important and irreplaceable natural resource. The Council do appreciate confirmation that compensatory planting for the block of commercial woodland previously felled has been agreed. However, until such time as this matter can be resolved, through discussion with NatureScot, unfortunately, the Council are unable to support allocation of this site as an opportunity site.

In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations,

there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site GR055 – Land at Tillybirloch

The Council does not support allocating bid site GR055 for 4 homes. This site was not identified as Officers' preferences in the MIR 2019 (AD0038.E, page 70). The Council maintain the reasons outlined for dismissing the bid site at that time. In any case, the Council would not seek to allocate opportunity sites for less than 5 homes. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Millbank

Flood Risk and Services and Infrastructure

Comments from SEPA in respect to sections on 'Flood Risk' and 'Services and Infrastructure' are noted.

Site OP1 – Land at Millbank Crossroads

Comments from SEPA are noted. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to the settlement statement matters covered in Issue 40. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Cluny and Sauchen

Site R1 – For development of a community hub

3. During the plan process, it emerged that delivery of a community hub was a key aspiration. A number of sites were assessed, including bid site GR030, and site R1, which is reserved for a community hub and is to be kept as open space until a proposal comes forward. Site R1 is to the south-west of the settlement and is currently lightly wooded open space, accessed by foot from The Linton and Green Meadows.

4. There have been a number of representations objecting to the allocation of site R1 for a community hub, for various reasons. Of particular concern to representees is the loss of open space in the village, which is the only open space other than the play park on Main Street. There is no parking on the site, and local residents will be adversely affected by increased footfall and parking. There is an under-used village hall in Millbank. The location is not supported by the community, only the community council. The primary school needs an extension for a gym and dining hall. Trees and wildlife would be lost.

5. I note that site R1 sits within a larger area of protected open space. Having visited the site, I am of the view that a reasonable amount of open space would remain. The loss of some trees would seem inevitable, given the distribution of existing trees on the site, but compensatory planting could be a condition of any planning consent. I have not been made aware of any specific species that are protected on the site, or any designations which may prevent development proceeding. I note the concerns regarding parking on adjoining streets. I consider that site R1 is in an accessible location in the village, and walking to the facility should be encouraged. There is a village hall in Millbank, but the purpose of the allocation would appear to meet the aspiration for a facility in the village itself. Having a combined facility in a new space in the primary school could be a practical solution, but would limit availability to non-school hours. In any event, the allocation before me is for site R1, not alternative sites.

6. Overall, I am satisfied that site R1 would be a suitable location for a new community hub. No change to the plan is required.

Site R2 – To provide a safe route to school

7. Site R2 is a proposed safe walking link from the village to the primary school at Cluny. A new path would be added to the road that links the two villages. Concern has been expressed in a representation that the route may be unsafe due to traffic speed and volume. Traffic calming measures are sought.

8. The council believes that installing the path would improve pedestrian safety on the route. I agree that the new path should enhance safety for pedestrians. Traffic calming measures are not matters that can be specifically addressed in a local development plan. No modification to the plan is required.

Flood Risk

9. The Scottish Environment Protection Agency (SEPA) has recommended amending the 'Flood Risk' bullet point to state that a Flood Risk Assessment (FRA) will only be required for "this" site, as only site OP1 is mentioned. The council agrees with the representation, and is satisfied that the wording suggested by SEPA would be appropriate. I also agree that the proposed modification would clarify the position in relation to flood risk. A modification is set out below.

Site OP1 – Main Street

10. Site OP1 is a site for 76 homes, which lies to the east of Sauchen. The overall site has a masterplan which was approved in 2012, and the first phase of the development in the northern part of the site, Cluny Meadows, has been delivered. Planning consent for 49 homes was granted in 2021 and work has begun on site.

11. A representation is seeking the removal of the requirement for an emergency access for the site, as set out in the allocation summary on page 537 of the proposed plan, as it has already been provided between Cluny Meadows and Main Street.

12. As advised by the council's roads development team, a suitable emergency access is required to serve the whole development, as the existing access serves only part of it. I find that retaining the requirement for the access in this plan would be prudent, should the current consent lapse. No modification to the plan is required.

Non-Allocated Bid Site GR030 – Land South West of Sauchen, North of A944

13. Site GR030 is a triangular site located at the junction of the A994 and the access road leading east to the village and Main Street. It is an open, flat site and was in agricultural use at the time of my site inspection.

14. A representation is objecting to the non-allocation of this site for use as café and retail space. The proposal received community support when public consultation was carried out and there is capacity in the settlement for both a community hub and a café with retail space.

15. The council has advised that a more suitable location has been identified for this particular use within the village, and therefore site GR030 is no longer supported.

16. I appreciate the desires and need for local facilities in settlements such as Sauchen. I do however note the relative physical separation of this site from the village and its visual prominence when approached from all directions except the north. I find that its development in isolation from any surrounding land uses would have a negative impact on the setting of the village. No modification is required.

Non-Allocated Bid Sites GR096 Land South of Main Street (Smaller Site), Sauchen and GR097 Land South of Main Street (Larger Site)

17. Sites GR096 and GR097 are two sites which overlap, located to the south of the settlement. A representee is seeking the allocation of bid sites GR096 and GR097 for a phased housing-led mixed-use development of up to 120 homes with community uses, open space/landscaping and associated infrastructure. Supporting information including an indicative masterplan, phasing plan and a transport statement was submitted with the representation.

18. The strategic environmental assessment identified some negative effects, including the loss of prime agricultural land, an increase in travel requirements and flooding. At the Main Issues Report stage, neither site GR096 nor site GR097 was identified as being preferred for immediate development. Some constraints such as landscape and visual impact were noted.

19. The potential loss of prime agricultural land is noted, but I am satisfied that in line with Policy PR1 (Protecting Important Resources), the loss of prime agricultural land may be justified if required to meet strategic housing needs and there are no reasonable alternative sites. The representation has addressed the potential flooding risk at the site and I am content that there are mitigation measures, which could address this issue satisfactorily.

20. Although the representation suggests that the landscape and visual impact would be similar to that of site OP1, I disagree. I noted on my site visit that site OP1 would not extend the built environment of the settlement to the south and that it would create a compact and logical extension to the existing development in the village. Sites GR096 and GR097 would, I find, be visually prominent on all approaches from the south, east and west. I acknowledge that careful landscaping may serve to mitigate any such impacts arising from development of the sites, but overall I find that the scale of the proposed allocation would have a detrimental impact on the setting of the village.

21. An alternative site for the community hub has been identified within the settlement boundary, site R1, but the representation suggest that funding would not be delivered without the allocation and development of sites GR096 and GR097. I find that the potential funding for a community hub would not in itself justify the allocation of these sites.

22. Matters relating to overall housing provision in the proposed plan are covered in issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a need to allocate additional land in the Aberdeen Housing Market Area. I acknowledge that these sites could potentially contribute to meeting this shortfall. However, given the availability of other suitable housing sites and the concerns regarding the scale of proposed development, loss of prime agricultural land and landscape and visual impact, I do not consider that either of these bid sites should be identified as a housing allocation.

23. No modification is required.

Non-Allocated Bid Site GR115 Land at Mains of Sauchen, North West of Sauchen

24. Site GR115 is located to the north-west of Sauchen, on land which is currently in agricultural use. The representation is seeking an allocation for 50 homes to be delivered in this plan period, with a further 100 homes in later phases. An ecological park would form the northern part of the site with land also provided for a community hall. The site is owned by a house builder and immediately available for development. Supporting information, including a strategic masterplan, was submitted with the representation.

25. The strategic environmental assessment identified some negative effects, including the loss of prime agricultural land, an increase in travel requirements, flood risk and impact on the setting of gardens and a designed landscape. Constraints such as landscape and visual impact, flooding and proximity to an existing waste water treatment facility were noted at the Main Issues Report stage.

26. I am satisfied that in line with Policy PR1 (Protecting Important Resources), the loss of prime agricultural land may be justified if required to meet strategic housing needs and there are no reasonable alternative sites. The representation has addressed the potential flood risk at the site and I consider that there are mitigation measures available which could address this issue.

27. Although in close proximity to Cluny Castle and the designed gardens and landscape, I find that the proposed park, which would lie to the north of the site, would mitigate against any potential impacts on the heritage assets. The separation between the built element of the proposal and the designed landscape, together with the intervening park, would limit the visual impact on the designed landscape.

28. The council has decided not to reserve land for future housing development beyond 2032, an approach that we consider is consistent with the strategic development plan (see Issue 2). In this case, the indicative site layout and phasing plan submitted by Stewart Milne Homes do not show how the site could be subdivided to bring forward a separate allocation for 50 homes in the plan period. I therefore consider it appropriate to assess bid site GR115 as a development of 150 homes and a community parkland, regardless of the intended phasing.

29. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a need to allocate additional land in the Aberdeen Housing Market Area. Whilst I recognise that the 50 homes proposed in the plan period could contribute to meeting this shortfall, there are other suitable sites available. As such, the loss of prime agricultural land would not be justified at this time. No modification is required.

Kemnay

Site BUS1 – Safeguarded for business uses

30. A representee has requested that the private garden ground shown as part of allocation BUS1 on the Kemnay map be excluded and the map revised. The council agrees that the map should be amended.

31. I find that the plan should accurately reflect the correct site boundaries and am recommending that the Kemnay map be modified to exclude the triangular area of garden ground in line with representation PP0042.

Site BUS2 – Safeguarded for business uses and Non-Allocated Bid Site GR134 – Land at Kirkstyle Farm (North)

32. This site is located to the east of Kemnay, to the north of the B993. At the time of my site inspection, there appeared to be completed site works and partial services on the site, but no formal access point from the B993. The remainder of the site appeared to be set to grass. Site BUS2 is on the eastern edge of the settlement, with open agricultural fields to the east, north and south. To the west is established residential development at Stuart Crescent.

33. The site as a whole (including the completed residential development to the west) had planning consent and was identified as a future development opportunity in the local development plan in 2006. The residential element was delivered through a separate consent, with a further consent partially purifying the conditions relating to the access and surface water drainage on site BUS2. The site is safeguarded for business use in the adopted local development plan.

34. CHAP Group (Aberdeen) Limited is seeking the deletion of the business designation on site BUS2 and for its re-allocation as a housing site for up to 65 homes. The representation highlights the compatibility of housing with the adjacent residential area, strong connections to the town and that there is sufficient business land elsewhere in Kemnay. Furthermore, once site OP1 is complete, there are no other housing sites allocated in the settlement.

35. The council notes that the site has been partially developed, but a business use has not been delivered. The council has suggested that the site should be reallocated as a business opportunity site to allow its Delivery Team to help bring forward development.

36. Kemnay is not located within a strategic growth area. The strategic development plan requires local development plans to identify and maintain an appropriate amount of business land for Local Growth and Diversification Areas in Aberdeenshire.

37. The employment land audit 2018 – 2019 indicates that there is a marketable employment land supply of 281 hectares in Aberdeenshire. This includes 76 hectares in the Local Growth and Diversification Areas in Aberdeenshire, including 2.8 hectares at site BUS2 in Kemnay. There is a further 34 hectares of marketable employment land in the Inverurie to Blackburn section of the Aberdeen to Huntly Strategic Growth Area, which lies to the north east of Kemnay. The audit states that “the targets for the supply of marketable employment land in both Aberdeen City and Aberdeenshire continue to be significantly exceeded and the overall employment land supply provision is generous”.

38. The representee has supplied background information on the development of, and demand for, employment land in Kemnay, which shows that take up is low, mainly due to high demand and relatively better locations in the growth corridor of the A96. This information is consistent with the notes from the community council meeting on 26 October 2017, which indicates support for local employment opportunities but recognises the challenges in attracting business development.

39. Existing employment and business land is concentrated to the north of the town, around site BUS1 and BUS3. I note that, whilst BUS1 is identified as a business safeguard, it includes undeveloped land. A further allocation is identified at site OP2, located in the south west of the settlement, where development of one hectare of employment land is expected to be delivered when the council depot has moved from the site. Whilst BUS2 is identified as a business safeguard, there are no existing business uses on the site. I agree with the council that if the site is retained for employment purposes, a business opportunity allocation would be more appropriate.

40. I note the community support for retaining site BUS2 as employment land in the Issues and Actions Paper and that the council considers that it should be retained for business purposes. However, the evidence before me suggests there is sufficient business land elsewhere in Kemnay and along the nearby A96 corridor to meet local and strategic employment requirements. I conclude that the retention of site BUS2 would therefore not be justified solely on the grounds of need.

41. I now turn to the potential use of the site for housing. The council, in its strategic environmental assessment, identified no negative effects for site GR134. However constraints such as landscape and visual impact, flooding and topography were noted.

42. It is not clear, from the Issues and Actions Paper, which comments relate specifically to bid site GR134. Given the location of site GR134 next to existing housing, I find that housing would be compatible with neighbouring uses. I do not consider that transport impact and distance from schools would justify the non-allocation of the site for housing. I find that matters relating to potential flood risk and impact on infrastructure are already addressed in the ‘flood risk’ and ‘services and infrastructure’ section of the settlement statement.

43. I note that Kemnay Academy is already operating at capacity and that developer contributions would be required to help mitigate the impacts of additional housing development. The vision statement also refers to a review of secondary education provision in the Garioch area in the medium term.

44. In terms of landscaping and topography, I find that the principle of development has already been established on this site, as it has an extant consent for commercial development and has been safeguarded for business use. Furthermore, it is located within the settlement boundary in the adopted local development plan and the proposed plan. Whilst the site lies within the Bennachie Special Landscape Area, I do not consider that residential development would have a greater impact in terms of landscaping and topography than the proposed business use and mitigation could be provided through appropriate landscaping proposals.

45. The vision for Kemnay as set out on page 578 of the proposed plan indicates a high level of services available in the town, including retail, commercial and education facilities. A site for a new health centre has been identified, as has a site for expanding the community garden. The vision also identifies that further housing development at an appropriate scale would help meet local housing needs.

46. Whilst the discussions with Kemnay Community Council in October 2017 indicate a desire to retain the areas of employment land identified in the settlement, support is also expressed for additional housing suited to meeting local needs.

47. Within the settlement, only site OP1 has been allocated for housing development. This site has planning consent and at the time of my site inspection was under construction. The 2020 housing land audit indicates that the 20 homes on the site are nearing completion. Furthermore, I note that a site for 65 homes on land to the east of Greystone Road, allocated in the existing local development plan, is not included in the proposed plan.

48. Matters relating to overall housing provision in the proposed plan are covered in issues 2 and 5. Kemnay lies within the Aberdeen Housing Market Area, where it is concluded, under Issue 5, that additional land for housing is needed to meet the strategic development plan allowance for the period up to 2032. The bid proposal for site BUS2 is being promoted by a house builder, who has indicated that development can come forward within the plan period.

49. Overall, I conclude that that housing development on this site could be accommodated with limited impact on the character of the settlement, on the landscape and on local services. The principle of development is already established and I have concluded that the retention of the site as employment land would not be justified on the grounds of need. Given the size of the settlement and range of local services, I consider Kemnay to be an appropriate location for additional housing to meet local needs and contribute towards meeting the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area.

50. Taking account of the above considerations, I conclude that designation BUS2 should be removed from the plan and the site should instead be allocated for housing and identified as contributing towards the strategic development plan allowance for the

Aberdeen Housing Market Area.

51. It is recommended that the plan be modified to identify bid site GR134 as allocation OP3: Land to the east of Stuart Crescent for 65 homes and include an allocation summary, as set out in the recommendations below. The allocation summary should indicate that a master plan would be required in line with policy P1 (Layout, Siting and Design), which would provide the opportunity for input from local residents and other interested parties.

52. Allocation Kemnay OP3 should be included in the revised version of Appendix 6 and shown as contributing 65 homes to the strategic development plan allowance for the Aberdeen Housing Market Area.

53. Modifications to this effect are set out below.

Non-Allocated Bid Site GR135 – Land at Kirkstyle Farm (South)

54. Bid site GR135 is a site to the east of Kemnay, south of the B993. At the time of my site inspection, the site appeared to be in agricultural use. It is outwith the settlement, and is surrounded by open fields to the east, south, west and partially to the north. There is established residential development on the opposite side of the B993 to the north and a row of low density development fronting onto the B993 adjacent to the site.

55. A representee has requested that bid site GR135 be allocated for 111 homes, for delivery after site GR134 has potentially been delivered. The site could either be identified as an allocation for development in the plan period or as a future strategic reserve.

56. The strategic environmental assessment identified site GR135 as having a negative effect in terms of landscape and visual impact. At the Main Issues Report stage, site GR135 was not identified as being preferred for development due to landscape and visual impact and topography.

57. I note that the site is relatively isolated from the main settlement in terms of physical connectivity, and may visually present as an isolated pocket of development on the south side of the B993. The potential impact on the Bennachie Special Landscape Area is of concern to the council. I appreciate that the site is outside the special landscape area but it is immediately adjacent to it. However, I acknowledge that adverse landscape and visual impacts could potentially be mitigated through site layout and strategic landscaping.

58. We have concluded under Issue 2, that there is no requirement for the plan to identify future opportunity sites for development beyond 2032. Given my recommendation to allocate bid site GR134, I do not consider there is any justification for a further allocation in Kemnay at this time. Alternative sites have been identified, alongside bid site GR134, to meet the shortfall in the housing land provision in the Aberdeen Housing Market Area (See Issue 5). No modification is required.

Midmar

Site OP1 – Roadside of Corsindae

59. Midmar is small linear village, with all existing development lying to the north of the road that links the B9119 and the A994. The village is served by a primary school and a

village hall. Site OP1 lies between the village hall and the established residential development and is roughly triangular in shape. The allocation is expected to deliver 12 homes in the plan period. Planning permission for nine homes was granted and development commenced on the adjacent site. At the time of my site visit, incomplete site works were in evidence on the adjacent site and site OP1 was fenced off and inaccessible.

60. The site has attracted objections from the community council, who are concerned that the development of the site for 12 homes could lead to the loss of protected land, that the community garden may not be delivered, that homes in close proximity to the hall may inhibit activity there, and that better sites are available in the village.

61. The strategic environmental assessment identified site OP1 as having a negative effect in terms of a potential increase in the need to travel. At the Main Issues Report stage, site OP1 was identified as a preferred allocation for 20 homes, with no constraints identified. It was stated that as there was no project to deliver a public garden adjacent to the village hall, alternative uses for the site should be considered. The Issues and Actions Paper notes objections to the proposal, but that NatureScot considers this site to be a more suitable location for housing than bid site GR054. The council concluded that an allocation for 12 would be more appropriate to allow for the provision of a landscape buffer.

62. As there is no identified project to deliver the public garden, I can appreciate that a productive alternative use has been sought for the site. The site lies within the settlement boundary in the current local development plan and I am satisfied that housing is a use which would be appropriate in this location. It would add to the range of housing sites identified as contributing towards the strategic development plan allowance in the Aberdeen Housing Market Area and help consolidate the primary school roll. Any application for planning consent would need to include a landscape buffer along the northern boundary, which should help minimise any conflict between new and existing uses. No modification to the plan is required.

Non-Allocated Bid Site GR054 – Land South of Midmar School

63. This is a site to the south of the village, immediately adjacent to the primary school and car park. At the time of my site visit, commercial tree planting appeared to have been recently cleared.

64. The representation is seeking an allocation for 20 homes, of which 60% would be affordable and 40% for sale at market rates. All would be delivered in the current plan period.

65. The strategic environmental assessment, identified site GR054 as having negative effects in terms of the loss of ancient woodland and the requirement for increased travel. At the Main Issues Report stage, site GR054 was not identified as being preferred for development, but it was noted that the site was well related to the remainder of the settlement. In the Issues and Actions Paper, NatureScot noted that the site included ancient woodland and that it was an important and irreplaceable natural resource.

66. The issue of the site containing ancient woodland appears to be one of the primary reasons for not allocating the site for development in the proposed plan. I note that the representation contains considerable evidence which sets out the history of land uses on the site and which appears to demonstrate that there is no ancient woodland on site

GR054. It does lie adjacent to Marywell Wood, which may comprise ancient woodland and is identified as being ancient woodland. The commercial woodland on the site has been felled.

67. I note that Forestry Commission (now Scottish Woodlands) has agreed a compensatory planting scheme for the site. Given the evidence submitted by the representee and my observations that planting on the site has been felled, I am satisfied that irreplaceable ancient woodland would not be compromised by the development of this site for housing.

68. The community council has expressed its support for the allocation of the site, as has the primary school and other members of the public. However, this support would appear to be as an alternative to site OP1. Given my conclusions above that site OP1 should be retained in the plan and the limited range of local facilities in Midmar, I do not consider that an additional housing allocation would be justified at this time. The limited size of Midmar and its relatively remote location suggest that the allocation of land for 32 houses in total would not represent sustainable development. Furthermore, whilst the site is conveniently located next to the primary school, it would result in a significant south-westerly extension of the settlement into the surrounding countryside.

69. The council has also expressed concern regarding the potential impact on the local road network, arising from the development of the site. I am satisfied that a requirement for a transport assessment to be submitted with any development proposal would address this issue.

70. As set out in the conclusions to issue 5 of this examination, there is a shortfall of housing land in the Aberdeen Housing Market Area. I acknowledge that this site could contribute to addressing the identified shortfall. However, for the reasons set out above, I conclude that it should not be allocated in the plan. Alternative sites have been identified to meet the shortfall. No modification is required.

Non-Allocated Bid Site GR055 – Land at Tillybirloch

71. A representee has requested that bid site GR055 be allocated for four homes in Tillybirloch. Tillybirloch is not a settlement and the representation is not seeking to have it allocated as such.

72. The strategic environmental assessment identified GR055 as having no negative effects. At the Main Issues Report stage, it was noted that the site was not in a settlement, was distant from Midmar, was in an unsustainable location and would be car reliant.

73. As the site is not within a settlement, nor in an area where a new settlement is proposed, I find that the development of such a site for housing would properly fall to be considered under the appropriate policies for development in the countryside and through the development management process. In addition, sites under five homes have not been allocated for development in this plan. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

Cluny and Sauchen

1. Deleting the words 'these sites' and replacing them with 'this site' in the final sentence of the flood risk section in the Cluny and Sauchen settlement statement on page 535.

Kemnay

2. Amending the boundary of the BUS1 designation on the Kemnay settlement map on page 582 to exclude the privately owned garden ground shown in representation PP0042.

3. Deleting BUS2 from the other designations section of the settlement features tables in the Kemnay settlement statement on page 579.

4. Inserting the following new allocation after OP2 in the Kemnay settlement statement on page 581:

"OP3: Land to the east of Stuart Crescent

Allocation: 65 homes

This is a new housing allocation on land that was previously identified for business development in the 2017 local development plan. The site is located on the eastern edge of the settlement and slopes gently upwards in a northerly direction from the B993 road.

A master plan is required for this site. Early discussions should take place with the council to identify the assessments required to inform and support development proposals. These are expected to include matters such as transport, drainage and flood risk.

It is anticipated that the site would be accessed from the B993 road, with provision made for a continuation of the pedestrian footpath on the north side of the B993, as far as the new road junction. Provision for active travel is required.

Strategic landscaping is likely to be required to soften the settlement edge and reduce the prominence of the development, particularly when approaching from the east. The site lies within the Bennachie Special Landscape Area. Development should not adversely affect the special qualities for which this area is identified. A Landscape and Visual Impact Assessment may be required.

It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and integrated into the design of the development to provide a mix of houses types and sizes to meet local needs."

5. Amending the Kemnay settlement map on page 582 to replace site BUS2 with housing allocation OP3.

6. Adding Kemnay OP3 for 65 homes to the table of sites which contribute towards the strategic development plan allowance for the Aberdeen Housing Market Area in Appendix 6. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report).

<p>Issue 41</p>	<p>Other Settlements RHMA (Garioch) – Auchleven, Chapel of Garioch, Durno, Lethenty, Meikle Wartle, Old Rayne, Oyne and Whiteford</p>	
<p>Development plan reference:</p>	<p>Proposed LDP, Appendix 7D Garioch, Page 526-527 Proposed LDP, Appendix 7D Garioch, Page 532-534 Proposed LDP, Appendix 7D Garioch, Page 540-542 Proposed LDP, Appendix 7D Garioch, Page 603-604 Proposed LDP, Appendix 7D Garioch, Page 614-616 Proposed LDP, Appendix 7D Garioch, Page 617-619 Proposed LDP, Appendix 7D Garioch, Page 628-629</p>	<p>Reporter: Sinéad Lynch</p>
<p>Body or person(s) submitting a representation raising the issue (including reference number):</p>		
<p>Auchleven PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian</p> <p>Chapel of Garioch PP1219 Scottish Environment Protection Agency</p> <p>Durno PP0137 Stephen McMinn PP1219 Scottish Environment Protection Agency</p> <p>Lethenty PP1287 W. Maitland and Sons</p> <p>Meikle Wartle PP0099 Ewan Grant PP1219 Scottish Environment Protection Agency</p> <p>Old Rayne PP0079 Lee Steed PP0272 David Carmichael PP0332 Alan Newell PP0430 Alexander Hardie PP1038 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Oyne PP0084 Patrick Quinn PP1219 Scottish Environment Protection Agency</p>		

<p>Whiteford PP0952 Drumrossie Land Development Company Ltd</p>	
<p>Provision of the development plan to which the issue relates:</p>	<p>Auchleven Settlement Statement Chapel of Garioch Settlement Statement Durno Settlement Statement Meikle Wartle Settlement Statement Old Rayne Settlement Statement Oyne Settlement Statement Whiteford Settlement Statement Other Garioch Settlements</p>
<p>Planning authority's summary of the representation(s):</p>	
<p>Auchleven</p> <p><u>Flood Risk</u></p> <p>Scottish Environment Protection Agency (SEPA) has confirmed that it has no comment to make on the 'Flood Risk' bullet point in the Settlement Statement (RD0214.B). No modification sought (PP1219).</p> <p><u>Services and Infrastructure</u></p> <p>SEPA has confirmed that it has no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).</p> <p>NHS Grampian has requested that a statement is added to recognise the requirement for residential development to contribute towards "Health and care facilities". NHS Grampian has provided suggested wording (PP1223).</p> <p><u>Site OP1 – Auchleven Croft</u></p> <p>SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).</p> <p><u>Site OP2 – Adjacent to Premnay School</u></p> <p>SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).</p> <p>Chapel of Garioch</p> <p><u>Flood Risk</u></p> <p>SEPA has confirmed that it has no comment to make on the 'Flood Risk' bullet point in the Settlement Statement (RD0214.B). No modification sought (PP1219).</p> <p><u>Services and Infrastructure</u></p> <p>SEPA has requested that the second sentence in the 'Strategic drainage and water supply' bullet point is replaced to state that full authorisation rather than early engagement, will be</p>	

required from SEPA for any private treatment which will need to be built to an adoptable standard (RD0214.B) (PP1219).

Site OP1 – Land at Pitbee

SEPA has requested that the last two sentences referring to waste water are removed from the allocation summary as they are satisfied this issue will be addressed in the strategic drainage bullet point once reworded (RD0214.B) (PP1219).

Durno

Vision

A representee has supported the decision not to allocate any housing to the settlement but disagrees with the use of the word 'significant' in the Vision as it would allow development, and this was not approved by any of the Council Committees (PP0137).

Flood Risk

SEPA has confirmed that it has no comment to make on the 'Flood Risk' bullet point in the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that it has no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Lethenty

Settlement Status

One representee has stated that Lethenty should be recognised as a settlement and have a Settlement Statement. The settlement should consist of land subject to bid site GR081 (discussed below) (PP1287).

Non-Allocated Site – Bid Site GR081 (part) – Land North and West of Lethenty

A representee has requested that part of bid site GR081 be allocated 7 homes. The representee has argued that the site offers an opportunity for a new sustainable semi-rural lifestyle, providing an extension to an existing 'settlement', with a new cycle route and commercial business in Lethenty able to support its role as a rural settlement. It is believed that not enough land has been allocated on a range of locations or scales in the area. The proposed site fits with the pattern of existing settlement, that landscape and visual impact have been considered, and that the loss of prime agricultural land on part of the site is justified. Also, there is no flood risk, a waste water treatment and drainage solution would be identified, and proximity to pipeline consultation zones should not restrict development. The representee has included an Appendix (RD0242.A) in their submission which provides further detail to support their position (PP1287).

Meikle Wartle

Vision

A representee has expressed concern regarding existing footpaths. The representee notes this matter is referred to in the Vision but believes this should be looked at in more detail (PP0099).

Site R1 – To provide a car park for the village hall

SEPA has confirmed it has no issues with the designation text for site R1. No modification sought (RD0214.B) (PP1219).

Flood Risk

SEPA has confirmed that it has no comment to make on the 'Flood Risk' bullet point in the Settlement Statement (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that it has no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land North of Meikle Wartle

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has raised concern that the number of housing eventually built will increase significantly from the 12 homes proposed. Concerns are based on previous experience of the 'Earls Ree' development where an initial 12 houses became 21 houses. The representee has sought clarity on what is in place to prevent more homes being built than allocated, and that houses are not built on areas designated for public open space. The representee seeks clarity on development detail, in particular house types, ground level details, arrangements for roads, pathways, and fencing. The representee considers that new houses should be no greater than 1.5 storey high, and as a neighbour, has a particular concern regarding blocking aspect and light, and would like to input on the border layout (PP0099).

Old Rayne

Flood Risk

SEPA has requested that a new 'Flood Risk' section and bullet point is added for consistency to highlight sites OP1 and OP2 being at risk from flooding and a Flood Risk Assessment (FRA) may be required (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has requested that for consistency, a new 'Strategic drainage and water supply' bullet point is added to provide a reference to waste water drainage after consulting with Scottish Water to confirm that the proposed population growth is within the design criteria for the existing waste water infrastructure and, if not, the need for an upgrade is highlighted

(RD0214.B) (PP1219).

Scottish Water has requested that a new 'Strategic drainage and water supply' bullet point is added to state, "There is currently capacity at Old Rayne Waste Water Treatment Works." (PP0272).

Concern has been raised with regard to access to any further development and the need for a new link road to the A96 in Old Rayne. Lawrence Road is a narrow winding road with blind corners and many parts with no pavement and in other parts reduced width. It is single carriageway over the Ury bridge and at the St Lawrence Hall. There is the prospect of over 40 new homes or businesses and close to 100 more vehicles passing through the settlement. With the inevitable increase in children walking/ attending the primary school and also the increase in cycling then their safety will be in severe danger. A new link road with standard pavement and cycle lane must be incorporated into any future planning permission (PP0430).

Site OP1 – Land North of Pitmachie Farm

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Two representees have objected to the inclusion of site OP1 (PP0332 and PP1038). The scale of development is inappropriate, no feasibility assessment of the site has been made and there would be a detrimental impact at the A96 junction. There is no safe route to school and lack of play areas. Their view would also be impacted (PP0332). It is additionally noted that there is no basis for confidence that it can become effective during the Plan period to satisfy SPP. It is inappropriate and unjustifiable to score capacity as contributing to the allowances. It is a long-term constrained site with a physical constraint that is unlikely to improve without requiring additional land in different ownership. There has not been planning permission on the site and no housebuilder noted interest (PP1038).

Site OP2 – Barreldykes

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

A representee has objected to the inclusion of site OP2. The representee states the local Community Council does support it, the local community do not believe the site is suitable, the proposed scale is detrimental to the settlement, the site is home to a badger sett close to Mill Croft Woods, it will disturb wildlife in the adjacent woods, including squirrels, deer insects and birds of prey, it will affect the spawning grounds of Brown Trout along the adjacent Bonnyton Burn, and the site sits on a raised elevation and will be very overbearing. Other negative effects include increased traffic, poor visual impact, primary school is overcapacity, additional noise, light and air pollution, and pedestrian safety due to lack of pavements in the village. In addition, the A96 junction may not be fit for purpose for the increase in the number of homes, and the settlement lacks sufficient amenities and community infrastructure for 30 homes. Concern is expressed regarding soil saturation and trees blowing over as the wooded area of their garden is water-logged from a Barrel Dykes sewer pipe running through the site OP2 (PP0079).

Oyne

Site BUS – Safeguarded for business uses

SEPA has confirmed it has no issues with the designation text for site BUS. No modification sought (RD0214.B) (PP1219).

Flood Risk

SEPA has confirmed that it has no comment to make on the 'Flood Risk' bullet point in the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has requested that the 'Strategic drainage and water supply' bullet point also states that Oyne lies within a SEPA Waste Water Drainage Consultation Area and site investigations will be required for any private system, built to an adoptable standard (RD0214.B) (PP1219).

Site OP1 – Former Archaeolink Site

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has objected to the inclusion of site OP1 on the basis of non-delivery and lack of there being a need for such a development. The representee has stipulated a number of requirements that should be identified in the allocation summary should the allocation remain in the LDP. These include the retention of mature trees, restricting development to 1½ storeys, ensuring access to Berryhill for walkers including during any construction, development should be completed at the same time and not piecemeal over a number of years and implementation of additional speed reduction/enforcement measures (PP0084).

Whiteford

Vision

A representee has requested that the objectives for the settlement be modified to include provision for a small affordable housing development to meet established demand and sustain local facilities including the primary school and village hall (PP0952).

Non-Allocated Site – New Site N017 – Land at Whiteford Road

A representee has sought an extension to the settlement boundary to include land subject to an extant planning permission for 3 homes or identify the site as an opportunity site for 9 homes. The representee outlines that the site benefits from an extant planning permission for three detached homes which has been partially implemented and so remains in perpetuity. Change was sought through the Main Issues Report (MIR) that the settlement boundary was changed to include the area in the plan with planning permission which has been done elsewhere in the LDP, but this did not happen. Extending the settlement boundary would allow for flexibility to reconfigure the layout utilising the access arrangement for the extant permission and accommodate a viable affordable housing

scheme of up to nine affordable homes either through the infill policy or as an opportunity site which would have no detrimental intrusion into the countryside. There was previous expansion planned for Whiteford in the Local Plan 2006, but this was subsequently removed in the 2012 LDP and rolled forward into the 2017 LDP. The site would benefit and support the local services including the village hall and local school which has been done elsewhere in the Garioch area. The local primary school is forecast to remain in capacity until 2026 and even then, would be 7 pupils under capacity and contributions would be made to Meldrum Academy as part of any future application. Concerns were raised over the junction with the A96 but the allocation of land for development would provide the opportunity to address that issue. Concerns were also raised about flood risk but the extant planning permission on the site did not have flooding issues and increasing the numbers would have no increased risk of flooding. It is also noted that lack of community engagement was a reason for not including the site but due to the small-scale nature of the proposal formal public engagement was not seen to be necessary and there were no public objections to the extant planning permission. Positive discussions with the Council's Housing Service and a number of housing associations have taken place and have been positive in respect of the site being taken forward as a 100% affordable housing development, to meet existing demand across Aberdeenshire. The representee has included two Appendices (RD0179.A and RD0179.B) in their representation which provides further detail to support their position (PP0952).

Modifications sought by those submitting representations:

Auchleven

Modify the PLDP to add new 'Health and care facilities' bullet point, "Health and care facilities: All residential development must contribute towards the creation of additional capacity at health facilities in Inch to allow for additional capacity." (PP1223).

Chapel of Garioch

Services and Infrastructure

Modify the PLDP to replace the second sentence in the 'Strategic drainage and water supply' bullet point with, "Full authorisation will be required from SEPA for any private treatment which will need to be built to an adoptable standard." (PP1219).

Site OP1 – Land at Pitbee

Modify the PLDP to remove the last two sentences, "Early engagement should be undertaken with SEPA and full authorisation sought for relevant licensing of private treatment. Options to provide a new waste water treatment works should also be explored." from the allocation summary (PP1219).

Durno

Vision

Modify the PLDP to amend the Vision to read: "Durno is not considered suitable for any further development." (PP0137).

Lethenty

Settlement Status

Modify the PLDP to recognise Lethenty as a settlement (PP1287).

Non-Allocated Site – Bid Site GR081 (part) – Land North and West of Lethenty

Modify the PLDP to include part of bid site GR081 for 7 homes (PP1287).

Meikle Wartle

Vision

Modify the PLDP to provide further detail with regard to footpath improvements (PP0099).

Site OP1 – Land North of Meikle Wartle

Modify the PLDP to ensure that the site capacity is not increased beyond 12 homes (PP0099).

Modify the PLDP to provide clarity with regard to house types and layout, ground level details, arrangements for roads, pathways, and fencing (PP0099).

Old Rayne

Flood Risk

Modify the PLDP to add a new 'Flood Risk' section and bullet point, "Sites OP1 and OP2 lie adjacent to SEPA's Indicative 1:200 flood risk area and/or have small watercourses running through them. Flood Risk Assessments may be required." (PP1219).

Services and Infrastructure

Modify the PLDP to add a new 'Strategic drainage and water supply' bullet point on waste water drainage in Old Rayne after consulting with Scottish Water (PP1219).

Modify the PLDP to add a new 'Strategic drainage and water supply' bullet point to read, "There is currently capacity at Old Rayne Waste Water Treatment Works" (PP0272).

Modify the PLDP to add a requirement for a new link road with standard pavement and cycle lane to be incorporated into any future planning application (PP0430).

Site OP1 – Land North of Pitmachie Farm

Modify the PLDP to remove site OP1 (PP0332).

Modify the PLDP to remove the contribution to the SGA Allowances for OP1 Old Rayne and identify an alternative effective allocation in the Huntly – Pitcaple SGA or, if constrained by marketability, in another SGA (PP1038).

Site OP2 – Barreldykes

Modify the PLDP to remove site OP2 (PP0079).

Oyne

Services and Infrastructure

Modify the PLDP to add text to the 'Strategic drainage and water supply' bullet point to read, "... Oyne lies with a SEPA Waste Water Drainage Consultation Area. Therefore, site investigations will be required for any private system, which will be required to be built to an adoptable standard to allow connection once the growth project is complete." (PP1219).

Site OP1 – Former Archaeolink Site

Modify the PLDP to remove site OP1 or amend the allocation summary to ensure the retention of mature trees, restrict development to 1½ storey, ensure access to Berryhill for walkers including during any construction, ensure development is completed at the same time and not piecemeal over a number of years and implement additional speed reduction/enforcement measures (PP0084).

Whiteford

Vision

Modify the PLDP Vision to reflect a settlement objective to support a small affordable housing development (PP0952).

Non-Allocated Site – New Site N017 – Land at Whiteford Road

Modify the PLDP to extend the settlement boundary to allow for infill for three houses with extant permission or identify the site as an opportunity site for 9 affordable homes (PP0952).

Summary of responses (including reasons) by planning authority:

Auchleven

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NHS Grampian's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Auchleven Croft and Site OP2 – Adjacent to Premnay School

Comments from SEPA are noted. No change is required.

Chapel of Garioch

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land at Pitbee

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Durno

Vision

The Council does not agree with the removal of the word "significant" from the Vision statement. The representee wishes to see the Vision changed to prevent any development. The implications of such a change would mean that householder developments, for example, would be contrary to the LDP. The Council believe such a change would be inappropriate and overly restrictive. The Council strongly contest the argument that the word "significant" has been included within the PLDP without Council approval. The existing LDP 2017 also uses the word "significant" within the Vision statement (AD0034.G, page 383). Changes to the Vision were identified via the Draft PLDP published alongside the MIR 2019 but not in terms of the word "significant" (AD0039, page 18). The PLDP has also been subject to approval by Full Council prior to its publication. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Lethenty

Settlement Status

The Council does not agree to preparing a Settlement Statement for Lethenty in Appendix 7 as there are no land use allocations or other designations proposed. As outlined in the Issues and Actions Papers (AD0040.E, page 118), it is maintained that Lethenty is an unsustainable location and that development should be focused towards, existing settlements, in accordance with paragraphs 40 and 81 of SPP (AD0012). Lethenty does

not meet the criteria of being classed as a “settlement” as it does not have sufficient urban characteristics or facilities to support it as a settlement. Transport access is very poor. In addition, as there are no protected, reserved, or opportunity sites identified it would not be appropriate to include Lethenty within the Appendix 7. Development in this area would be considered under the relevant policies in the PLDP. No change is required.

Non-Allocated Site – Bid Site GR081 (part) – Land North and West of Lethenty

The Council does not support allocating bid site GR081 for 7 homes, in part or in its entirety. Bid site GR081 was not identified as preferred option in the MIR 2019 (see MIR 2019, Appendix Garioch, AD0038.E, page 104). Even at a reduced scale, the site is distant from amenities or community facilities which would promote high car dependency. Lethenty is considered to be an unsustainable location and as such that development should be focused towards, existing settlements, in accordance with paragraphs 40 and 81 of SPP (AD0012). Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

Meikle Wartle

Vision

The Council believes that it has been pragmatic in their approach to footpaths in the Vision statement. The Vision recognises there is an issue to be resolved with regard to creating a safe route to school, but the Council are unable, through the LDP, to identify a suitable solution to this problem. The intention is to outline that such a route would be an aspiration. No change is required.

Site R1 – To provide a car park for the village hall

Comments from SEPA are noted. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land North of Meikle Wartle

Comments from SEPA are noted. No change is required.

As outlined in proposed Policy H1 (paragraph H1.3) site capacities are intended to be indicative. Unfortunately, the Council can give no guarantees that a subsequent planning application for the site could not propose a greater scale of development. This is a matter that would be considered through the development management process in determining whether the proposal is suitable in respect of its layout, siting and design, in accordance with relevant policies and other material considerations. A representee has raised concern

that the number of houses eventually built will increase significantly from the 12 homes proposed. The matters the representee seeks clarity on (house types, amenity impact, ground level details, arrangements for roads, pathways, and fencing) would all be addressed at such time as a detailed proposal comes forward and would be addressed via the development management process. No change is required.

Old Rayne

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council notes comments received from SEPA and Scottish Water. The Council believe that the revised text provided by Scottish Water would satisfy SEPA's modification. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not agree that a provision of a link road to the A96 should be a requirement of development. The proposed Settlement Statement contains detail on what requirements there might be in terms of local transport infrastructure and any proposal coming forward would also be considered by the Council's Roads Development Team through the development management process. In addition, the allocation summaries contain specific measures that would be required in bringing forward allocated sites. This information has been provided in consultation with the Council's Transportation Service in preparing the PLDP. No change is required.

Site OP1 – Land North of Pitmachie Farm

Comments from SEPA are noted. No change is required.

The concerns from the representee are noted. However, it is not agreed that the site should be removed. As noted, in the Main Issues Report the site is within the settlement boundary therefore the development would be brownfield land and an infill opportunity. The proposal for 10 homes would continue the style of the "model" home adjoining the site providing affordable low energy sustainable housing options for the village. Despite the lack of open space on the indicative plan the site is of a size to accommodate this (AD0038.E, page 24). The site is also replacing the existing allocation in the settlement therefore the concerns regarding the scale of development and impact in the A96 junction are refuted. The concerns regarding the safe route to school is noted. However, within the allocation summary there is a requirement for the development to deliver a safe route to school which should help to alleviate concerns from the representee, see Proposed Plan (AD0041.G, page 615). No change is required

Additionally, more information can also be found in Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, regarding the Housing Land Supply calculations. No change is required.

Site OP2 – Barreldykes

Comments from SEPA are noted. No change is required.

Site OP2 was allocated by the Reporter in examining the PLDP 2015 (AD0036). The site is identified as being effective in Housing Land Audit 2019 with delivery projected between 2022 and 2027 (AD0022, page 123). The Council see no reason to remove the site from the PLDP. Matters raised by the representee can be addressed at such time as a detailed proposal comes forward through the development management process. The Council dispute the assertion that the Community Council object to inclusion of the site. In responding to the MIR, the Bennachie Community Council indicated support for the site (MIR response, AD0185). The Community Council has not included any comments in their representation to the PLDP to suggest their view has changed. No change is required.

Oyne

Site BUS – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Former Archaeolink Site

Comments from SEPA are noted. No change is required.

The Council note that the site is marketability constrained in terms of the HLA 2019. However, as a disused brownfield opportunity the Council believe it is appropriate to continue to identify it in the PLDP. Through its allocation and subsequent inclusion in the associated Delivery Programme, the Council's Delivery Team would be able to facilitate any discussion required between parties and work with them to bring the site forward. No change is required.

Whiteford

Vision

The Council does not agree that the Vision statement should be amended as suggested by the representee. Reasons are outlined in response to the matter below. No change is required.

Non-Allocated Site – New Site N017 – Land at Whiteford Road

The Council does not agree that the settlement boundary should be extended to encompass land subject to APP/2013/2710 nor do we agree that the site should be

identified as an opportunity site. As outlined in the response to this request at the MIR stage, it may be appropriate once the 3 homes, the subject of APP/2013/2710, have been built out to include the application site within the settlement boundary as contributing towards the built-up area of Whiteford (AD0040.E, pages 113-114).

In terms of the proposal to allocate an opportunity site for 9 homes, as alluded to in the MIR Issues and Actions Paper (AD0040.E, pages 113-114), the Council are not aware that any community engagement exercise has been undertaken to gauge community feeling towards the proposal. As a result, the community view of such a proposal is unknown at this time. The Council believes it would be more appropriate for this site to be considered in a future review of the LDP with a bid put forward to any call for sites issued by the Council. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of this plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to the settlements statement matters covered in Issue 41. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below

Auchleven

3. NHS Grampian has requested additional text in the services and infrastructure section on page 576 of the proposed plan to set out the requirement for all residential development to contribute to the creation of additional capacity at health facilities in Inch.

4. Policy RD2.14 in the proposed plan indicates that it may be appropriate to seek contributions towards health and care facilities. Whilst NHS Grampian has indicated that there is a need for additional capacity at health facilities in Inch, it has not been demonstrated that financial contributions from development at Auchleven would meet the tests of Circular 3/2012. Furthermore, I note that planning permission has already been granted in relation to allocations OP1 and OP2. I consider that the wording suggested by NHS Grampian should be amended to indicate that there may be a requirement for contributions towards health facilities. A modification to this effect is recommended.

Chapel of Garioch

Services and Infrastructure

5. The Scottish Environment Protection Agency (SEPA) has suggested that full authorisation rather than early engagement, would be required for any private treatment. A modification to the text is requested. As development in the village would be reliant on a

private waste water system, I find that the reference to 'full authorisation' would be appropriate. A modification to the strategic water and drainage supply bullet to reflect the wording suggested by SEPA is recommended.

Site OP1 – Land at Pitbee

6. As a consequence of the above recommended modification, SEPA has requested that the last two sentences on waste water are removed from the allocation summary for OP1. I agree that this would be logical. A modification is recommended accordingly.

Durno

Vision

7. A representation has objected to the inclusion of the word 'significant' in the third sentence of the vision as set out the plan. The concern raised is that the inclusion of the word implies that less significant development may be approved, contrary to the planning objectives for the village.

8. I note the council's response and agree that, without the word 'significant', householder or infill development which may preserve the amenity and character of the village, would be contrary to the development plan. Although the version of the proposed plan considered by the area committee did not include the word 'significant', I am satisfied that the version which was approved by the Aberdeenshire full committee did. There is no justification for a total moratorium on development in Durno. I find that the inclusion of the word 'significant' is helpful in indicating the scale of development which would not be appropriate in Durno. No modification is required.

Lethenty

Settlement Status

9. A representation seeks to have Lethenty identified as a settlement in the plan. It is suggested that the existing commercial and housing development, and the northern part of bid site GR081 should encompass the extent of the proposed settlement. The proximity to and the prospect of a new cycle / footpath link to Inverurie is noted. The non-identification of Lethenty as a settlement in contrast to other comparable rural settlements in Aberdeenshire is questioned. The representations state that the identification of Lethenty as a settlement would enable the provision of semi-rural housing opportunities that are not available under the current policies in the proposed plan.

10. The council does not support the designation of Lethenty as a settlement, as there are no land use designations, no facilities and in terms of location, it is considered unsustainable.

11. I note that the glossary in the proposed plan provides a definition of a settlement. In this instance, and as observed at my site inspection, there is no identifiable boundary for a settlement; there is no definable built up area; there is no street lighting; and no reduced speed limit. There appear to be less than 15 residential address points. Both phases of bid site GR081 would be required to facilitate the numbers needed to meet the definition of a settlement. There are no public transport services to Lethenty and no education,

community, health or retail facilities. Overall, I find that the requirements for settlement status are not met in this location and that the proposal does not appear capable of meeting the definition of a settlement set out in the glossary. No modification is required.

Non-Allocated Bid Site GR081 (part) – Land North and West of Lethenty

12. A representation seeks the allocation of the northern part of bid site GR081 (Phase 2) for seven homes to be delivered in the plan period. The development would be set out in a traditional linear pattern, and be semi-rural in nature. A future phase, to the west of Lethenty, would provide a further eight homes.

13. The strategic environmental assessment identified site GR081 as having some negative effects, including the loss of prime agricultural land, flood risks and increased travel requirements. A negative impact on the character of the existing group and ribbon development was noted. The site is also partially within a pipeline consultation zone. At the Main Issues Report stage, the site was not supported as it would not provide a sustainable pattern of development, would negatively impact the character of the area and could lead to suburbanisation of the countryside.

14. Matters relating to overall housing provision in the proposed plan are covered in issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is no shortfall in the number of homes to be delivered by the housing land identified to meet the strategic development plan allowance for the Rural Housing Market Area.

15. The loss of prime agricultural land is noted, but I am satisfied that in line with Policy PR1 (Protecting Important Resources), this may be justified if required to meet strategic housing needs and there are no reasonable alternative sites. However, as sufficient land has been identified in the Rural Housing Market Area to meet the strategic development plan allowance, the loss of prime agricultural land would not be justified in this instance.

16. I also note the information regarding the position and status of the pipeline consultation zone and am satisfied that development could potentially still proceed. However, I consider that the proposed seven homes would alter the character of the existing group, which is not linear in form but clustered around Lethenty Mill. It would create ribbon development which may appear suburban in form and which would have a negative impact on the rural landscape. The lack of public services and access to public transport also persuade me that this location is not appropriate for a housing allocation in this plan.

17. The representation has raised the issue of housing allocations in settlements similar to Lethenty. I have visited each of these settlements and sites, and find that there are distinct differences between them and Lethenty. Each of the settlements referenced in the representation (Keithhall, Midmar and Millbank) meets the definition of a settlement and contains local services in the form of schools, community halls and public transport. Whereas, Lethenty does not meet the definition of a settlement and does not have the benefit of the services that those settlements enjoy.

18. For the reasons set out above, I conclude that this site should not be identified as a housing allocation. No modification is required.

Meikle Wartle

Vision

19. Concern has been raised in a representation regarding existing footpaths in the village. I note the reference to creating a safe route to school in the vision section, and in the local transport infrastructure section of the plan at page 603. Footway connections from site OP1 will also be required. I am satisfied that the council has addressed this issue in as much detail as is appropriate for a local development plan. Any further detail on footpath and safe routes provision would be dependent on the particulars of a development proposal. No modification to the plan is recommended.

Site OP1 – Land North of Meikle Wartle

20. Site OP1 lies to the north of the village and is allocated for 12 homes. Concern has been expressed that the number of houses built would exceed 12; land identified for open space would be built on; detailed plans are not available; and the current open aspect would be blocked. Other matters raised include boundary treatments and the height of the houses.

21. I note the concern regarding eventual site capacity, but as set out in Policy H1 of the plan, site capacity is indicative. If a proposal is capable of meeting relevant policies in the plan and is suitable in terms of siting, design and layout, then the actual number of homes would be a matter to be determined through the development management process.

22. The concerns raised in the representation about the potential impact on existing residential development in the area are site-specific matters that are not possible to address in a local development plan. Proposals would be assessed in relation to relevant policies, including policy P1 (Layout, Siting and Design) and policy P2 (Open Space and Access in New Development), with regard to impact on residential amenity and the character and appearance of the area. There would be opportunities for participation in the development management process once a planning application is submitted and I am satisfied that this would be the most appropriate point in the planning process to consider such potential impacts. No modification to the plan is required.

Old Rayne

Flood Risk

23. SEPA has requested that a new 'Flood Risk' section and bullet point is added for consistency, as sites OP1 and OP2 are at risk of flooding. I agree that a section on flood risk would add clarity to the plan and recommend that the plan be modified accordingly.

Services and Infrastructure

24. Both SEPA and Scottish Water have made representations in relation to the strategic drainage and water supply in Old Rayne. Scottish Water has confirmed that capacity is available and has provided wording to add as a new bullet point under the services and infrastructure section. This suggested amendment would also address the matters raised by SEPA. I agree that an additional bullet point would add clarity and I recommend that the plan be modified accordingly.

25. A representation has raised concerns relating to the scale of development proposed for Old Rayne in the plan period. In particular, concern is raised in relation to the capacity of Lawrence Road, which leads east from the A96 and runs through the village. In places the road is single lane, is without footpaths and has blind corners. The representation is seeking a link road from Old Rayne to the A96 to improve road safety and to serve the new development.

26. I note that the development allocations in Old Rayne have been assessed by the council's Roads Development Team and the need for a link road to the A96 as a consequence of the two allocations is not supported. I also note that each allocation is required to address the issue of safe routes to school, including new footbridges and links to the existing footpath network. I am satisfied that the issue of road safety has been appropriately addressed and that the need for a link road has not been demonstrated. No modification is required.

Site OP1 – Land North of Pitmachie Farm

27. This site is referred to as bid proposal GR067 in the Main Issues Report. It is now site OP1 and allocated for 10 homes, which are expected to be delivered in the plan period. I noted on my site visit the existing new house and commercial operations on the site and the existing access on to the A96.

28. There are two representations objecting to the allocation of the site on the grounds of access and road safety, community interests, and deliverability.

29. The comments made on deliverability appear to be based on an assumption that allocation OP1 in the proposed plan is on the same site as allocation OP1 in the existing local development plan. It is not. Allocation OP1 in the existing plan, which lies on the eastern side of the village and is identified as constrained in the 2019 housing land audit, has not been included in the proposed plan. Site OP1 in the proposed plan is a new allocation, which is not yet included in the housing land audit. Comments regarding existing constraints are therefore not relevant. In response to this representation and in the interest of clarity, I recommend that the relevant table in Appendix 6 Housing Land Allocations be amended to show allocation OP1 Old Rayne as a new site and to delete the figure '10' from the 'Constrained 2019' column.

30. The strategic environmental assessment identifies positive and neutral environmental effects in relation to this allocation. In particular, it recognises the benefits of redeveloping a brownfield site. The Main Issues Report notes that the existing buildings on the site are approaching the end of their useful life and that the site lies within the settlement boundary. The Issues and Actions Paper notes that the council considered it appropriate to allocate bid GR067 as a brownfield opportunity to replace the existing OP1 site, which is to be removed from the plan on the basis of non-delivery.

31. I note that other bid proposals were not supported in the Issues and Actions Paper. However, none of these are the subject of site specific representations and their non-inclusion in the proposed plan is not matter for this examination. Furthermore, I am unable to address questions regarding a potential conflict of interest in relation to the allocation of this site.

32. Given its location within the settlement boundary and the nature of neighbouring uses,

I consider the principle of redeveloping this brownfield site for housing to be appropriate. There is an existing access onto the A96 and the need to provide a safe route to school is included in the allocation summary. I anticipate that these matters and other comments regarding the detailed impact of development on neighbouring properties would be addressed further at planning application stage. The scale of development proposed seems to me to be appropriate for a site of this size and location. However, the exact number of homes to be developed and the site layout including open space provision would be determined at planning application stage, when neighbours and other interested parties would have the opportunity to submit representations.

33. The site is identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area. Based on the information before me, I do not consider that the matters raised in representations would justify the removal of this allocation from the plan. Apart from the minor amendment to Appendix 6, no modifications are required.

Site OP2 – Barreldykes

34. Site OP2 is a large site to the north-west of Old Rayne, allocated in this plan for 30 homes. It had previously been allocated in the 2017 Plan as site OP2. There is one objection to the allocation from a local resident.

35. A development of 30 homes in a village the size of Old Rayne is not considered modest. The site supports a variety of wildlife, upon which the development would have a negative impact. The Bonnyton Burn, which runs to the east of the site, is a spawning ground for brown trout and would be adversely affected. Pedestrian safety would be negatively impacted upon, due to the lack of pavements and the junction with the A96. The elevation of the site would lead to an overbearing impact on neighbouring properties. It is difficult to see what, if any, benefit the development could bring to the village. The relocation of a sewer pipe through OP2 has led to issues with water retention and tree loss due to saturated soil.

36. I note that at the Main Issues Report stage, Bennachie Community Council indicated support for the retention of the allocation. Although 30 homes in a single allocation may seem excessive, the plan covers a 10+ year period up to 2032. I noted on my site visit, that this part of Old Rayne is characterised by modern residential development. While the site is elevated, it is only marginally so over the existing residential development at Leslie Park and Barreldykes Way and I am satisfied that development would not be overbearing or have a negative impact on residential amenity for that reason.

37. This is a continuation of an existing allocation and the council's Roads Development Team has not raised any concerns regarding the junction with the A96. The issue of pedestrian safety has been addressed in the allocation summary, where footpath links to the school and the existing footpath network are specifically addressed. The allocation summary also indicates that a flood risk assessment is required. I anticipate that these matters would be addressed further at planning application stage. Matters relating to damage of private garden ground or details shown on the developer's plans cannot be addressed in the local development plan

38. The representation questions the benefits the development might bring to the village. I note that the site would be expected to contribute towards affordable housing in accordance with Policy H2 Affordable Housing and would provide additional residents to

help support local facilities. The provision of retail and employment uses would also provide local services and promote local employment opportunities.

39. I note the comments regarding the habitat for wildlife in the woods that bound the site and the trout hatchery in the Bonnyton Burn. In order to protect any wildlife and/or habitats, I recommend that the plan be modified to include a requirement for a habitat and wildlife survey. A modification is set out in my recommendations below.

Oyne

Services and Infrastructure

40. SEPA seeks an amendment to the 'Strategic drainage and water supply' bullet point to indicate that Oyne lies within a SEPA Waste Water Drainage Consultation Area and site investigations will be required for any private system, built to an adoptable standard. I agree that additional text on waste water would add clarity to the plan and recommend that the plan be modified accordingly.

Site OP1 – Former Archaeolink Site

41. A representation seeks the removal of site OP1 as there is no need for additional housing in Oyne, and the oil industry in the region will suppress the economy and the demand for new housing. The representation also raised some detailed matters to be addressed if the allocation is retained.

42. The site is allocated for 10 homes in the existing local development plan. I note that the 2019 housing land audit identifies the site as being constrained for marketability reasons. Allocation OP1 is a brownfield site which lies within the settlement boundary next to existing housing. I am satisfied that its inclusion in the plan as a site for housing is in accordance with local and national planning policy on the efficient re-use of previously used land.

43. The allocation summary on page 618 of the proposed plan sets out a number of development requirements which specifically address some of the concerns raised in the representation. Boundary trees are to be retained, a link to the footpath to Berry Hill is required, recycling facilities are to be retained, a Water Impact Assessment including drainage is required. It would not be appropriate for the local development plan to refer to a legally binding clause to limit development to a maximum of 10 houses or require all 10 houses to be built at the same time. In terms of road safety, reducing the speed limit to 20 miles per hour in the vicinity of the site is not a matter for the local development plan.

44. When visiting Oyne, I observed the homogenous design features that are typical in the village, even in more recent residential development, such as one and a half storey building heights and dormer windows. I agree that the design of any development should be appropriate for the village and I therefore recommend a modification to require a design statement to accompany any development proposal.

Whiteford

Non-Allocated New Site N017 – Land at Whiteford Road

45. An amendment to the text of the vision section is requested to provide for affordable housing on site N017, which lies to the west of the settlement. The representation is seeking an allocation of up to 9 affordable homes either in this plan period or as a future opportunity site, and an amendment to the settlement boundary to include site N017. The site has planning consent for 3 detached homes and at the time of my site visit, it was on the market for the sale of individual house plots. The representation advises that up to 9 affordable homes could be accommodated within the site boundary of the extant planning consent.

46. The site previously formed part of a larger allocation in the 2006 local plan for 15 homes to be delivered as future housing land in the period 2006-2015. This allocation was removed in the 2012 local development plan and not included in the 2017 plan.

47. As the site boundary would not change, the representation considers that there would be no adverse impact on the village in terms of visual and built form, access to services, the safety of the A96 junction and intrusion into the countryside. There would be positive outcomes in terms of housing choice and support for the existing facilities in the village such as Logie Durnie primary school, the village hall and recreation grounds. Flood risk has been identified as a general issue for the village but is not relevant to this site.

48. The site was not promoted at development bid stage, but a submission was made in response to the Main Issues Report. However, site N017 was not included in the strategic environmental assessment carried out by the council, and has not been the subject of public consultation.

49. Whilst the planning permission for three houses has been implemented, the site lies outwith the settlement boundary. This does not prevent the development of the site in line with the current permission. However, a development for nine homes would require a new application.

50. I find that I have insufficient information before me to assess the suitability of the site for nine homes, in particular as key agencies and local residents have not had the opportunity to consider the proposal. Furthermore, we have indicated in issue 5 that there is no requirement to allocate additional housing land to meet the strategic development plan allowance for the Rural Housing Market Area. I therefore conclude that site N017 should not be identified as a housing allocation.

51. If not allocated in this plan, the representation sought the identification of site N017 as a future opportunity site in the plan. Whilst the strategic development plan allows local development plans to identify additional strategic reserves beyond 2032, there is no requirement to do so. The council's decision not to identify future opportunity sites in this plan is therefore in accordance with the strategic development plan. This matter is addressed in issue 2 of this examination. Within this context, there is no justification to allocate bid site N017 as a future opportunity site in the plan.

52. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

Auchleven

1. Adding the following new final bullet point to the Services and Infrastructure section of the Auchleven settlement statement on page 526:
“• Health and care facilities: Residential development may be required to contribute towards the creation of additional capacity at health facilities in Insch.”

Chapel of Garioch

2. Replacing the second sentence in the ‘Strategic drainage and water supply’ bullet point of the Chapel of Garioch settlement statement on page 532 with:
“Full authorisation will be required from SEPA for any private treatment which will need to be built to an adoptable standard.”
3. Deleting the final two sentences of the allocation summary for OP1: Land at Pitbee in the Chapel of Garioch settlement statement on page 533.

Old Rayne

4. Adding the following new Flood Risk section to the Old Rayne settlement statement on page 614:
“Flood Risk
• Sites OP1 and OP2 lie adjacent to SEPA’s indicative 1:200 flood risk area and/or have small watercourses running through them. A Flood Risk Assessment may be required.”
5. Adding the following new first bullet point to the ‘Services and Infrastructure’ section of the Old Rayne settlement statement on page 614:
“• Strategic drainage and water supply: There is currently capacity at Old Rayne Waste Water Treatment Works.”
6. Amending the entry for Old Rayne OP1 in the relevant table in Appendix 6 to show it as a new site and delete the figure ‘10’ from the ‘Constrained 2019’ column.
(Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)
7. Adding the following new fourth sentence to the first paragraph of the allocation summary for OP2: Barreldykes in the Old Rayne settlement statement on page 615:
“A wildlife and habitat survey is required.”

Oyne

8. Adding the following two sentences to the end of the strategic drainage and water supply bullet point in the Oyne settlement statement on page 617:
“Oyne lies within a SEPA Waste Water Drainage Consultation Area. Therefore, site investigations will be required for any private system, which will be required to be built to an adoptable standard to allow connection once the growth project is complete.”
9. Adding the following new final sentence to the first paragraph of the allocation summary for OP1: Former Archaeolink Site in the Oyne settlement statement on page 618:
“A design statement will be required to ensure that any development is appropriate in form and scale for the site and the village.”

Issue 42	Drumoak	
Development plan reference:	Proposed LDP, Appendix 7E Kincardine and Mearns, Page 654-656	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
PP0077 Martin Gilbert PP0303 Crathes, Drumoak and Durriss Community Council PP0304 Crathes, Drumoak and Durriss Community Council PP0305 Crathes, Drumoak and Durriss Community Council PP0337 Crathes, Drumoak and Durriss Community Council PP0346 Crathes, Drumoak and Durriss Community Council PP0732 CHAP Homes (c/o CHAP Group (Aberdeen) Ltd) PP0905 Stewart Milne Group PP0906 Stewart Milne Group PP0907 Stewart Milne Group PP1219 Scottish Environment Protection Agency PP1244 Glenisla Developments Limited		
Provision of the development plan to which the issue relates:	Drumoak Settlement Statement	
Planning Authority's summary of the representation(s):		
<p><u>General</u></p> <p>Representees, including Crathes, Drumoak and Durriss Community Council, support the proposed allocations and oppose any further sites being allocated for housing (PP0077 and PP0337).</p> <p>Crathes, Drumoak and Durriss Community Council has confirmed that they are opposed to development of any kind south of the River Dee as it does not comply with local and national policies due to the lack of public transport, that any development would not provide sufficient demand for a viable service, and the local infrastructure does not support such developments in particular the limited access to Drumoak via Park Bridge. They add there is community interest to protect the sensitive nature of the River Dee and its habitats (PP0337).</p> <p>Crathes, Drumoak and Durriss Community Council has indicated the area needs a sensitive approach to better develop it to become a tourist destination (PP0337).</p> <p><u>Site R1 – Reserved for a future cemetery expansion</u></p> <p>Scottish Environment Protection Agency (SEPA) has requested adding additional text to the allocation summary stating that the potential impact of the proposal on the private water supply to the church will need to be fully assessed or connection to the mains water</p>		

supply implemented (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land to the North of Sunnyside Farm

The allocation is supported as it meets local housing need (PP0077 and PP0337).

Crathes, Drumoak and Durriss Community Council is concerned that the surface water drains in the older (lower) part of the village are insufficient due to new developments expanding up the hill that have resulted in overflowing drains and flooding in the area of Keithmuir Gardens. It is requested that this issue is addressed if further development takes place (PP0303).

SEPA has confirmed that that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B) (PP1219).

Non-Allocated Site – Bid Site KN034 – Site A East of Drumoak

A representee has requested that bid site KN034 be allocated for 50 homes and that 60 homes are reserved for future development. They have noted that this is a reduction from the original bid, which proposed 178 homes, and propose developing the southern half first in light of the Council's connection concerns. They disagree a second access is required. They refute this proposal would result in overdevelopment and undermine the landscape character and village setting. They disagree with the concerns of NatureScot (Scottish Natural Heritage) regarding landscape and visual impact as the site is contained by trees and would be no less conspicuous than existing home. There will be strategic planting to reduce its visual impact on the setting of Drumoak, and it can be phased to allow incremental growth. They also state there is demand for new homes in Drumoak, but only one site is allocated for 11 homes. They report there will be capacity in both Drumoak Primary School and Banchory Academy, and the site relates well to the primary school. They also disagree that the pipelines (and overhead lines) should be a constraint as they can be rerouted like at Westhill and allocations are on a pipeline corridor in Stonehaven. The representee has included a number of Appendices (RD0169.A, RD0169.B and RD0169.C) in their representation which provides further detail to support their position (PP0905).

Non-Allocated Site – Bid Site KN035 – Site B South of Drumoak

A representee has requested that bid site KN035 be allocated for 123 homes with 50 homes for immediate development and 73 homes reserved for future development. They have stated the proposal provides an ideal location for the planned expansion of Drumoak and is enclosed by mature landscape features in all directions but to the north, where the development would integrate into the existing settlement. They add, it would sustain local services, provide much needed new housing where only one site is allocated for 11 homes, and avoids Protected Land to the south of Drumoak. They also argue, it would not significantly detract from the character of the landscape, the idyllic setting of the village or the viability of local infrastructure such as foul water drainage and schooling, and neither

would it result in overdevelopment as it would be phased to allow incremental growth. The proposal also includes two points of access and upgrades the minor C35K road with paths and street lighting, parking for the post office, and a light-controlled pedestrian crossing to provide a safe crossing of the A93. The representee has included a number of Appendices (RD0170.A, RD0170.B, RD0170.C and RD0170.D) in their representation which provides further detail to support their position (PP0906).

Non-Allocated Site – Bid Site KN036 – Site C West of Drumoak

A representee has requested that bid site KN036 be allocated for future development for 345 homes and retail/commercial uses. The representee states the proposal is well-contained within a strong landscape framework, it will integrate with established features of the settlement such as adjacent housing, Drumoak Public Park and Drumoak Primary School, which can be extended if required. They highlight that the proposed landscaping would be used to contain the site and connect to the adjacent park and school. They advise no impact would be incurred upon the setting of Drum Castle, or the wider landscape setting, and it can be phased to allow incremental growth to minimise visual impacts. They state that the presence of a pipeline corridor does not inherently preclude development as they can be rerouted like at Westhill and allocations are on a pipeline corridor in Stonehaven. They also note that land could be provided for new retail/commercial space next to the A93 if there is the critical mass from new development. The representee has included a number of Appendices (RD0171.A, RD0171.B and RD0171.C) in their representation which provides further detail to support their position (PP0907).

Non-Allocated Site – Bid Site KN037 – Land West of Mains of Drum Garden Centre

A representee has requested that bid site KN037 be allocated for an age exclusive development for up to 50 single storey homes, management office (including a communal meeting area and a small shop), along with open space and new/enhanced woodland for landscape enhancement, ecological benefit and recreational use to meet the demand for a lack of suitable homes for an expanding ageing population. The representee argues that this is a national issue. There is a high proportion of elderly residents within the site's catchment with limited provision in the immediate area. The proposal will provide a range of services and support. It will be well designed and fit for current and future needs. The site is readily accessed by car and public transport. The area is punctuated by a range of development and is therefore not remote. It sits well in the landscape. There are no absolute constraints to development. The representee has included a number of Appendices (RD0228.A, RD0228.B, RD0228.C, and RD0228.D) in their representation which provides further detail to support their position (PP1244).

It is also argued by the representee that the proposal meets the Council's Local Housing Strategy objectives and would help address the needs identified in the Aberdeenshire Housing Needs and Demand Assessment (HNDA), which highlights an increasing demand for more housing for the elderly and small households across all tenures, but that this is not being delivered by the private market. They also state the proposal will address issues identified by the Scottish Government's strategy for housing for older people and Scotland's national dementia strategy, which recognise the benefits of independent living as long as possible, enabled by housing specifically designed for those who are elderly and/or have complex care or additional support needs, and so avoiding the need for care home/hospital stays. They consider this gap in the market will only increase over time

(PP1244).

Non-Allocated Site – Bid Site KN064 – Land at Park Quarry

A representee has requested that bid site KN064 be allocated for a new settlement comprising of up to 600 homes, a small-scale business park, a village centre and land for a primary school. The representee has stated that the site is deliverable with no technical constraints. It will provide a unique sustainable development opportunity. It will contribute to Aberdeenshire's housing land supply and is in an area of high demand with a significant under-allocation of housing. They also state housing land is needed to meet the Aberdeen City and Shire Strategic Development Plan's housing allowances, particularly in an area considered to be more deliverable and sustainable, such as the Deeside area. They dispute the need for road access to the north of the River Dee onto the A93. In addition, it is suggested that it makes sense to redevelop the land from its previous quarry use on a site with good connectivity. The site is accessible from the Deeside Way and National Cycle Network. There will be no significant impact on the River Dee Special Area of Conservation and would retain riparian habitats, and it will have limited visual impact on the Dee Valley Special Landscape Area (SLA). The proposal will reflect the historical development patterns, include generous open space with affordable and self-build housing in an area where people want to live, and it will enable infrastructure improvements to be made to the local road network including reopening the category B-listed Park Bridge to traffic, and deliver a new primary school. The representee has included a supporting statement (RD0123.A) in their representation which provides further detail to support their position (PP0732).

Crathes, Drumoak and Durris Community Council does not support bid site KN064 and welcome its exclusion from the Proposed Local Development Plan (PLDP), as the local community overwhelmingly want the quarry re-instated to agricultural land as per the planning conditions. They argue the bid site lies at the bottom of the valley making it visible from a wide area and development would have a highly detrimental visual impact (PP0304). The proposed bid does not accord with Policies R1 and R2 as it does not meet local needs as there is no need for additional housing on this scale, and there are no exceptional circumstances (PP0346). In addition, the proposal would impact on local infrastructure that is currently inadequate, social interaction and the environment (PP0346), and that the area is unsuited to this type of development as there are no amenities or infrastructure, the site is not on a bus route, there is no school capacity and pupils would need to be transported in buses (PP0305).

A representee has supported the Council's decision not to allocate bid site KN064 due to constraints affecting the viability and appropriateness of developing the site as discussed in the Main Issues Report (MIR) 2019, specifically the constraint that the site is within 500m of the River Dee Special Area of Conservation (SAC), which includes European Protected Species. Development of this site would not be sustainable as it would promote reliance on car use as it is distant from employment opportunities, local services and facilities and is not easily accessible by public transport. Should, additional housing land be required, it should be small-scale, compatible with the scale and nature of existing communities and support local services and facilities – KN064 would not provide any of these elements. The site is currently operating as a quarry with the planning consent for this use due to expire in October 2022. If the site were to be developed as per KN064, the restoration scheme, as set out in the planning consent's conditions would not be satisfied. Proposal for Storage Bottom Ash (IBA) and Occasional IBA Processing is within the

boundary of site KN064 - the homes proposed as part of KN064 would be incompatible with the IBA and would have significant landscape impacts. The local community have started work to develop a vision for alternative uses for the site and in the context of the new Planning (Scotland) Act 2019, and the focus on Local Place Plans (LLPs), opportunity should not be prejudiced by the allocation of KN064 (PP0077).

Modifications sought by those submitting representations:

Site R1 – Reserved for a future cemetery expansion

Modify the PLDP to amend site R1 to include, “The potential impact on the private water supply to the church will need to be fully assessed or connection to mains water supply implemented.” (PP1219).

Site OP1 – Land to the North of Sunnyside Farm

Modify the PLDP to amend the allocation summary of site OP1 to include a modification to the surface water drains lower down in the settlement (PP0303).

Non-Allocated Site – Bid Site KN034 – Site A East of Drumoak

Modify the PLDP to include bid site KN034 for 50 homes in the southern half of the site and reserve the remaining area for 60 homes as future development (PP0905).

Non-Allocated Site – Bid Site KN035 – Site B South of Drumoak

Modify the PLDP to include bid site KN035 for 123 homes - 50 homes for immediate development and 73 homes reserved for future development (PP0906).

Non-Allocated Site – Bid Site KN036 – Site C West of Drumoak

Modify the PLDP to include bid site KN036 as a reserve site for future development for 345 homes and retail/commercial uses (PP0907).

Non-Allocated Site – Bid Site KN037 – Land West of Mains of Drum Garden Centre

Modify the PLDP to include bid site KN037 for the development of a retirement (age exclusive) community containing up to 50 single storey homes for the over 60s, with management office, community facilities and open space (PP1244).

Non-Allocated Site – Bid Site KN064 – Land at Park Quarry

Modify the PLDP to include bid site KN064 for a new village of up to 600 homes and a small-scale business park, a village centre and land for a primary school (PP0732).

Summary of responses (including reasons) by planning authority:

General

Support for the allocations is welcomed and the desire for no further allocations around Drumoak and to the south of the River Dee are noted. No change is required.

The Council notes Crathes, Drumoak and Durriss Community Council's desire for a sensitive approach to developing the area as a tourist destination. However, no requests (bids) for tourist facilities were submitted during the Call for Sites stage and proposals can come forward under policies in the LDP. No change is required.

Site R1 – Reserved for a future cemetery expansion

The Council agrees with SEPA's request to include additional text to protect the church's private water supply. If the Reporter is minded, to make an amendment, then the Council recommend that the designation summary for site R1 could be modified to include, "The potential impact on the private water supply to the church will need to be fully assessed or connection to mains water supply implemented."

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land to the North of Sunnyside Farm

Support for this site is noted. No change is required.

The Council notes that SEPA has no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1. No change is required.

The Council notes Crathes, Drumoak and Durriss Community Council's concerns regarding surface water drains overflowing and flooding Keithmuir Gardens. Only a small allocation of 11 homes is proposed, which is part of an existing allocation. SEPA has not raised any issues with this allocation. This issue would be more appropriately addressed at the planning application stage, but consent on this site has already been granted. No change is required.

Non-Allocated Site – Bid Site KN034 – Site A East of Drumoak

The Council does not support allocating bid site KN034 for 50 homes and reserving the remainder of the site for 60 homes as 'future development'. Bid site KN034 was not identified as a preferred option in the MIR, see AD0038.F, pages 20-21). The PLDP does not reserve land for housing beyond the proposed Plan period. While this is a reduction from the original bid, the Council still have concerns on the wider landscape impact, which are supported by NatureScot in their response to the MIR 2019, see AD0171, page 30. They state, "that it is an extensive site, which extends west and north up the slopes of the immediate landform which forms the landscape and visual setting to Drumoak to the north. Development on this site, in particular on the steeper slopes would incur likely significant adverse landscape and visual effects." The site would have a significant visual and landscape impact when approaching the settlement along the A93 as it is visible along the A93 with the Dee Valley SLA immediately opposite (south). Furthermore, the current tree belts that run down the eastern boundary of the settlement boundary provide an effective boundary treatment.

With regards to the other comments raised by the representee, a second access is required under paragraph 12.1 of the Council's Standards for Road Construction Consent

and Adoption (2015), see AD0111, which states, “Where a core road is not a loop and serves more than 50 but less than 100 dwellings, an emergency access route must be provided. Where a core road serves in excess of 100 houses it must have at least two points of access.” While the School Roll Forecasts 2019 state Drumoak Primary School has capacity in 2024, Banchory Academy is forecast to be at 100% by 2024, see AD0110, Appendix 1, page 1. Although the National Grid Transmission Pipeline, which crosses the centre of the site, could be realigned, the PLDP has sought to demonstrate the avoidance of risk by carefully considering sites that are within pipeline consultation zones and favouring alternative sites where possible. It has also not been demonstrated if all landowners support moving the pipeline.

In relation to housing need, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site KN035 – Site B South of Drumoak

The Council does not support allocating bid site KN035 for 50 homes and reserving 73 homes for future development. Bid site KN035 was not identified as a preferred option in the MIR, see AD0038.F, page 21. The PLDP does not reserve land for housing beyond the proposed Plan period. While the site is well located in relation to the settlement and partially enclosed by woodland, it sits in the Dee Valley SLA and its scale and location would impact negatively on the landscape and setting of the settlement and would result in development encroaching towards the River Dee.

With regards to our other concerns and comments raised by the representee, having two access points would meet Council roads standards, although their supporting material does not show this. Widening the minor C35K Park Road is welcomed if they have the control in order to do so, but this is not clear, as a bid across from the site (KN128) was submitted by a different proposer. While the School Roll Forecasts 2019 state Drumoak Primary School has capacity in 2024, it would result in pupils needing to cross the A93, which is undesirable even with a controlled crossing if this was consented, see AD0110, Appendix 1, page 1. Banchory Academy is forecast to be at 100% capacity by 2024. The Council are unconvinced the proposal would help sustain the limited facilities in Drumoak and are concerned about the proximity the site is to the sewage works should it ever need to expand and with the prevailing south westerly wind direction.

In relation to housing need, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site KN036 – Site C West of Drumoak

The Council does not support allocating bid site KN036 for future development for 345 homes and retail/commercial uses. Bid site KN036 was not identified as a preferred option in the MIR, see AD0038.F, page 21. The PLDP does not reserve land for housing beyond the proposed Plan period. While the proposed site is well located to the settlement, the indicative layout is unlikely to affect Drum Castle, and it is in close proximity to the primary school, it is constrained by a pipeline, it only has one access point (unless the distributor

road is built early on to connect the A93 with James Gregory Road near the primary school), and it would have a significant impact on landscape and result in coalescence with Park and Drumoak. Although the National Grid Transmission Pipeline, which crosses the centre of the site, could be realigned, the PLDP has sought to demonstrate the avoidance of risk by carefully considering sites that are within pipeline consultation zones and favouring alternative sites where possible. It has also not been demonstrated if all landowners support moving the pipeline. In relation to housing need, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocation, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site KN037 – Land West of Mains of Drum Garden Centre

The Council does not support allocating bid site KN037 for an age exclusive development for up to 50 homes, management office (including a communal meeting area and a small shop), open space and new/enhanced woodland. Bid site KN037 (recreational/leisure uses) and Bid site KN038 (50 homes for the elderly) were not identified as preferred options in the MIR, see AD0038.F, page 22. While the Council commend the proposed use and additional facilities, the site relates poorly to existing settlements, with Drumoak over 1km away and it would exacerbate the disparate pattern of development around Drum. Its scale and location would likely have a significant landscape impact and result in urbanisation of the countryside. The site is located on green belt land and is visually prominent from the A93, although screening is proposed in the indicative plan. It would result in reliance on the private car. It could impact on the setting of the Category A listed Drum Castle and designed landscape less than 1km away.

Therefore, given its distance from health services, shops and other facilities and potential impact on the landscape, it is considered that such a proposal would be best placed within or adjacent to a larger settlement. In relation to housing need, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site KN064 – Land at Park Quarry

The Council does not support allocating bid site KN064 for a new village of up to 600 homes, a small-scale business park, a village centre and land for a primary school. Bid site KN064 was not identified as a preferred option in the MIR, see AD0038.F, page 22. The bid site proposes to accommodate a large-scale of development that relates poorly with Drumoak and subsequently would pose considerable impacts on local services and infrastructure, the local landscape and potentially the wider transport network. There is insufficient secondary and primary education provision, and insufficient waste water treatment works capacity. While the site lies in the Aberdeen Housing Market Area, it is outwith the Strategic Growth Area where development of this scale should be directed. Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area.

Crathes, Drumoak and Durriss Community Council have stated that they prefer to have the quarry reinstated as per the planning conditions than developed for housing. All contaminants should be removed as part of the remediation.

The Council notes that on page 229 of the representees supporting material (page 11 the Response to the Main Issues Report 2019) the Environmental Impact Assessment reported no impact to the River Dee Special Area of Conservation. However, as SEPA's online water classification tool (<https://www.sepa.org.uk/data-visualisation/water-classification-hub/>) classifies the River Dee as being of moderate quality and when it reaches Aberdeen is classified as bad, it is preferred that development avoids this location. Furthermore, the nature, scale and location of the proposal will also affect the Dee Valley SLA, as it will introduce a significant amount of development where there is currently very little.

The category B-listed single lane Park Bridge is currently closed to vehicular traffic and the Council's Transportation Service advises that a new bridge across the River Dee and a link road to the A93 will be required from the site, along with an upgrade of the A93/A90 junction at Milltimber. The Council notes this is disputed by the representee as Park Bridge can be repaired and vehicles can utilise the B9077 South Deeside Road, negating the need for a Park Bridge upgrade, and further impacts on junctions on the A93. However, unless the primary school is built in the first phase of the development and Park Bridge is opened to traffic, access to Drumoak Primary School can only be on foot, which is undesirable as the C35K Park Road has no footpath and pupils would need to cross the A93, or take a round trip to Crathes, 5km away, to cross the River Dee. Furthermore, given the scale and proposed uses, it is also more appropriate for road users to utilise the A-class road. Access to the Aberdeen Western Peripheral Route (A90(T)) will be from the A93/A90 junction at Milltimber.

In conclusion, this is not the right type of development in the right location. No change is required.

The Council notes that Crathes, Drumoak and Durriss Community Council does not support this proposal. Restoring the quarry to its former use is not a matter for the LDP and this should be undertaken in accordance with the agreed planning permissions. The proposal for Storage Bottom Ash is noted. Any future Local Place Plans will be considered during the preparation of the next Local Development Plan. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

Site R1 – Reserved for a future cemetery expansion

2. As the church relies on a private water supply, I consider that it would be prudent to highlight that any potential impact on this would need to be fully assessed. I recommend

a modification to reflect the wording requested by the Scottish Environment Protection Agency (SEPA).

Site OP1 – Land to the north of Sunnyside Farm

3. This site, which lies to the north of new housing development at James Gregory Road, is allocated for 11 homes. The proposed plan indicates that the site has full planning permission and development is expected to be completed in 2020. However, I observed on my site inspection that no houses had been built yet. I note the concerns raised by the community council in relation to the potential impact of new development on the surface water drains in the lower part of the village. However, this concern is not shared by SEPA. In the absence of evidence relating to this particular allocation, it would not be appropriate to require the developer to upgrade drains elsewhere in the village. No modification is required.

Non-allocated Bid Site KN034 – Site A east of Drumoak

4. Bid site KN034 is one of three sites being promoted by Stewart Milne Homes in Drumoak, which is located within the Aberdeen Housing Market Area. It is currently agricultural land, which lies on the eastern side of the settlement and immediately to the north of the A93 road.

5. I note that the bid proposal for this site was initially for 178 homes. However, the representation to the proposed plan relates only to the land to the south of the area of ancient woodland. It seeks an allocation of 50 homes in the period to 2032 and a future reservation for a further 60 homes.

6. The council has decided not to reserve land for future housing development beyond 2032, an approach which is consistent with the strategic development plan. However, the indicative site layout and phasing plan submitted by Stewart Milne Homes do not show how the site could be subdivided to bring forward a separate allocation for 50 homes. I therefore consider it appropriate to assess bid site KN034 as a development of 110 homes on all of the land to the south of the woodland belt, regardless of the intended phasing.

7. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5 it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Bid site KN034 could potentially meet this shortfall and I note from the main issues report that there is officer support for some additional housing in Drumoak.

8. The assessment of the site in the environmental report and main issues report indicate that development would be well located in relation to local facilities, particularly those to the north of the A93. Concerns were raised in relation to landscape impact and potential effects on the setting of Drum Castle. However, I consider that these effects would be reduced, as a result of restricting development to the southern part of the site and could be addressed through a master plan. The school roll information provided by the council shows that there is available capacity at Drumoak primary, but not necessarily at Banchory Academy. However, policy RD2 in the proposed plan provides a mechanism for securing developer contributions to address infrastructure deficiencies. Furthermore, the

strategic drainage and water supply bullet point in the settlement statement sets out a way forward to provide additional capacity at the waste water treatment works. I consider overall that the identified impacts on infrastructure could be overcome and would not prevent development coming forward.

9. Whilst there are some merits in bid proposal KN034, I have insufficient information before me regarding the implications of the pipeline which passes through the site. Stewart Milne suggests that it can be rerouted. However, no information has been provided to indicate that such a solution would be supported by the pipeline operator or the Health and Safety Executive. I note that the community council does not support the allocation of any further sites in Drumoak and, given the limited range of local services, I am not convinced that a development of over 100 houses would be appropriate in this location.

10. In light of the above considerations and given the availability of other sites to meet the strategic development plan allowance for the Aberdeen Housing Market Area, I conclude that site KN034 should not be identified as housing allocation. No modification is required.

Non-allocated Bid Site KN035 Site B South of Drumoak

11. The site lies to the south of the existing settlement boundary, on undulating agricultural land which slopes gently downwards towards the River Dee. The representation from Stewart Milne seeks an allocation for 123 homes, 50 of which would be delivered in the period up to 2032. For the same reasons as KN034, I consider it appropriate to assess the whole site.

12. This site could also potentially address the shortfall in allocations identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I find that its development would raise similar concerns in relation to the scale of development relative to the provision of local services. However, there are no pipelines passing through this site.

13. The strategic environmental assessment indicates that development would have significant adverse landscape effects. Existing and additional tree planting would help mitigate any impact on the Dee Valley Special Landscape and on views across the site from the road to the west. However, development would bring the built up area much closer to the River Dee and would alter the existing rural character of the valley slopes. As indicated above, I consider the council's concerns regarding impact on local infrastructure could be addressed. However, I note that the requirement for primary school pupils to cross the A93 would be a concern to the local community.

14. Whilst there are merits in this proposal, there would be adverse landscape impacts. I am also concerned about the scale and location of development relative to the provision of local services. Given the availability of other sites to meet the strategic development plan allowance for the Aberdeen Housing Market Area, I conclude that site KN035 should not be identified as housing allocation. No modification is required.

Non-allocated Bid Site KN036 Site C West of Drumoak

15. Stewart Milne Homes has requested that this site to the west and north west of the

settlement be identified as a future reservation for housing with some retail/commercial space. General representations regarding the identification of future opportunity sites are addressed under issue 2. This concludes that, whilst the strategic development plan allows local development plans to identify additional strategic reserves beyond 2032, there is no requirement to do so. The council's decision not to identify future opportunity sites is in accordance with the strategic development plan.

16. Within this context, there is no justification to allocate bid site KN036 as a future opportunity site in the plan. Stewart Milne has not suggested that any part of the site could come forward in the period to 2032 and I have no evidence before me to indicate that the site could help meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area.

17. I note that the site has been assessed through the strategic environmental assessment process and main issues report stage. However, given my conclusions above, I have not undertaken a detailed assessment of the merits or otherwise of the bid proposal. No modification is required.

Non-allocated Bid Site KN037 – Land west of Drum Garden Centre

18. Bid site KN037 lies in the countryside over one kilometre to the east of Drumoak, to the north of the A93 road and immediately to the west of Mains of Drum garden centre. The site is located within the green belt in the existing and proposed plan.

19. The bid proposal is for a standalone age exclusive development for up to 50 single storey homes and ancillary facilities. I agree that the provision of housing designed for older people would help meet increasing demand as identified in the Aberdeenshire Housing Needs and Demand Assessment 2017. However, I do not consider the location of this site would be suitable for housing, "age exclusive" or otherwise. An urban development of this scale would have an adverse landscape and visual impact on the countryside. I agree with the council that the site relates poorly to existing settlements and would be remote from local services. I consider that the proposal would be contrary to the objectives set out in section 4 of the proposed plan, "to promote sustainable mixed communities and "to reduce the need to travel". I acknowledge that it may be possible to mitigate the impact of development on local infrastructure and the setting of Drum Castle. However, for the reasons set out above, I do not consider the allocation of this site would be appropriate. No modification is required.

Non-allocated Bid Site KN064 – Land at Park Quarry

20. Park Quarry is located to the south of the River Dee, immediately to the west of the minor road which runs between Drumoak and the B9077 road. The bid proposal would create a new settlement comprising up to 600 homes, a business park, village centre and primary school.

21. The site is located within the Aberdeen Housing Market Area but not within a strategic growth area. I consider that the scale of proposed development would exceed that anticipated in paragraph 4.18 of the strategic development plan which refers to "appropriate levels of local growth" for locations outwith the strategic growth areas.

22. Matters relating to overall housing provision in the proposed plan are covered in

Issues 2 and 5. For the reasons set out in the schedule 4s for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. However, there is no requirement to allocate land for an additional 600 houses at this time.

23. I note that the development would potentially have an adverse impact on the River Dee Special Area of Conservation, the Dee Valley Special Landscape Area and local infrastructure. I am also concerned that the closure of Park Bridge would mean that there would be no direct road access to the primary school and other local facilities in Drumoak. This would be necessary until such time that a new school and other services are delivered. I have insufficient information before me to take a view on potential mitigation to address these adverse impacts. However, as I have concluded that there is no justification for this allocation, it is not necessary for me to address these matters in detail. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

1. Adding the following sentence to the description for designation R1 in the table on page 654:

“The potential impact on the private water supply to the church will need to be fully assessed or connection to the mains water supply implemented.”

Issue 43	Laurencekirk	
Development plan reference:	Proposed LDP, Appendix 7E Kincardine and Mearns, Page 691-703	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>PP0046 Robin and Paula Donald PP0139 Anita and Peter Connell PP0185 Alan Warden PP0208 Mrs I J Nicoll PP0240 Dr Patrick Mulcahy PP0459 Jim Stuart PP0558 Asda Stores Limited PP0562 Transport Action Kincardineshire (TRAK) PP0578 Scottish Government Planning and Architecture Division PP0624 Mearns Community Council PP0625 Mearns Community Council PP0626 Mearns Community Council PP0627 Mearns Community Council PP0628 Mearns Community Council PP0629 Mearns Community Council PP0630 Mearns Community Council PP0631 Mearns Community Council PP0632 Mearns Community Council PP1065 c a s e CONSULTING Limited PP1066 c a s e CONSULTING Limited PP1067 c a s e CONSULTING Limited PP1199 Medlock and Medlock Ltd PP1219 Scottish Environment Protection Agency PP1230 Mr and Mrs Clelland PP1241 Nestrans PP1300 NatureScot (Scottish Natural Heritage)</p>		
Provision of the development plan to which the issue relates:	Laurencekirk Settlement Statement	
Planning authority's summary of the representation(s):		
<p><u>General</u></p> <p>Priority should be placed on supporting jobs in Laurencekirk than building more housing sites (PP0185).</p> <p>A representee has suggested reserving land for a "Park and Choose" similar to that at Newtonhill to enable fast long-distance buses to serve Laurencekirk with minimum stopping time. The proposed facility would integrate Laurencekirk into the larger bus</p>		

network and increase the demand for feeder services which would in turn improve the local rural public transport viability (PP0562).

The Scottish Government Planning and Architecture Division has noted that a Development Framework is required for sites OP1, OP3, OP8, R3, and SR1, which were previously allocated in the Local Development Plan (LDP) 2017 as site OP1, but they are concerned it is not clear what such a Framework would comprise. In addition, they also note that the Proposed Local Development Plan 2020 (PLDP) states on page 693 under Services and Infrastructure – Local transport infrastructure: “Development beyond existing consents will be restricted until the A90 grade separated junction to the south is delivered and an assessment is undertaken of the existing north A90 junction.” Therefore, the Scottish Government has suggested a cumulative assessment of the potential transport impacts at the A90(T) north junction for these, and any others which do not yet have consent, should be undertaken to understand what mitigation measures may be required, including how, when and by whom (PP0578).

Mearns Community Council has noted that a dedicated route for a relief road has been dropped from the LDP and that an alternative should be identified (PP0624) through Beatie Lodge field adjacent to and west of the A90, which would run through site OP6 and connect with the new southern grade separated junction on the A90 (PP0630). They also suggested this relief road could extend north through site OP8 to provide an alternative route to Laurencekirk Academy and north of the settlement (PP0630).

Nestrans has stated that draft orders have been published for the layout of the new southern grade separated junction and Transport Scotland are currently considering the representations that have been made on these draft orders. They report that Nestrans continues to work with Transport Scotland and Aberdeenshire Council to progress this scheme (RD0227.A). No modification sought (PP1241).

Vision

Mearns Community Council has stated that the Vision statement is generally acceptable but has requested amending it to highlight the issue of traffic and parking in the settlement, particularly the High Street, which could be resolved with supporting development to the south of the High Street (PP0624)

Site P5 – To protect the area around Gaugers Burn as an amenity for the settlement and forming part of the green-blue network and Site P7 – To protect the area as a significant contribution to the character of place

Mearns Community Council has sought clarity that sites P5 and P7 within OP6 can also serve as a wildlife corridor (PP0630).

Site R1 – Reserved for cemetery expansion and to protect the existing cemetery

Scottish Environment Protection Agency (SEPA) has confirmed that they are unlikely to have any issues with this site continuing to be allocated as a cemetery. No modification sought (RD0214.B) (PP1219).

Site R2 – Reserved for community facilities on the former academy site

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation/designation summary for site R2 (RD0214.B). No modification sought (PP1219).

Site R3 – Reserved for primary school education and as a neighbourhood centre

New retail facilities should be clearly restricted by maximum floorspace levels to prevent ambiguity with the reference ‘neighbourhood’ and allow adequate assessment of retail impact on existing centres (PP0558).

Site SR1 – Reserved for 11.8 hectares of strategic employment land

SEPA has requested that the allocation summary box includes an additional sentence that states a Flood Risk Assessment will be required to assess the risk from Gaugers Burn and to consider any culverts/bridges that may exacerbate flood risk (RD0214.B) (PP1219).

Flood Risk

SEPA has requested removing the third ‘Flood Risk’ bullet point on site R1 as they do not have any issues with this site (RD0214.B) (PP1219).

SEPA has requested simplifying the ‘Flood Risk’ bullet points by amalgamating the second and fourth bullet points as they refer to all the OP sites (RD0214.B) (PP1219).

SEPA has requested a separate ‘Flood Risk’ bullet point for SR1 due to the possibility of culverted watercourses on site SR1 and a need for a Flood Risk Assessment is required (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on ‘Strategic drainage and water supply’ (RD0214.B). No modification sought (PP1219).

Site OP1 – North Laurencekirk

Mearns Community Council has requested that some of the housing that can be built prior to the installation of a north grade separated junction is transferred from site OP1 to site OP3, as this allowance is currently all under site OP1. They have noted that both sites are within phase 1 of the same Development Framework that they share, and this change would allow site OP3 to become active as per the original phasing of the Development Framework (PP0625).

A representee has requested reducing this site’s allocation to 200 homes, as the LDP 2021 base date is 1 January 2019, and the site capacities should be consistent with the Housing Land Audit 2019. They state the site is constrained due to a requirement for a grade separated junction before more than 200 homes can be delivered, but that this may be delayed due to unresolved objections from landowners and that a public inquiry may be required (PP1065).

SEPA has requested amending the second paragraph of the allocation summary to include “Flood Risk Assessment” with the other assessments in the first sentence rather than on

its own in the second sentence (RD0214.B) (PP1219).

SEPA has also requested amending the fourth paragraph of the allocation summary to include the need for a Flood Risk Assessment and that it will be required to assess the risk from small watercourses and to consider if any culverts/bridges may exacerbate flood risk (RD0214.B) (PP1219).

Site OP2 – Off Blackiemuir Ave/East of Westmuir

Mearns Community Council has commented that they do not recognise the allocation site's name "Westmuir" (PP0626). They also note that this site is around 80% complete with approximately 40 sites left but are disappointed that mature trees have been felled with no sign of their replacement. They have also requested a footpath linking Blackiemuir Avenue to Pitcowes Road (PP0626).

A representee has requested that the number of homes allocated on this site is consistent with the Housing Land Audit 2019, as the LDP 2021 base date is 1 January 2019. As such, its allocation should be reduced from 210 to 136 homes as 74 homes have been completed before 2019 (PP1066).

SEPA has requested amending the end of the third paragraph of the allocation summary to explain that the Flood Risk Assessment will be required to assess the risk from the Gaugers Burn and to consider if any culverts/bridges may exacerbate flood risk (RD0214.B) (PP1219).

Site OP3 – Land North of Fordoun Road

Mearns Community Council are concerned that development cannot begin on site OP3, as the number of homes that can be built in advance of a northern grade separated junction was only awarded to the adjacent site OP1. As such, Mearns Community Council has requested that some of this allowance is transferred from site OP1 to OP3, as it would be good for the community to have continuity in house building and it could contribute to a western relief road (PP0627).

SEPA has requested amending the first paragraph of the allocation summary to include "Flood Risk Assessment" with the other assessments in the penultimate sentence rather than on its own in the last sentence (RD0214.B) (PP1219).

Site OP4 – Land North of Gardenston Street

A representee has objected to site OP4 on the basis that the site forms part of the Laurencekirk green belt and is crucial to the history of the settlement, adding the proposal would contribute towards the demise of the settlement (PP0185). While Mearns Community Council does not object to the site, they request it is removed as they do not believe it can be delivered as it is landlocked in terms of the Council's Road Department's requirements, it is next to a substation, and the density is too high to meet the local needs of a rural settlement (PP0628).

SEPA has requested amending the first sentence of the second paragraph to explain that the Flood Risk Assessment will be required to assess the risk from the Gaugers Burn and to consider if any culverts/bridges may exacerbate flood risk (RD0214.B) (PP1219).

Site OP5 – Land South of Gardenston Street

Several representees have objected to the proposed allocation of OP5 and request it is removed (PP0046, PP0139, PP208, PP0240, PP0459, PP0629 and PP1230). They are concerned about impact on existing limited vehicular access and congestion and will exacerbate pedestrian safety issues (PP0046). It will increase traffic (PP0240), which will likely worsen when the A90 reconfiguration is implemented (PP0046). Clarity is also sought as to whether traffic will increase by linking Gardenston Street to the new development (PP0459). Mearns Community Council has suggested the site's access will result in a loss of on street parking on the High Street, increase traffic on Gardenston Street (PP0459 and PP0629), which this site links onto, exacerbate traffic and parking problems on the High Street (PP0629). It is also argued that this site is deemed premature until a relief road is found to ease the High Street, and other sites should be promoted that could accommodate a relief road (PP0459 and PP0629), and it that it will not provide a layout/design that the southern gateway of Laurencekirk requires (PP0459). A representee has included a number of Appendices (RD0219.A and RD0219.B) in their representation which provides further detail to support their position (PP1230).

They are concerned that the development would have a detrimental impact to the overall landscape and outlook (PP0046 and PP0240), especially when the proposed A90 is implemented (PP0046) and when entering the settlement from the south (PP0240). The site would not be in keeping with the existing pattern of development (PP0139). They are also concerned that the proposal will have an adverse impact on wildlife, most notably Gaugers Burn (PP0046, PP0139, PP0208, PP0459, PP0629 and PP1230). Bats are reported in the area, and as they are a protected species this development is likely to adversely affect their habitat (PP0240 and PP1230). They also cite additional light and noise pollution will have an adverse impact on the settled and thriving wildlife environment around Gaugers Burn and will discourage any new species coming to the area (PP0046). It will lead to further water run-off causing pollution and contamination of the watercourse, which will have an adverse impact on the ecology and surrounding environment at Gaugers Burn (PP0046 and PP1230). It is suggested that land is set aside to protect the Gaugers Burn wildlife corridor as per sites P5 and P7 (PP0459). A representee has included a number of Appendices (RD0219.A and RD0219.B) in their representation which provides further detail to support their position (PP1230).

Several representees are concerned that the land available for development will be much less due to several constraints (PP0240, PP0459 and PP0629). The site does not account for land needed for open space and infrastructure including waste water drainage, road access, footpaths, landscape/planting buffers, and pond/SuDS, which would result in a small footprint for the new houses and would require two storeys, whereas surrounding properties are mainly one and a half/single storey (PP0459 and PP0629). While an emergency entrance to the site and pedestrian access to Westburnside would be in keeping with the Council's policy of encouraging walking and cycling this would further reduce the area able to be developed (PP0240).

Other concerns that were raised are increased noise and light pollution (PP0240), reduced privacy and air quality, and noise and light disturbance from the access road (PP1230), lack of school capacity to serve the site (PP0139, PP0208 and PP1230), overlooking, loss of privacy and overshadowing to neighbouring properties (PP0139, PP0208 and PP1230), the density of the site is too high (11 houses on 1.13 hectares) (PP0240 and PP1230) and

would not be appropriate for a rural community (PP0240), it would result in overdevelopment (PP0459 and PP0629) and there is a lack of demand for new homes due to the slowing of the economy (PP0240), there are many sites in the village that are allocated (PP0208) while several have planning permission and not yet developed (PP0240). A representee has included a number of Appendices (RD0219.A and RD0219.B) in their representation which provides further detail to support their position (PP1230).

SEPA has requested removing the first sentence of the third paragraph on the need for a Flood Risk Assessment and amend the second paragraph to include the need for a Flood Risk Assessment and explain that it will be required to assess the risk from the Gaugers Burn, and to consider if any culverts/bridges may exacerbate flood risk (RD0214.B) (PP1219).

SEPA has requested removing the first sentence of the third paragraph on the need for a Flood Risk Assessment and amend the second paragraph to include the need for a Flood Risk Assessment and explain that it will be required to assess the risk from the Gaugers Burn and to consider if any culverts/bridges may exacerbate flood risk (RD0214.B) (PP1219).

Site OP6 – Land South of High Street

A representee has requested the removal of site OP6 for 100 homes. They stated that this is a windfall site with planning permission for 77 homes and a mix of other uses, where the status of its implementation is questionable due to unmet suspensive conditions. They also stated that the site is constrained by the requirement to upgrade the junction to the A90 and a public inquiry will be required due to unresolved objections from landowners on this issue. Therefore, it is argued that there can be no basis for confidence in the delivery of this site within the plan period, and it is contrary to SPP, given the procedural delay and unknown outcome in relation to the junction (PP1067).

SEPA has requested amending the last sentence of the third paragraph to explain that the Flood Risk Assessment will be required to assess the risk from the Gaugers Burn and to consider if any culverts/bridges may exacerbate flood risk (RD0214.B) (PP1219).

Site OP7 – Land West of Fordoun Road

Mearns Community Council is confused with the allocation summary for site OP7 and seek clarity on whether 28 homes are being proposed, rather than 15 as stated. They note that this site was part of a larger bid for 42 homes excluding the 7 homes that are under construction, and planning permission is pending for plots 8 to 13 (PP00631).

It is requested that the allocation summary is reworded, as part of this site has planning permission for seven homes and six homes are pending planning permission. Therefore, they argue it is inappropriate to place requirements on the site, such as a Flood Risk Assessment (FRA). They state there is no need for a buffer strip as it is not near a watercourse. Regarding affordable housing, it cannot be applied retrospectively and as self-build plots, the representee has stated that they understand that the policy contributions are not required for the remaining six homes (PP1199).

SEPA has requested amending the last sentence of the second paragraph to state that a

Flood Risk Assessment will be required to assess the risk from the small watercourses to the east (RD0214.B) (PP1219).

Site OP8 – Land East of Laurencekirk

SEPA has requested amending the second paragraph to include “Flood Risk Assessment” with the other assessments in the first sentence rather than on its own in the second sentence (RD0214.B) (PP1219).

NatureScot has requested that the allocation summary highlights the key concerns that would act to help reduce the landscape and visual impacts of the proposal at this edge of the settlement, as it lies on the eastern approach to Laurencekirk (RD0255.B) (PP1300).

Non-Allocated Sites – Bid Site KN019 – Land at Beattie Lodge, Bid Site KN020 – Land SouthWest of Cemetery at Beattie Lodge and Bid Site KN026 – Land West of A90

Mearns Community Council has expressed support towards allocating bid sites at Beattie Lodge, to the east of the primary school for development to enable the long-term aim of providing a relief road running parallel to the High Street and help resolve the issue of traffic and parking along the High Street. They suggest the new road infrastructure provides a link between Garvock Street, Frain Drive/Johnston Avenue and the OP6 site, which would also allow the potential to being extended to link up with OP8 and from there to the Community Campus (PP0624).

Non-Allocated Site – Bid Site KN114 – Land West of Fordoun Road, North of Finella View

Mearns Community Council has requested that bid KN114 be allocated for 42 homes. They highlight that this site was a preferred option in the Main Issue Report (MIR) 2016 for 100 homes (known as KM066). The MIR 2016 stated this site has good access to the train station and bus services, would fit in with the existing settlement and have minimal visual impact, and would be a suitable option if required but that there were existing allocations for 1105 homes and there was no need for this site at that time. The Community Council argue that development on sites OP1 (310 homes) and OP3 (247 homes) have not begun, site OP2 (210 homes) is almost complete and therefore site KN114 should be allocated (PP0631).

A representee has proposed allocating bid site KN114 for self-build homes, as site OP7, which is adjacent to this bid site, is inadequate to meet local demand, has approved and pending planning permissions and it will not provide the diversity of homes required. They add, the vision statement states there is a desire for self-build plots and to meet this an allocation should be made of an appropriate size, otherwise the next opportunity to deliver self-build plots will not be until the next Plan. They state that bid site KN114 would not extend any further than the adjacent OP3 site and allocating an appropriate size of site would address the local demand for self-build plots and allow for appropriate masterplanning with an integrated design (PP1199).

The representee continues to state that bid site KN114 relates well to Laurencekirk with the only concern raised relates to density and future potential western link road. They argue that density should not be an issue as the initial bid for 42 homes was indicative and bid site KN114 would not affect plans for the western link road, as the adjacent OP1 site confirms a route and provision for a future western link road, and appropriate space for an

extension of the western link road was requested as part of the seven approved homes on site OP7. Therefore, the western link road would not run through this area (PP1199).

Non-Allocated Site – Part of Site OP1 LDP 2017 – Land north of site OP8

Mearns Community Council has requested land north of site OP8 be allocated for development, as it has been allocated in previous LDPs, currently part of site OP1 in the LDP 2017, it is easily serviced, is free of constraints and more likely to attract a developer, and it will enable the development of site OP8 (11ha employment land) as it is currently landlocked (PP0632).

Modifications sought by those submitting representations:

General

Modify the PLDP to include provision to support employment rather than developing more housing sites (PP0185).

Modify the PLDP to include a new reserved site, R4 for a “Park and Choose” close to the planned grade separated junction in the vicinity of the A90 and A937 Junction (PP0562).

Modify the PLDP to require a cumulative assessment of the potential transport impacts at the A90(T) north junction for the sites requiring a Development Framework (OP1, OP3, OP8, R3, & SR1), and any others that do not yet have consent, to understand what mitigation measures may be required, including how, when and by whom (PP0578).

Modify the PLDP to identify a route for a relief road west of the A90 through Beattie Lodge field, and to the south through site OP6 and connecting to the proposed grade separated junction, and north through OP8 (PP0630).

Vision

Modify the PLDP to highlight the issue of traffic and parking in the town, particularly the High Street, which could be resolved by supporting development to the south of the High Street and could identify a route for a relief road within the Vision (PP0624).

Site P5 – To protect the area around Gaugers Burn as an amenity for the settlement and forming part of the green-blue network and Site P7 – To protect the area as a significant contribution to the character of place

Modify the PLDP to ensure sites P5 and P7 within site OP6 also serve as a wildlife corridor (PP0630).

Site R3 – Reserved for primary school education and as a neighbourhood centre

Modify the PLDP to make reference to ‘neighbourhood’ to restrict maximum floorspace levels within the site description summary and for proposals to be subject to a Retail Impact Assessment where over 400sqm gross floorspace (PP0558).

Site SR1 – Reserved for 11.8 hectares of strategic employment land

Modify the PLDP to amend the allocation summary of site SR1 to include, "... the development. A Flood Risk Assessment will be required to assess the risk from Gaugers Burn and consideration should be given to any culverts/bridges which may exacerbate flood risk." (PP1219).

Flood Risk

Modify the PLDP to remove the third bullet point within the 'Flood Risk' section referring to site R1 and amalgamate the second and fourth bullet points to, "All OP site[s] and R1 [R3] site have a watercourse flowing through or adjacent to them. Flood Risk Assessments will be required." (PP1219).

Modify the PLDP to add a new bullet point, "Due to the possibility of a number of culverted watercourses on site SR1, a Flood Risk Assessment will be required. The opening up and environmental enhancement of these watercourses should be investigated in the Flood Risk Assessment. Buffer strips will be required along the length of the watercourses. No development will be permissible on a culverted watercourse." (PP1219).

Site OP1 – North Laurencekirk

Modify the PLDP to amend the allocation summary of site OP1 to include a statement that transfers some of the housing allowed to be built in advance of a grade separated north junction to site OP3. No change to the allocation is sought. (PP0625).

Modify the PLDP to amend site OP1 to reduce the allocation from 310 to 200 homes (PP1065).

Modify the PLDP to amend the allocation summary of site OP1 to change paragraph two, from, "... Water Impact Assessment, Landscape Plan and an Environmental Statement. A Flood Risk Assessment may also be required." to "... Water Impact Assessment, Flood Risk Assessment, Landscape Plan and an Environmental Statement." and remove "A Flood Risk Assessment may also be required." in the next sentence (PP1219).

Modify the PLDP to amend the allocation summary of site OP1 to include at the end paragraph four, "... be investigated and should be supported in the Flood Risk Assessment. The Flood Risk Assessment will be required to assess the risk from the small watercourse in the western area and along the eastern boundary and consideration should be given to any culverts/bridges which may exacerbate flood risk." (PP1219).

Site OP2 – Off Blackiemuir Ave/East of Westmuir

Modify the PLDP to review the title of site OP2 "East of Westmuir" (PP0626).

Modify the PLDP to review the need to replace the felled trees adjacent to Blackiemuir (PP0626).

Modify the PLDP to amend site OP1 to require a footpath linking Blackiemuir Avenue to Pitcowes Road (PP0626).

Modify the PLDP to amend site OP2 to reduce the allocation from 210 to 136 homes (PP1066).

Modify the PLDP to amend the allocation summary of site OP2 to change paragraph three from, "... be investigated. A Flood Risk Assessment may be required." to "... be investigated and should be supported in a Flood Risk Assessment. The Flood Risk Assessment will be required to assess the risk from the Gaugers Burn and consideration should be given to any culverts/bridges which may exacerbate flood risk." (PP1219).

Site OP3 – Land North of Fordoun Road

Modify the PLDP to amend the allocation summary of site OP3 to include a statement that transfers some of the housing allowed to be built in advance of building the new grade separated junction from site OP1 to site OP3. No change to the allocation is sought. (PP0627).

Modify the PLDP to amend the allocation summary of site OP3 to change paragraph one from, "... Water Impact Assessment, Landscape Visual Impact Assessment and an Environmental Statement." to "... Water Impact Assessment, Flood Risk Assessment, Landscape Plan and an Environmental Statement." and remove "A Flood Risk Assessment may also be required." from the next sentence (PP1219).

Site OP4 – Land North of Gardenston Street

Modify the PLDP to remove site OP4 (PP0185 and PP0628).

Modify the PLDP to amend the allocation summary of site OP4 to change the first sentence in paragraph two from, "A Flood Risk Assessment may be required." to "A Flood Risk Assessment will be required to assess the risk from the Gaugers Burn and consideration should be given to any culverts/bridges which may exacerbate flood risk." (PP1219).

Site OP5 – Land South of Gardenston Street

Modify the PLDP to remove site OP5 (PP0046, PP0139, PP0208, PP0240, PP0459, PP0629 and PP1230).

Modify the PLDP to amend the allocation summary of site OP5 to remove the first sentence of paragraph three, "A Flood Risk Assessment will be required." and change paragraph two to: "... be investigated and should be supported in a Flood Risk Assessment. The Flood Risk Assessment will be required to assess the risk from Gaugers Burn and consideration should be given to any culverts/bridges which may exacerbate flood risk." (PP1219).

Site OP6 – Land South of High Street

Modify the PLDP to remove site OP6 for 100 homes (PP1067).

Modify the PLDP to amend the allocation summary of site OP6 to change the last sentence of paragraph three from, "A Flood Risk Assessment will be required." to "A Flood Risk Assessment will be required to assess the risk from Gaugers Burn and consideration should be given to any culverts/bridges which may exacerbate flood risk." (PP1219).

Site OP7 – Land West of Fordoun Road

Modify the PLDP to clarify the number of homes that are allocated on site OP7 (PP0631 and PP1199).

Modify the PLDP to amend the allocation summary of site OP7 to change the last sentence of paragraph two from, “A Flood Risk Assessment may also be required.” to “A Flood Risk Assessment will be required to assess the risk from the small watercourses to the east.” (PP1219).

Site OP8 – Land East of Laurencekirk

Modify the PLDP to amend the allocation summary of site OP8 to change paragraph two from, “... Water Impact Assessment, Landscape and Visual Impact Assessment, and an Environmental Statement.” to “... Water Impact Assessment, Flood Risk Assessment, Landscape Plan and an Environmental Statement.” and remove “A Flood Risk Assessment may also be required.” in the next sentence (PP1219).

Modify the PLDP to amend the allocation summary of site OP8 to add at the end of paragraph one, “Careful consideration in terms of layout, massing and design of built and landscape work should be given to the eastern edge of the proposed site, in particular in how it contributes to the eastern entrance to Laurencekirk.” (PP1300).

Non-Allocated Sites – Bid Site KN019 – Land at Beattie Lodge, Bid Site KN020 – Land SouthWest of Cemetery at Beattie Lodge and Bid Site KN026 – Land West of A90

Modify the PLDP to include land at Beattie Lodge [bid sites KN019, KN020 and KN026] for housing and require any new road infrastructure to provide a link between Garvock Street, Frain Drive/Johnston Avenue and the OP6 site to enable a relief road running parallel to the High Street (PP0624).

Non-Allocated Site – Bid Site KN114 – Land West of Fordoun Road, North of Finella View

Modify the PLDP to include bid site KN114 for 42 homes (PP0631 and PP1199).

Non-Allocated Site – Part of Site OP1 LDP 2017 – Land north of site OP8

Modify the PLDP to include part of site OP1 in the LDP 2017 for development (PP0632).

Summary of responses (including reasons) by planning authority:

General

The Council does not agree that priority should be on supporting jobs in Laurencekirk rather than building more housing sites. Laurencekirk is within a Strategic Growth Area (SGA) so it is appropriate that land for both homes and housing are allocated. The Vision Statement does however highlight the Community’s desire for more employment land, and two large areas of employment land are allocated. No change is required.

The Council does not support reserving land for a “Park and Choose”, as this has not been proposed in the Aberdeenshire City and Shire Strategic Development Plan (SDP) 2020,

see AD0016 or the draft Regional Transport Strategy (RTS) 2020, see AD0024, and no request has been made from the Council's Transportation Service. However, the SDP does state in Schedule 1 the need to increase the capacity of Laurencekirk's train station car park, see AD0016 and this is mentioned in the draft RTS, AD0024, pages 41 and 55. As the train station is not far from the High Street, bus stops are within walking distance of the train station. No change is required.

A Development Framework has already been prepared and agreed by Aberdeenshire Council for sites OP1, OP3, OP8, R3, and SR1, which were previously allocated in the LDP 2017 as site OP1. The allocation summary for sites OP1, OP3 and OP8 already requires the need for a Transport Assessment, but text could be added to require a cumulative assessment be undertaken on the potential transport impacts at the A90(T) north junction for these, and any other sites that do not have consent, to understand what mitigation measures may be required, including how, when and by whom. If the Reporter is minded, to make an amendment, then the Council recommend that the allocation summaries for site OP1, OP3 and OP8 could be modified to read, "A Transport Assessment will be required to include a cumulative assessment on the potential transport impacts at the A90(T) north junction for this and any other site that does not have consent, to understand what mitigation measures may be required, including how, when and by whom."

The community's aspirations for a new road to relieve traffic along the High Street has not been "dropped" from the PLDP, as it is referenced in the second paragraph of the Vision as the "western distributor road". It has not been identified on the proposals map as no transport appraisal has been undertaken on the entire route. It is also referred to in the allocation summaries for sites OP1 and OP3. The Community Council's proposed new route, to the east of Laurencekirk is not supported by any plan, transport appraisal or land allocations to help secure its delivery. It is also constrained to the north due to existing development (e.g., Garvock Street and the cemetery), and to the south from Gaugers Burns and site OP6, which has planning consent and been lawfully implemented. No change is required.

Comments from Nestrans are noted. No change is required.

Vision

The Council does not agree with the Community Council's request to amend the Vision to highlight the issue of traffic and parking in the settlement, particularly the High Street, or to support development to the south to provide a relief road. The Vision already notes the issue of congestion in the town centre (i.e., the High Street), but the Council is not aware of parking and traffic issues in the settlement. Congestion in the High Street is worsened by vehicles parked on the High Street, but the delivery of a new road or development will not resolve the parking issue. It is assumed that when referring to land to the south of the High Street, Mearns Community Council are referring to land between the High Street and the A90. While a new distributor road could be delivered by new housing to the south, no plan of this relief road has been provided, and as discussed below, land allocations in this area are not supported by the Council. No change is required.

Site P5 – To protect the area around Gaugers Burn as an amenity for the settlement and forming part of the green-blue network and Site P7 – To protect the area as a significant contribution to the character of place

While neither the PLDP nor Scottish Planning Policy (SPP) refers to the term “wildlife corridor”. Protected Land (identified as site P5), which forms part of the approved planning application of site OP6, and P7 will contribute to the green-blue network, which will benefit local wildlife. No change is required.

Site R1 – Reserved for cemetery expansion and to protect the existing cemetery

Comments from SEPA are noted. No change is required.

Site R2 – Reserved for community facilities on the former academy site

Comments from SEPA are noted. No change is required.

Site R3 – Reserved for primary school education and as a neighbourhood centre

With regards to the comment on retail, the Council does not support amending this designation. Site R3 is identified as a neighbourhood centre with a new primary school in the agreed Laurencekirk Development Framework and masterplan for OP1. It aims to encourage social and communal activity. In terms of retail, Appendix 2 states retail proposals in a neighbourhood centre are restricted to principal town centres, of which Laurencekirk is not. No restrictions or the need for a Retail Impact Assessment require to be added as, SPP states, “Where a retail and leisure development with a gross floorspace over 2,500m² is proposed outwith a town centre, contrary to the development plan, a retail impact analysis should be undertaken. For smaller retail and leisure proposals which may have a significant impact on vitality and viability, planning authorities should advise when retail impact analysis is necessary.”, see AD0012, paragraph 71. No change is required.

Site SR1 – Reserved for 11.8 hectares of strategic employment land

The Council confirms that it intends to address SEPA’s comment through non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

Flood Risk

It is assumed by the Council that SEPA is referring to site R3 than site R1, as their representation raises no issues with site R1 but for site R3 they state, “See comment above on the flood risk bullet point”. The Council confirms that it intends to address SEPA’s comments through non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – North Laurencekirk

The Council notes that site OP1 has not moved forward since gaining planning permission, but it is beyond the scope of the LDP to amend planning conditions of an approved planning application and in this case, to transfer some of the housing allowed to be built in advance of an assessment on the north grade separated junction to site OP3. No change

is required.

The Council does not support reducing the site's allocation to 200 homes. The 23rd planning condition set out in the decision notice for application APP/2014/4094 states, "Prior to the construction of the 200th dwellinghouse within the development, a further assessment of the operational performance of the A90/A937 Laurencekirk North Junction must be undertaken. The assessment shall consider the capacity and safety of the junction and, if appropriate, propose additional measures to mitigate any adverse issues identified.", see AD0056. This assessment does not prevent more housing on this site, as it could show there is not an issue. Furthermore, there are benefits to keeping allocation totals to the original number than amending them as a result of the Housing Land Audit (HLA), particularly to allow the allocation boundary to remain unaltered as it could be difficult to amend, especially undeveloped sites with a masterplan and planning permission. In addition, HLAs are a snapshot in time and circumstances change on an annual basis. No change is required.

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Off Blackiemuir Ave/East of Westmuir

The title of site OP2 has been carried forward from the LDP 2017. Westmuir Cottage lies to the north west of the site. However, as the title could be misleading, the Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The latest figures from the HLA 2020 show that 116 out of 210 homes remain to be built, see AD0023, Rural Housing Market Area, page 37. Issues on tree removal are noted but are not a concern for the allocation summary of this site as planning consent for the site has been granted. The Council could not find any road named Pitcoves Road. No change is required.

The Council notes the number of homes that are remaining to be built on this site, but there are benefits to keeping allocation totals to the original number rather than amending them as a result of the HLA, particularly to allow the allocation boundary to remain unaltered as it could be difficult to amend for larger sites. In addition, HLAs are a snapshot in time and circumstances change on an annual basis. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP3 – Land North of Fordoun Road

The Council notes that the decision notice for site OP3 for application APP/2016/1203 is dependent on the construction of a grade separated junction at the A90(T)/A937 south junction, which is only at the post consultation stage of the draft Orders (<https://www.transport.gov.scot/projects/a90a937-laurencekirk-junction-improvement-scheme/project-details/> and <https://www.transport.gov.scot/media/46716/a90-a937-laurencekirk-junction-panels-january-2020.pdf>), and that the central reservation gap at the A90(T)/A937) north junction will be closed, see AD0072, condition 1, page 14. As such, transferring all or part of the 200-home housing allowance discussed above on site OP1

will make no difference to this site progressing in the short term. Development on site OP3 cannot be occupied until the grade separated junction has been completed, which could take 18 months to construct. A Transport Assessment will also be required of the existing north A90 junction. Furthermore, it is beyond the scope of the LDP to amend planning conditions of approved planning applications. However, it is noted that the second paragraph in the allocation summary for site OP3 does not clarify which of the three junctions the “A90 grade separated junction” will be required at, which is now preferred at the south junction. If the Reporter is minded, to make an amendment, then the Council recommend that the first sentence in paragraph two of the allocation summary for site OP3 could be modified to read, “...delivery of a grade separated junction at the A90(T)/A937 south junction.”

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP4 – Land North of Gardenston Street

The Council does not agree with removing this site. There are no green belt or other designations on this site. The site presents a logical extension to current site OP2 and at 1.56 hectares, an allocation of 20 homes is considered appropriate. While Laurencekirk is in the Rural Housing Market Area, it is within a SGA, and the SDP 2020, see AD0016 page 27 expects sites larger than 1ha should generally be no less than 30 homes per hectare. The allocation takes into consideration the adjacent substation and varying house densities in this area. To meet the Council’s Road Standards, access must come via site OP2. No change is required.

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP5 – Land South of Gardenston Street

The Council does not agree with the removal of this site. The Council’s Transportation Service have raised no concerns regarding access and impacts on the existing road network, other than the provision of a footway connection on the north side of the A937 that connects to the existing network. The site forms a logical extension to the settlement and the required buffer strip and open space provision provides an opportunity to enhance Gaugers Burn. The site has been used for grazing and there is very little natural or riparian habitat along this part of Gaugers Burn. Only 11 homes are proposed on this 1.1ha site to take account of Gaugers Burn, topography, local density, and visually impact. As this site is on the southern gateway into Laurencekirk the design of the development will be very important, and impact on adjacent properties would be a key consideration at the planning application stage. The allocation summary for site OP5 requires strategic landscaping along Gaugers Burn to provide an appropriate boundary treatment and retention of the hedge along the High Street. The scale and location of the site would have no impact on the provision of a relief road, which is proposed to the west of the settlement, starting at sites OP1 and OP3. There is demand for homes given the progress of site OP2, and the lack of development on sites OP1 and OP3 does not demonstrate there is a lack of demand for new homes. There is also a local aspiration for self-build homes, which smaller sites can offer. At 11 homes, this site will not have an adverse impact on the education capacity of the academy and primary school. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP6 – Land South of High Street

The Council does not agree with the removal of this site for 100 homes and 0.8ha employment land. While the Planning Permission in Principle for a mixed-use development on this site has expired (APP2010/2823), around two-thirds of the site as Full Planning Permission for 77 homes and 8 commercial units (see AD0184) that has been lawfully implemented (APP/2010/2822). A bid (KN073) was also submitted on this site during the Call for Sites in 2018, see AD0038.F, pages 52 and 54. The number of homes was increased to 100 in light of comments received on the MIR 2019, see MIR Issues and Actions Paper, AD0040.F, pages 62, 65 and 67. The site is identified as constrained in the HLAs due to infrastructure issues, see AD0022, Rural Housing Market Area, page 38, as the homes cannot be occupied until the A90/A937 grade separated junction has been implemented. Therefore, it makes sense not to begin building until further progress has been made on the grade separated junction. While a public inquiry on the new grade separated junction will delay the delivery of site OP6, Transport Scotland is committed to delivering it, see AD0024, draft Regional Transport Strategy 2040, paragraph 2.3. In light of the above, it is deemed appropriate to allocate this as a new site in the PLDP. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP7 – Land West of Fordoun Road

Site OP7 is allocated for 15 homes, which includes seven homes that have planning permission plus eight homes that were included within bid site KN114, which covers a much larger area. It is noted that six of the additional eight homes have pending planning applications (described as plots 8 to 13). This brings the total to 15 homes. No change is required.

It is noted that seven homes have planning permission on this site, and six homes are pending planning permission and will be determined against the relevant policies in the LDP 2017. However, the Council supports SEPA's request to amend the allocation summary, which confirms the need for a Flood Risk Assessment. A drain runs along the western boundary of the site and the need for a buffer strip remains. The affordable housing requirement will remain as LDP housing allocations do not differentiate between self-build plots and developer-led housing sites, as either can occur on this or any other housing allocation. Developments should also be aiming to deliver a mix of house types to comply with the PLDP's objectives and Policy P1 Layout, Siting and Design. The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP8 – Land East of Laurencekirk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Sites – Bid Site KN019 – Land at Beattie Lodge, Laurencekirk, Bid Site KN020 – Land SouthWest of Cemetery at Beattie Lodge, Laurencekirk and Site – Bid Site KN026 – Land West of A90 Laurencekirk

The Council does not support allocating bid sites KN019, KN020 and KN026 for housing to enable a link road. Bid site KN019 (150 homes), KN020 (20 homes) and KN026 (250 homes and 10,000m² employment land) were not identified as preferred options in the MIR, see AD0038.F, pages 55-56. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. A relief road has been proposed to the west of the settlement, starting at sites OP1 and OP3. No supporting material, such as a plan or Transport Assessment have been produced that supports an eastern relief road. Development on these bid sites are not supported as they are within a pipeline consultation zone, on prime agricultural land, insufficient water and education capacity, affect the setting of the B listed Beattie Lodge, close proximity to the cemetery and war memorial, loss of land to extend the cemetery, accessibility into the sites, and significant road infrastructure is required to improve the junctions off the A90(T)/A937 before housing developments of this size can be allocated, see AD0038.F. These sites could also significantly impact on the setting of Laurencekirk and it is desirable to leave a buffer between the settlement and the A90. Regarding sites KN020 and KN026, the Reporter at the Local Development Plan 2017 Examination stated that there is "some merit in maintaining a degree of separation between new development and the A90", see AD0036, paragraph 11, page 715. No change is required.

Non-Allocated Site – Bid Site KN114 – Land West of Fordoun Road, North of Finella View

The Council does not support allocating bid site KN114 for housing. Bid site KN114 (42 homes) was not identified as a preferred option in the MIR, see AD0038.F, page 57. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. A range of large and small housing allocations totalling 913 homes have been proposed in Laurencekirk to meet local demand and any allocation can provide self-build plots, as this is the decision of the landowner or developer and not the LDP.

Development on this bid site for 42 homes is not supported as the site constitutes an underdevelopment of land, which measures 6.7ha, see AD0038.F. As such, there is insufficient justification to allow building on prime agricultural land at such a low density (6 homes per hectare) on such a large site, which would also conflict with the housing densities expected in the SDP 2020 for large sites in the SGA, see AD0016 page 27.

In addition, this site could prejudice the western distributor road. The approved site plan for a road on site OP7 that was granted planning permission (APP/2016/2229) says "Land left for future link" at the end of the turning area, which is assumed would form part of the distributor road. However, this is not evidenced in the decision notice for APP/2016/2229, see AD0057 or its Section 75 Agreement, see AD0073. The supporting evidence provided by the applicant makes a reference to a link road on page 7 under 'Refusal 4' where it,

states "...has left land to allow a potential link through to East Blackmuir for a possible distributor road". The Council is concerned that the Transportation Service only commented on the planning application for a road that would serve a residential development, and not as a potential distributor road. It is noted that the Transportation Service objected to this planning application as it would clash with the junction for site OP1 (then known as site M1) and they noted that "There is also aspiration for a link road around the west of Laurencekirk which may affect the alignment of Fordoun Road in the vicinity of this site.", see AD0062. The indicative layout for bid site KN114, see AD0150, that was submitted during the Call for Sites does not show a distributor road, but the road layout in the masterplan for sites OP1 and OP3 shows one junction is opposite site OP7, see AD0082. Nonetheless, without further confirmation of the route and that it would meet the Council's Roads Standards, allocating bid site KN114 could affect the delivery of the distribution road.

This site is also constrained as significant road infrastructure is required to improve the Laurencekirk junctions off the A90(T)/A937 before housing developments of this size can be allocated. It is also noted that the HLA 2020 shows that site OP2 is not near completion as 116 out of 210 homes remain to be built, see AD0023, Rural Housing Market Area, page 37.

In conclusion, no change is required.

Non-Allocated Site – Part of Site OP1 LDP 2017 – Land north of site OP8

The Council does not support allocating part of site OP1 in the LDP 2017 for development. The area of land the Council assumes Mearns Community Council is referring to is currently allocated in the LDP 2017 as part of site OP1. The agreed Development Framework for this area identifies this land as future housing measuring 8 hectares (page 7, para 4.1). Figure 13 on page 12 in the Development Framework also identifies it as phase 2, and text for Figure 14 states that phase 1 (PLDP sites OP1 and OP3) will take around 7-10 years to deliver and the timescale of delivering the phases is broadly discussed in para 8.2 of AD0075. The PLDP does not reserve land for housing beyond the proposed Plan period. As delivery of this site will be beyond the PLDP period and SPP expects allocated sites to be deliverable, see AD0012, paragraph 110, the decision was taken to break up the LDP 2017 allocation and only allocate those sites that will deliver the SDP housing targets. This site can be considered again during a future LDP review.

This site is also not necessary to deliver site OP8, as it is not land locked. Fields lie to the north and the demolished former academy site lies to the west. Road access can be taken through either of these to the A937. However, this site is constrained as significant road infrastructure is required to improve the Laurencekirk junctions off the A90(T)/A937 before housing developments of this size can be allocated. Finally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the Laurencekirk settlement statement. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

General

3. The settlement statement for Laurencekirk makes provision for employment opportunities and house building. I consider that the principle of allocating land for housing in Laurencekirk is consistent with the strategic development plan, which states (on page 10) that strategic growth areas will be the main focus for development in the area up to 2040. No modification is required.
4. There are no proposals for a “Park and Choose” facility in the strategic development plan or the draft regional transport strategy. I therefore do not consider there is any justification to reserve land for this purpose in the plan. No modification is required.
5. Transport Scotland is seeking clarification on the assessment of development allocations in Laurencekirk, in terms of any potential impact on the A90(T) north junction. I sought further information from the council and Transport Scotland in order to better understand the planning context and potential solutions (FIR007).
6. I understand that a cumulative transport assessment was not undertaken as part of the development framework which covers sites OP1, OP3, OP8, R3 and SR1 in the proposed plan. However, this matter was considered in individual applications for sites OP1 and OP3. The need for further assessment on potential impacts on the A90(T) north junction was included in a condition attached to the planning permission for site OP1. A condition attached to the permission for site OP3 requires the closure of the central reservation gap at the A90(T) north junction, before any house is occupied.
7. The council has explained that the permission for site OP1 has now lapsed and there are currently no proposals to close the central reservation gap at the A90(T) north junction. As the council expects new applications to be submitted for both sites, I consider that the local development plan provides the opportunity to reconsider the necessary mitigation to deliver these allocations in a cumulative context.
8. I agree with the council and Transport Scotland that the local development plan should require proposals for sites OP1, OP3 and OP8 to undertake a cumulative transport assessment of the potential impacts on the A90(T) north junction. It should be made clear that the cumulative assessment should include all allocated sites which do not have planning permission, and set out what mitigation measures may be required, including

how, when and by whom. In the interests of clarity, reference to the status of the now lapsed planning permission for site OP1 should be amended.

9. I note that the council and Transport Scotland are in agreement that planning applications for the smaller allocations in Laurencekirk (OP4, OP5 and OP7) would not need to be supported by a cumulative transport assessment. I have no reason to disagree with this approach.

10. I recommend modifications to the allocation summaries for sites OP1, OP3 and OP8 to highlight the need for a cumulative transport assessment of potential impacts on the A90(T) north junction and update the references to the now lapsed planning permission for site OP1.

11. The council has suggested that the third sentence in the local transport infrastructure bullet point should be amended to read as two sentences. I agree that this change would also assist in providing clarification in relation to the impact of development on the A90(T) junctions. A modification to this effect is recommended

12. The community council is concerned that a dedicated route for a relief road has been dropped from the local development plan. However, I note that the route of the distributor road is not shown on the Laurencekirk Key Map in the adopted plan. On the basis that references to a distributor road which would run to the north and west of the settlement are similar in both the adopted and proposed plan, I do not consider there is any evidence to suggest this route has been dropped. In terms of the proposed plan, I note that it is mentioned in the vision section, the local transport infrastructure bullet point and the allocations summaries for sites OP1 and OP3. I have insufficient information before me to comment on the suitability or deliverability of an alternative route to the south and east of the settlement. No modification is required.

Vision

13. I consider the issue of traffic is covered in the vision section, through the reference to town centre congestion and the aspiration for a distributor road. No details have been provided on parking matters and I am not aware of any of the bid proposals seeking to address parking issues in the settlement. No modification is required.

Protected Land designations P5 and P7

14. I agree with the council that sites P5 and P7 may also have biodiversity value. No modification to the plan is required.

Site R3 – land reserved for primary school and a neighbourhood centre

15. Asda Stores Limited requests that a maximum floorspace limit be identified for any new retail facilities provided in the proposed neighbourhood centre. Site R3 reserves land for a school and neighbourhood centre, in line with the development framework and master plan approved in 2013. There is no definition of “neighbourhood centre” in the glossary of the proposed plan. However, the council has pointed out that Appendix 2 indicates that retail uses would not generally be permitted in a neighbourhood centre in Laurencekirk, as it is not a principal town centre. In this context, there would be no requirement to modify the plan to specify a maximum retail floorspace limit. No

modification is proposed.

Flood Risk

16. I agree that the changes requested by the Scottish Environment Protection Agency (SEPA) to the description of designation SR1, the bullet points in the flood risk section and the allocation summaries for sites OP1, OP2, OP3, OP4, OP5, OP6, OP7 and OP8 would provide clarification on flood risk matters. Modifications based on the wording provided by SEPA are recommended.

Site OP1 – North Laurencekirk

17. Planning permission APP/2014/4094 was granted in December 2016 for 310 homes on site OP1. This permission included a condition which states that “prior to the construction of the 200th home within the development, a further assessment of the operational performance of the A90/A937 Laurencekirk north junction” would be required. The terms of this condition are referenced in the second paragraph of the allocation summary.

18. The community council would like some of the 199 houses, which can be built before a transport assessment is undertaken, to be reallocated to site OP3. I agree with the council that it is not possible for the local development plan to amend the wording of conditions. However, as I have already noted, the planning permission for site OP1 has now lapsed.

19. Transport Scotland has highlighted the need to undertake a cumulative assessment of potential impacts on the A90(T) north junction to identify what mitigation measures would be necessary. The modifications recommended to address the representation from Transport Scotland provide an updated position on the transport assessment work required to allow development to come forward on sites OP1 and OP3. No further modifications are required on this matter.

20. The indicative capacity of the site shown in the proposed plan is consistent with the most recent planning application. The 2019 housing land audit identifies 200 homes as forming part of the effective land supply. This reflects the condition in the planning permission in place at that time, which limited the number of houses which could be built prior to further transport assessment work.

21. Table 3 in Appendix 6 of the proposed plan shows that the remaining capacity on the site is not identified as contributing to the strategic development plan allowance for the Rural Housing Market Area. This is understandable, given the uncertainty regarding the need to upgrade the A90(T) north junction. Whilst a new planning application and a cumulative transport assessment will now be required, there is no justification to change the indicative capacity of site OP1 at this time. No modification is required.

Site OP2 – Off Blackiemuir Avenue/East of Westmuir

22. I agree with the council that the title of allocation OP2 should be amended in the interests of clarity. A modification is recommended.

23. The total capacity of the site is 210 homes. The figures in Appendix 6 of the

proposed plan indicate that in 2019, 74 homes had been built with a remaining capacity of 136 homes. These figures are consistent with the 2019 housing land audit. I note the comments from the community council regarding the removal of trees and the provision of a footpath link. As the site is under construction, these are not matters which can be addressed through this examination. No further modifications are required.

Site OP3 – Land north of Fordoun Road

24. I note that planning permission for 247 homes on this site was granted on appeal in May 2019, subject to 22 conditions. The first of these conditions states that no part of the proposed development shall be occupied until works to upgrade the Laurencekirk south junction and close the central reservation at the Laurencekirk north junction have been completed. As I have already indicated in relation to site OP1, I agree with the council that it is not possible to amend the wording of conditions through the development plan examination process. However, I consider that the recommended modification to require a cumulative transport assessment would assist the delivery of development on site OP3. No further modifications are required on this matter.

25. The council has suggested a modification to clarify that it is the south junction which is referred to in the second paragraph of the allocation summary. I consider this change to be appropriate to provide clarity, relevant to the matters raised in representations. A modification is recommended.

Site OP4 – Land north of Gardenston Street

26. Site OP4 covers 1.56 hectares of open land located between site OP2 and Gardenston Street. It lies outwith the settlement boundary in the current local development plan, but is not designated as green belt. The strategic environmental assessment indicates that the allocation would result in the loss of prime agricultural land. However, I observed on my site inspection that the land was not in active agricultural use and does not appear to be physically related to a wider farm unit.

27. The Main Issues Report and Issues and Actions Paper note that the site forms a logical extension to the settlement, but that potential issues in relation to the adjacent electricity substation and access would need to be addressed. These matters, plus the density of development, have been raised as concerns by the community council

28. The allocation summary in the proposed plan sets out a number of potential solutions regarding access to the site, including that access should be taken through site OP2. I consider that the proximity of the substation could be addressed through the site layout and landscaping strategy at planning application stage. I note that the density proposed by the council has taken account of the proximity of the substation and the character of neighbouring properties and is already less than the standard density proposed in the strategic development plan. Reducing the density further would be contrary to paragraph 4.6 in the strategic development plan, which states that “land brought forward for housing must be used efficiently”.

29. Whilst I note the concern regarding the need for employment opportunities and loss of local services in Laurencekirk, I consider that these matters are addressed in the settlement statement. The proposed plan includes allocations and a future reservation for employment uses and one of the benefits of the housing allocations would be to provide

additional support for local services. Allocation OP4 would contribute 20 homes towards meeting the strategic development allowance for the Rural Housing Market Area and could help address the community council's concerns regarding continuity in housebuilding. I do not consider that the removal of the site from the plan would be justified. No modification is proposed.

Site OP5 – Land south of Gardenston Street

30. Site OP5 is located at the south western end of the settlement on the north side of the high street. The land, which is currently grassland, slopes upwards in a north easterly direction from Gaugers Burn and is clearly visible on the approach to the settlement from the south.

31. Representations objecting to the allocation for 11 homes raise various concerns including regarding transport matters, visual and environmental effects, impact on residential amenity and impact on local services and infrastructure.

32. I note, from the strategic environmental assessment, that the allocation would result in the loss of prime agricultural land. However, I observed that the site is not in active agricultural use and is separated by the burn from the agricultural land to the south east. No other negative environmental effects were identified. The roads authority has no objection to the allocation and strategic landscaping along the burn would bring positive effects in relation to biodiversity and enhancing the southern gateway to the settlement. I agree with the council that it would not be directly affected by works to upgrade the Laurencekirk South junction.

33. I have no evidence before me to suggest that a development of 11 homes would have an unacceptable impact on local services and infrastructure. I note the comments that the existing large housing allocations to the north of the settlement should be delivered, prior to developing this site. However, I consider that the identification of this smaller site would contribute to the provision of a range of sites, consistent with paragraph 119 in Scottish Planning Policy. Furthermore, as with site OP4, this allocation would contribute to meeting the strategic development plan allowance for the Rural Housing Market Area and could help address the community council's concerns regarding continuity in housebuilding.

34. I have considered the matters raised in representations, but conclude overall that the allocation would bring a number of benefits and potential negative effects can be addressed at planning application stage. No modification is required.

Site OP6 – Land south of High Street

35. Site OP6, which is located at the south western end of the settlement has planning permission for 77 homes and eight business units. I note that Scotia Homes, who have an option on the site, provided a response to the main issues report requesting that the number of housing units be increased to 100. The resultant increase in density would still be below the 25 – 30 homes per hectare standard referred to in the strategic development plan and used by the council in preparing the proposed plan.

36. The site is identified as contributing 100 homes towards the strategic development plan allowance for the Rural Housing Market Area up to 2032. Given the existing

infrastructure constraint, I sought further information from the council regarding the deliverability of this allocation.

37. I note that the road access into the site will be influenced by the side road layout associated with the upgrading of the Laurencekirk South junction, which has yet to be finalised. The council has indicated that, whilst no dates have been provided by Transport Scotland, it is confident that the new junction will be completed within the first five years of the adoption of the plan. The lead in to development on site OP6 could overlap with work on the junction, which would allow at least five years to build 100 homes in the period to 2032. There is an active housebuilder involved and I consider it reasonable to conclude that the site would be deliverable within the plan period. No modification is required.

Site OP7 – Land west of Fordoun Road

38. The council indicates that site OP7 comprises seven homes which have planning permission and land for a further eight homes. This is already explained in the allocation summary for site OP7. The council has explained that the need for a buffer strip relates to the presence of a drain which runs along the western boundary. No modifications are recommended.

39. Policy H2 in the proposed plan requires all housing developments of four or more houses to provide 25% affordable housing. It is therefore appropriate for this requirement to be included in the allocation summary for site OP7. It would be open to an applicant to seek an exception to policy H2 at planning application stage, if necessary. I observed from my site inspection that the access to the site from Fordoun Road is already in place. I therefore consider that the sentence which states “access to the site must work in conjunction with site OP1” should be removed. A modification on this matter is required.

Site OP8 – Land east of Laurencekirk

40. Site OP8 is currently flat agricultural land, located to the west of, and clearly visible from, the A90(T) road. Protected land designation P1, which seeks “to protect the landscape buffer as an amenity for the settlement and to protect the area as a significant contribution to the character of the place”, lies between site OP8 and the road.

41. I note that allocation OP8 is included in the 2013 development framework which covers various sites in the north and east of the settlement. The proposed plan requires a masterplan to be prepared. I agree that the additional sentence suggested by NatureScot would be appropriate to highlight some of the key matters to be addressed in the master plan. A modification to this effect is recommended.

Non-allocated Bid Sites KN019, KN020 and KN026 - Land at Beattie Lodge and to the west of the A90.

42. The community council supports the allocation of these three bid sites to help deliver a partial relief road to the south east of the High Street. No representations have been submitted to the proposed plan on behalf of the landowner and/or prospective developer.

43. I note from the strategic environmental assessment, main issues report and issues and actions paper that there are a number of potential constraints affecting these sites. These are summarised in the council’s response above and include the presence of a

pipeline consultation zone and proximity to the A90(T) road. No details have been provided to address these matters or demonstrate that adverse effects can be mitigated. The council indicates that a relief road has been proposed to the west of the settlement and no supporting information has been provided to justify an eastern relief road.

44. There is no requirement to allocate additional sites to meet the strategic development plan allowance in the Rural Housing Market Area up to 2032. Even if there was a shortfall, I have insufficient information before me to assess whether these sites would be deliverable within the plan period. I conclude that bid sites KN019, KN020 and KN026 should not be allocated in the plan. No modification is required.

Non-allocated Bid Site KN0144 - Land west of Fordoun Road, north of Finella View

45. Bid site KN114 lies immediately to the north of allocation OP7, and is being promoted by the same landowner/developer for self-build homes. I note that the community council is supportive of allocating this site. The south eastern part of the bid proposal has been allocated as part of site OP7.

46. Development of this site would extend the settlement in a north westerly direction into open countryside. It would result in the loss of prime agricultural land and alter the rural character of the approach to the settlement from the north. I note that the northern boundary of bid site KN114 would align with the northern boundary of site OP3. However, until the allocations on the eastern side of Fordoun Road have been developed, I consider that site KN114 would appear remote from the settlement as a whole.

47. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is no shortfall in the housing land identified to meet the strategic development plan allowance for the Rural Housing Market Area. Whilst the loss of prime agricultural land may be justified if required to meet strategic housing needs, there is no requirement to identify additional sites at this time.

48. There are already a number of housing sites identified in Laurencekirk which are capable of providing a range of house sizes and types, including OP7. I conclude that there is no justification to allocate this site in the plan. No modification is required.

Non-allocated site – part of site OP1 in 2017 plan.

49. Land to the north east of site OP8 is identified as part of site OP1 in the current local development plan. The council has explained that it is identified for future housing in the development framework. There is no requirement for this plan to identify housing land to be developed beyond 2032 and no information has been submitted to suggest that this site is capable of being delivered within the plan period. I therefore agree with the council that it should not be identified as a housing allocation in the plan. The council has clarified that the allocation of former site OP1 is not needed to provide access to allocation OP8. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

1. Adding the following sentence to the end the description of designation SR1 in the settlement features table on page 692:
“A Flood Risk Assessment will be required to assess the risk from Gaugers Burn and consideration should be given to any culverts/bridges which may exacerbate flood risk.”
2. Deleting the third bullet point (that relating to site R1) in the flood risk section on page 693.
3. Deleting the second and fourth bullet points in the flood risk section on page 693 and replacing them with:
“• All OP sites and site R3 have a watercourse flowing through or adjacent to them. Flood Risk Assessments will be required.”
4. Adding the following new bullet point to the flood risk section on page 693:
“• Due to the possibility of a number of culverted watercourses on site SR1, a Flood Risk Assessment will be required. The opening up and environmental enhancement of these watercourses should be investigated in the Flood Risk Assessment. Buffer strips will be required along the length of the watercourses. No development will be permissible on a culverted watercourse.”
5. Replacing the third sentence in the local transport infrastructure bullet point on page 693 with the following two sentences:
“Development beyond existing consents will be restricted until the A90 grade separated junction to the south is delivered. An assessment is required of the existing north A90 junction.”
6. Replacing the last sentence in the first paragraph of the allocation summary for OP1 – North Laurencekirk on page 694 with:
“The full planning permission granted for site OP1 in 2016 has now lapsed.”
7. Replacing the second paragraph of the allocation summary for OP1 – North Laurencekirk on page 694 with:
“Before development can commence on the site, there are several assessments that need to be carried out including a Transport Assessment, Water Impact Assessment, Flood Risk Assessment, Landscape Plan and an Environmental Statement. The Transport Assessment will be required to include a cumulative assessment of the potential transport impacts at the A90(T) north junction for the sites within the agreed Laurencekirk Development Framework, and any other allocation in Laurencekirk that does not have planning permission, to understand what mitigation measures may be required, including how, when and by whom.”
8. Replacing the last sentence in the fourth paragraph of the allocation summary for OP1 – North Laurencekirk on page 694 with the following two sentences:
“Enhancement of the straightened watercourses through re-naturalisation and removal of any redundant features will require to be investigated and should be supported in a Flood Risk Assessment. The Flood Risk Assessment will be required to assess the risk from the small watercourse in the western area and along the eastern boundary and consideration should be given to any culverts/bridges which may exacerbate flood risk.”
9. Replacing the title of the allocation summary for OP2 on page 695 with:
“OP2: Off Blackmuir Avenue”

10. Replacing the last two sentences in the third paragraph of the allocation summary for OP2 – Off Blackmuir Avenue on page 695 with:

“Enhancement of the straightened watercourse through re-naturalisation and removal of any redundant features will require to be investigated and should be supported in a Flood Risk Assessment. The Flood Risk Assessment will be required to assess the risk from the Gaugers Burn and consideration should be given to any culverts/bridges which may exacerbate flood risk.”

11. Replacing the last two sentences in the first paragraph of the allocation summary for OP3 – Land north of Fordoun Road on page 696 with:

“Before development can commence on the site, there are several assessments that need to be carried out including a Transport Assessment, Water Impact Assessment, Flood Risk Assessment, Landscape Visual Impact Assessment and an Environmental Statement. The Transport Assessment will be required to include a cumulative assessment of the potential transport impacts at the A90(T) north junction for the sites within the agreed Laurencekirk Development Framework, and any other allocation in Laurencekirk that does not have planning permission, to understand what mitigation measures may be required, including how, when and by whom.”

12. Replacing the first sentence in the second paragraph of the allocation summary for OP3 – Land north of Fordoun Road on page 696 with:

“Development of this site is dependent on delivery of the A90(T) south grade separated junction.”

13. Replacing the first sentence in the second paragraph of the allocation summary for OP4 - Land north of Gardenston Street on page 697 with:

“A Flood Risk Assessment will be required to assess the risk from the Gaugers Burn and consideration should be given to any culverts/bridges which may exacerbate flood risk.”

14. Deleting the first sentence in the third paragraph of the allocation summary for OP5 – Land south of Gardenston Street on page 697 and replacing the last sentence in the second paragraph with:

“Enhancement of the straightened watercourse through re-naturalisation and removal of any redundant features will require to be investigated and should be supported in a Flood Risk Assessment. The Flood Risk Assessment will be required to assess the risk from the Gaugers Burn and consideration should be given to any culverts/bridges which may exacerbate flood risk.”

15. Replacing the last sentence in the third paragraph of the allocation summary for OP6 – Land south of High Street on page 698 with:

“A Flood Risk Assessment will be required to assess the risk from Gaugers Burn and consideration should be given to any culverts/bridges which may exacerbate flood risk.”

16. Replacing the last sentence in the second paragraph of the allocation summary for OP7 – Land west of Fordoun Road on page 699 with:

“A Flood Risk Assessment will be required to assess the risk from the small watercourses to the east.”

17. Deleting the last sentence in the third paragraph (that relating to access to the site) of the allocation summary for OP7 – Land west of Fordoun Road on page 699.

18. Inserting the following additional sentence at the end of the first paragraph of the allocation summary for OP8 – Land east of Laurencekirk on page 699:

“Careful consideration in terms of layout, massing and design of built and landscape work should be given to the eastern edge of the proposed site, in particular in how it contributes to the eastern entrance to Laurencekirk.”

19. Replacing the second paragraph of the allocation summary for OP8 – Land east of Laurencekirk on page 669 with:

“Before development can commence on the site, there are several assessments that need to be carried out including a Water Impact Assessment, Flood Risk Assessment, Landscape and Visual Impact Assessment and an Environmental Statement. A Transport Assessment will also be required in order to determine access and connectivity; however, no access is to be taken via Borrowmuirhill Road. The Transport Assessment will be required to include a cumulative assessment of the potential transport impacts at the A90(T) north junction for the sites within the agreed Laurencekirk Development Framework, and any other allocation in Laurencekirk that does not have planning permission, to understand what mitigation measures may be required, including how, when and by whom.”

Issue 44	Newtonhill	
Development plan reference:	Proposed LDP, Appendix 7E Kincardine and Mearns, Page 717-721	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
PP0272 Scottish Water PP0556 Newtonhill, Muchalls and Cammachmore Community Council PP0751 Elsick Development Company (EDC) PP0880 Dr Linsey Hunter PP1219 Scottish Environment Protection Agency PP1241 Nestrans PP1276 Polmuir Properties (Newtonhill) Limited PP1300 NatureScot		
Provision of the development plan to which the issue relates:	Newtonhill Settlement Statement	
Planning Authority's summary of the representation(s):		
<p><u>General</u></p> <p>A representee has requested that no more houses are built in Newtonhill, the Proposed Local Development Plan (PLDP) prevents coalescence of smaller settlements and measures are taken to ensure that land already classified as protected or potentially protected, is protected from all future housing development in relation to Newtonhill. They favour developments in planned settlements with suitable infrastructure, access to amenities and employment. The representee states that Newtonhill lacks infrastructure, public transport, employment opportunities, access to amenities and green space, nursery space and that there is a high dependence on cars (PP0880).</p> <p>Nestrans has reported that they are currently progressing a study considering options for new local rail stations between Aberdeen and Laurencekirk, including in/around Newtonhill (RD0227.A). No modification sought (PP1241).</p> <p><u>Vision</u></p> <p>A representee has suggested amending the term "future opportunity site", as it is misleading and should be changed. Adds, the only housing site, OP1 has planning permission and is under construction (PP1276).</p> <p><u>Site P2 – To protect the area of open space and allotments as amenities for the settlement and forming part of the green-blue network</u></p> <p>A representee has requested amending site P2 to reference the now built access road into site OP1 (PP1276).</p>		

Site P3 – To protect the recreation ground as an amenity for the settlement and forming part of the green-blue network

A representee has suggested extending site P3 to the south to include the proposed open space as part of the masterplan for bid site KN101 (PP1276).

Site P5 – To protect the area as a significant contribution to the character of the place and provide a landscape buffer

A representee has stated that they cannot find a reference in the PLDP background documents as to why site P5 includes a Sustainable Drainage System (SuDS) area, as it is already protected by its very use (PP1276).

Site P8 – To protect the area as forming part of the green-blue network

A representee has stated that they cannot find a reference in the PLDP background documents as to why site P8, which is gorse, has been included or the justification for it. They argue there is nothing meritorious of the Plan's reference to P8 in particular "forming part of the green-blue network", as the characteristics of the land appear very similar to many areas of gorse that are commonly found in this coastal environment, and that the Council confirmed it is not of a standard that can be protected by additional Local Nature Conservation Site status. They also note NatureScot's only comments on bid site KN101 were it having adequate biodiversity, open space and to utilise the core path (PP1276).

Flood Risk

Scottish Environment Protection Agency (SEPA) has requested that the two 'Flood Risk' bullet points are reversed for consistency, so the general bullet point is first (RD0214.B) (PP1219).

SEPA has requested that the general 'Flood Risk' bullet point also states that parts of Newtonhill are affected by flooding from the Burn of Elsick and the Pheppie Burn, and not just from coastal flooding (RD0214.B) (PP1219).

Services and Infrastructure

Scottish Water has requested inserting after 'Strategic drainage and water supply', "There is currently sufficient capacity at Nigg Waste Water Treatment Works. A Drainage Impact Assessment may be required. Early engagement with Scottish Water is recommended." (PP0272).

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Park Place

Newtonhill, Muchalls and Cammachmore Community Council has objected to site OP1 for 121 homes, as there is no public support for this site (PP0556).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Site OP2 – Land to the West of the A92

A representee supports the inclusion of site OP2 site for employment land. The representee has included an Appendix (RD0128.A) in their representation which provides further detail to support their position (PP0751).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

NatureScot has requested that the allocation summary for site OP2 includes text that concentrates development to the eastern extent of this site, to maintain some 'rural' landscape setting between Newtonhill and Chapelton, as the scale and form of this site projects westwards from the A92, and significantly narrows and erodes the existing area of agricultural land that separates Newtonhill/A92 from the emerging settlement at Chapelton (RD0255.B) (PP1300).

NatureScot has also noted that the allocation summary for site OP2 refers to a core path on the boundary of this site, but they state no core path is shown at this location on the settlement map and understand that rather than being a core path, this is an 'on road link'. They suggest the allocation summary should therefore be corrected (RD0255.B) (PP1300).

Site OP3 – West Monduff

Newtonhill, Muchalls and Cammachmore Community Council has suggested that an alternative access road is identified for this employment land site, as in terms of Policy B2 Employment/Business Land (paragraph B2.1), the site is poorly located due to the limited and potentially dangerous access from the A92 slip-road. They also argue an alternative access route is required so that traffic does not obstruct or cross the A92 slip road (PP0556).

A representee has requested that this site be carefully constructed to minimise negative visual impact on the local landscape, adequate road access should be facilitated, and the slip road is extended for safety as the volume of traffic will only increase in this part of the A92 (PP0880).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

Non-Allocated Site – Bid Site KN101 – Land South of OP1, North of Mains on Monduff

Newtonhill, Muchalls and Cammachmore Community Council support Aberdeenshire Council's decision not to allocate bid site KN101 as it would make Newtonhill unsustainable, result in coalescence and protects the coastal environment of Newtonhill as a tourist destination, which will enhance the local economy in the long-term. No modification sought (PP0556).

A representee has requested the allocation of bid site KN101 for 120 homes. They have stated that this site supports the Aberdeen City and Shire Strategic Development Plan (SDP) and Scottish Planning Policy (SPP) in terms of delivery. It is a small-scale

extension of Newtonhill in the Strategic Growth Area (SGA) that is compatible with the SDP and PLDP para 5.8, it compensates for ineffective sites in the SGA. It relates well to site OP1. It scores positively in the Strategic Environmental Assessment (SEA). It will not affect the delivery of Chapelton. It is a natural extension of the settlement with minimal landscape impact. They have also highlighted that site OP1 will be complete by 2022 and a settlement such as Newtonhill requires another housing allocation in order to fulfil its function within the Aberdeen Housing Market Area (AHMA) and the SGA. This development also proposes playing fields to the east of the railway line that will help deliver the community aspiration for further recreation facilities for teenagers, as set out in the vision. The representee has included a number of Appendices (RD0234.A and RD0234.B) in their representation which provides further detail to support their position (PP1276).

A representee has objected to this site as it is contrary to planning priorities, it is unsuitable in terms of flooding and other key planning reforms, it is in the green belt, it would place undue pressure on local amenities without adding needed local employment, and it would lead directly to overdevelopment (PP0880).

Non-Allocated Site – Bid Site KN132 – Land at Cammachmore

Newtonhill, Muchalls and Cammachmore Community Council support Aberdeenshire Council’s decision not to allocate bid site KN132 for 10 homes and to introduce a settlement boundary around Cammachmore, as it would make Cammachmore unsustainable and result in coalescence. No modification sought (PP0556).

Non-Allocated Site – Bid Site KN133 – Land at Michael Tunstall Place and Cairnhill Drive

Newtonhill, Muchalls and Cammachmore Community Council support Aberdeenshire Council’s decision not to allocate bid site KN133 for 130 homes as it would make Newtonhill unsustainable, result in coalescence and protects the coastal environment of Newtonhill as a tourist destination, which will enhance the local economy in the long-term. No modification sought (PP0556).

Modifications sought by those submitting representations:

General

Modify the PLDP to provide measures to ensure that land already classified as protected or potentially protected, is protected from all future housing development in relation to Newtonhill (PP0880).

Vision

Modify the PLDP to amend the Vision statement to change the term “future opportunity site” (PP1276).

Site P2 – To protect the area of open space and allotments as amenities for the settlement and forming part of the green-blue network

Modify the PLDP to amend the designation summary of site P2 to reference the new access road into site OP1 (PP1276).

Site P3 – To protect the recreation ground as an amenity for the settlement and forming part of the green-blue network

Modify the PLDP to extend site P3 to the south for open space as proposed in the masterplan for bid site KN101 (PP1276).

Site P5 – To protect the area as a significant contribution to the character of the place and provide a landscape buffer

Modify the PLDP to remove the SuDS area within the site P5 (PP1276).

Site P8 – To protect the area as forming part of the green-blue network

Modify the PLDP to remove site P8 (PP1276).

Flood Risk

Modify the PLDP to reverse the 'Flood Risk' bullet points so the general bullet point is first (PP1219).

Modify the PLDP to amend the second 'Flood Risk' bullet point to, "Parts of the settlement may be at risk from coastal flooding and flooding from the Burn of Elsick and the Pheppie Burn. Flood Risk Assessments may be required." (PP1219).

Services and Infrastructure

Modify the PLDP to add after 'Strategic drainage and water supply', "There is currently sufficient capacity at Nigg Waste Water Treatment Works. A Drainage Impact Assessment may be required. Early engagement with Scottish Water is recommended." (PP0272).

Site OP1 – Park Place

Modify the PLDP to remove site OP1 (PP0556).

Site OP2 – Land to the West of the A92

Modify the PLDP to amend the allocation summary of site OP2 to add after the second sentence of paragraph one, "To maintain some 'rural' landscape setting between these two large settlements, development should be concentrated towards the eastern extent of this site." (PP1300).

Modify the PLDP to amend the allocation summary of site OP2 to change the third sentence of paragraph one from, "A core path also runs ..." to "An 'on the road link' to the core path network also runs ..." (PP1300).

Site OP3 – West Monduff

Modify the PLDP to identify an alternative access road into site OP3 that avoids access from the A92 slip-road (PP0556).

Modify the PLDP to amend the allocation summary of site OP2 to the site minimises negative visual impact, provides adequate road access, and the slip road is extended (PP0880).

Non-Allocated Site – Bid Site KN101 – Land South of OP1, North of Mains on Monduff

Modify the PLDP to include bid site KN101 for 120 homes or identify as a future opportunity site (PP1276).

Summary of responses (including reasons) by planning authority:

General

The Council acknowledges in the Vision section of Newtonhill's Settlement Statement the importance of avoiding coalescence with Muchalls, but as Newtonhill is within the AHMA and Aberdeen to Laurencekirk SGA, it is also important to provide a modest amount of housing. Only one housing allocation is proposed, which is carried forward from the Aberdeen Local Development Plan (LDP) 2017, see AD0034.H, pages 520 to 521. The Council notes the concerns raised by the representee. No change is required.

Comments from Nestrans are noted. No change is required.

Vision

Reference to "future opportunity site" has been included in error and no such sites are proposed to be allocated in the PLDP. The Council confirms that it intends to address this error through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site P2 – To protect the area of open space and allotments as amenities for the settlement and forming part of the green-blue network

If the access road into site OP1 has been constructed, the boundary of site OP2 could be amended to exclude the road. Its purpose is not to protect the access road, but the open space referred to in the PLDP. If the Reporter is minded, to make an amendment, then the Council recommend that the proposals map of Newtonhill could be modified to amend the boundary of site P2 to exclude the access road into site OP1.

Site P3 – To protect the recreation ground as an amenity for the settlement and forming part of the green-blue network

The Council notes the request to extend site P3 to the south to include the proposed open space as part of the masterplan for bid site KN101. However, it is not supported as the open space does not exist (it is currently a field) and it is proposed as part of a bid site that is not supported in the PLDP and unlikely to be delivered during the Plan period. No change is required.

Site P5 – To protect the area as a significant contribution to the character of the place and provide a landscape buffer

All protected land destinations are updated during the review of the LDP. As SuDS fall

within the definition of green-blue infrastructure in the PLDP glossary, are referred to in PAN 65 Planning and Open Space, see AD0007, page 2, and contribute to green-blue networks, it is appropriate to designate them as Protected Land. The Council does not agree that a SuDS area is protected by its very use, as they can be moved and infilled and built on. No change is required.

Site P8 – To protect the area as forming part of the green-blue network

The majority of site P8 is already identified as contributing to the green network in the LDP 2017, see AD0034.H, pages 51 and 521. This area also includes a core path that runs through this site, and together with the area of gorse, they make an important contribution to the green-blue network for both people and wildlife. Only areas in and around settlements in Appendix 7 are protected as green-blue networks, and the majority do not have a natural heritage designation. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comments through non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Comments from SEPA are noted. No change is required.

Site OP1 – Park Place

The Council notes Newtonhill, Muchalls and Cammachmore Community Council's objection to this site. Planning permission has been granted on this site and construction of an access road has reportedly begun. No change is required.

Comments from SEPA are noted. No change is required.

Site OP2 – Land to the West of the A92

Support for this site is noted. No change is required.

Comments from SEPA are noted. No change is required.

The Council does not object to NatureScot's request to maintain some 'rural' landscape setting between Newtonhill and Chapelton. If the Reporter is minded to make an amendment, then the Council recommend that the first paragraph of the allocation summary could be modified to include a new third sentence that reads, "To maintain some 'rural' landscape setting between these two large settlements, development should be concentrated towards the eastern extent of this site."

The Council confirms that it intends to address NatureScot's comment on the link road through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP3 – West Monduff

The Council notes the concerns regarding road access into the site, but do not agree with the suggested amendments, as the second paragraph in the allocation summary, which reflects the Council’s Transportation Service comments on access and capacity of the Newtonhill junction, is sufficient. No change is required.

Comments on minimising visual impact are noted, but the Council is content that the first paragraph in the allocation summary on screening and the relevant policies in the PLDP, including Policy P1 Layout, Siting and Design, will address any visual impact issues. No change is required.

Comments from SEPA are noted. No change is required.

Non-Allocated Site – Bid Site KN101 – Land South of OP1, North of Mains on Monduff

Comments from Newtonhill, Muchalls and Cammachmore Community Council and the representee objecting to this site are noted. No change is required.

The Council does not support allocating bid site KN101 for 120 homes or as a future opportunity site. Bid site KN101 was not identified as a preferred option in the MIR, see AD0038.F, page 76). The PLDP does not reserve land for housing beyond the Proposed Plan period. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. There is already a mix of allocations within the Aberdeen to Laurencekirk SGA and the representee has not provided evidence on how it will not affect the delivery of Chapelton when it is less than 1km away from this settlement, and cumulatively would result in 241 homes being built in Newtonhill. This is supported in the SDP, which states in paragraph 4.19, “Allocations should be of a scale which would not inhibit the delivery of current strategic allocations” and it is up to LDP to “determine whether a proposal is “small-scale or not, giving due regard to its context and deliverability”. This bid site would not be the small level of growth the representee refers to in paragraph 5.13 in the PLDP, as both Marywell and Newtonhill currently only have one housing allocation each. Furthermore, while the Housing Land Audit (HLA) 2019 states that site OP1 for 121 homes will be completed in 2022, see AD0022, Aberdeen Housing Market Area, page 23, the HLA 2020 pushes the completion year back to 2024, see AD0023, Aberdeen Housing Market Area, page 21.

While this bid site relates well to site OP1 and proposes playing fields, it includes land that forms part of the green network, contains semi-natural habitats, and is entirely within the green belt, the Southeast Aberdeenshire Coast Special Landscape Area, and Muchalls Conservation Area. It would rely on access from site OP1 and its potential impact on the A92 junction is a concern. The site would be visually prominent, and its scale and location will negatively affect how it relates within the landscape, as it would break the skyline and continue towards Muchalls. The proposal is contrary to community aspirations that new development avoids coalescence with Muchalls. The MIR 2019 Issues and Actions paper also notes NatureScot’s concerns that the bid site would significantly erode the southern landscape setting which separates Newtonhill and Muchalls, see AD0040.F, page 94. Similarly, the representee refers to the SEA’s from the LDP 2017 and PLDP 2020, but the latest SEA notes that mitigation measures will give mostly neutral scores, but it will have

significant negative impacts on landscape and impacts on material assets (e.g., school capacity) are uncertain, see AD0045.A, Appendix 8.7, Table 8.7.5, page 590.

The site is also constrained in terms of education provision. The 2019 School Roll states Newtonhill Primary School will be at 96% capacity by 2024 and Portlethen will be at 103% capacity, see AD0110, Appendix 1, page 5. The agreed masterplan for part of the Chapelton new town shows the school site in Phase 1B, but the development of this new settlement is currently in phase 1A (APP/2011/3103 for Phase 1A comprising of 802 homes, retail and commercial), see AD0078. As such, the development of site KN101 cannot depend on a new school being built soon to resolve primary school capacity. Likewise, a new academy is not proposed in Chapelton until phase 2A (no date is provided in the Development Framework, see AD0074, page 29).

In conclusion, no change is required.

Non-Allocated Site – Bid Site KN132 – Land at Cammachmore

The Council does not support allocating bid site KN132. Comments from Newtonhill, Muchalls and Cammachmore Community Council are noted. No change is required.

Non-Allocated Site – Bid Site KN133 – Land at Michael Tunstall Place and Cairnhill Drive

The Council does not support allocating bid site KN133. Comments from Newtonhill, Muchalls and Cammachmore Community Council are noted. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan (including the non-allocation of bid sites) or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 44. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

General

3. The vision for Newtonhill on page 717 of the proposed plan refers to the importance of avoiding coalescence with Muchalls and land adjacent to the northern and southern boundaries of Newtonhill is identified as protected land. Furthermore, land to the west of the railway line, to the north and south of Newtonhill lies within the green belt. The proposed plan does not include any new development allocations in Newtonhill. Any future applications for development outwith the settlement boundary would be assessed against relevant policies. No modification is required.

Vision

4. I agree that the use of the term “future opportunity” in relation to housing allocation OP1 is misleading as the site is already under construction. The council has suggested removing the words “future opportunity” in the second last sentence of the first paragraph. I agree that this would be appropriate and recommend a modification to this effect.

Protected Land

5. I observed on my site inspection that the protected land designation P2 covers the recently formed access road to housing site OP1. As the purpose of P2 is to protect open space and allotments, I consider that the western boundary of the site, as shown in the proposed plan, should be amended to exclude the access road. A modification is recommended.

6. The proposed plan includes the sustainable urban drainage system (SuDS) to the south of Michael Tunstall Place and Cairnhill Drive within the protected land designation P5. The table on page 717 explains that the purpose of designation P5 is “to protect the area as a significant contribution to the character of the place and provide a landscape buffer”.

7. Whilst there is some vegetation on the SuDS site, I do not consider that it makes a significant contribution to the character of the place or provides a landscape buffer. However, the council has pointed out that sustainable drainage systems are included within the definition of green-blue infrastructure in the glossary of the proposed plan. Given that the site is connected to other features of green infrastructure, I consider that it would be reasonable to describe it as forming part of the green-blue network.

8. In order to more accurately reflect the nature of the SuDS site, I recommend that the site be removed from the P5 designation and instead given its own protected designation (P11). As a result, the last row of the table on page 717 of the proposed plan should be amended to read “P8 – P11 To protect the area as forming part of the green-blue network”. A modification to this effect is proposed.

9. The area of gorseland covered by protected designation P8 in the proposed plan lies immediately to the south of the landscape buffer which runs next to site OP1. Whilst not of local nature conservation site status, I note that the council and NatureScot consider the site to have some biodiversity value. I also observed on my site inspection that there is a core path which passes through and along the western edge of the protected area. Given these characteristics of the site and that it is connected to other features of green infrastructure, I consider that it forms part of the green–blue network as defined in the glossary of the proposed plan. No modification is recommended.

Flood Risk

10. The council supports the changes requested by the Scottish Environment Protection Agency (SEPA) in relation to flood risk. In the interests of consistency and to identify the risk of flooding from the Burn of Elsick and the Pheppie Burn, I recommend that the bullet points in the flood risk section are modified in line with the changes requested by SEPA.

Services and Infrastructure

11. The council also supports the changes requested by Scottish Water in relation to strategic drainage and water supply. The additional information provided by Scottish Water in relation to capacity at the waste water treatment works and the potential need for a drainage impact assessment would be useful for prospective developers. A modification on this matter is recommended.

Site OP1 – Park Place

12. I note that planning permission has been granted for 121 homes on allocated site OP1 at Park Place. I observed on my site inspection that construction is underway. There is no justification to remove this site from the plan.

Site OP2 – Land to the west of the A92

13. Site OP2 for employment land was previously allocated in the 2017 Local Development Plan. It is located within the Newtonhill settlement boundary in the proposed plan and the allocation summary requires appropriate screening of the development. I recognise the value of maintaining an area of separation between the settlements of Newtonhill and Chapelton. However, I do not consider it appropriate to require an allocated site within the settlement boundary “to maintain some rural landscape setting”, as requested by NatureScot. Whilst NatureScot is not seeking an amendment to the extent of allocation OP2, concentrating development on the eastern part of the site would in effect reduce its developable area and development capacity.

14. The land between the settlement boundaries of Newtonhill and Chapelton is designated green belt. Paragraph 49 of Scottish Planning Policy indicates that one of the purposes of a green belt designation is to protect and enhance the character, landscape setting and identity of a settlement. I consider that the existing green belt designation is the appropriate mechanism “to maintain some rural landscape setting” between Newtonhill and Chapelton”. In addition, land to the south west of the OP2 site is safeguarded for future public open space as part of the development of Chapelton (shown as reserved land R1). No modification is recommended in relation to this matter.

15. NatureScot has indicated that the “core path” referred to in the allocation summary for site OP2 should more accurately be described as an “on road link”. I agree that the text in the allocation summary should be modified to provide clarification on this matter.

Site OP3 - West Monduff

16. This is not an entirely new allocation, in that the site is safeguarded for employment purposes in the current local development plan. I note that planning permission was granted in November 2018 for a workshop and yard on part of the site. As the allocation summary for site OP3 does not include any details on transport matters, I sought further information from the council in order to address the concerns raised in representations.

17. The Council has confirmed that the road where access for site OP3 would be taken from does not form part of the A92 slip road, but is part of the local road network, and is listed as C24K. It highlighted that there is two-way traffic along most of the north-eastern boundary of site OP3. The A92 access/egress from C24K is non-conventional and includes a very low speed exit off the A92, due to the very tight alignment. In this context, I

have no reason to disagree with the council's view that satisfactory access arrangements can be provided for site OP3.

18. The council has confirmed that development on this site would require an assessment of traffic generation, the provision of a footway (and potentially a shared cycle link) to the C24K roundabout near Chapelton and the provision of appropriate visibility splays. I agree that a modification would be necessary to include these requirements within the allocation summary for site OP3.

19. The allocation summary for site OP3 states that there should be "appropriate screening of the development" which I consider would address potential landscape and visual impacts. No further modifications are required.

Non-allocated Bid Site KN101 Land South of OP1

20. Polmuir Properties (Newtonhill) Limited consider that the allocation of bid site KN101 would deliver 120 homes in support of the strategic development plan and Scottish Planning Policy. Newtonhill lies within the Aberdeen Housing Market Area. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area.

21. Whilst site KN101 could potentially help meet this shortfall, I agree with the council that the development of a further 120 homes in Newtonhill would potentially detract from the delivery of the strategic allocation at Chapelton and as a result would be contrary to paragraph 4.19 in the strategic development plan.

22. In terms of distance, the proposal would not bring development at Newtonhill any closer to Muchalls than the existing housing at Michael Tunstall Place. However, there would be a perception of closing the gap between the two settlements because part of site KN010 sits on the skyline and the core path which runs between Newtonhill and Muchalls passes through the site. The council has indicated that the site lies within the Muchalls Conservation Area. However, I do not find this to be the case.

23. The proposal would involve land within the green belt and identified for protection as part of the green-blue network. Given the rising topography within the central part of the site, I consider that development would also detract from the landscape setting of the settlement and the qualities of the South East Aberdeenshire Coast special landscape area.

24. I note that the indicative framework prepared by the developer proposes to retain some of the existing gorse and create a new landscape buffer on the southern edge of the site. I also note the potential to extend the boundary of the protected land allocation P3 to provide open space in association with development on bid site KN101.

25. However, I do not consider that the proposed mitigation of landscape effects or community benefits in terms of open space provision would outweigh the negative effects of the proposal on housing delivery at Chapelton and the separation between Newtonhill and Muchalls. There are other sites available to meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area and there is no

requirement to allocated sites for the period beyond 2032. No modifications are recommended in relation to bid site KN101 or the extent of the P3 site.

Reporter's recommendations:

Modify the local development plan by:

1. Deleting "future opportunity" before "housing site" in the second last sentence of the first paragraph in the vision section on page 717.

2. Replacing the two bullet points in the flood risk section on page 718 with:

• Parts of the settlement may be at risk from coastal flooding and flooding from the Burn of Elsick and the Pheppie Burn. Flood Risk Assessments may be required.

• There is a record of flooding close to the OP3 site. A Flood Risk Assessment may be required."

3. Replacing the second bullet point in the service and infrastructure section on page 718 with

• Strategic drainage and water supply: There is currently sufficient capacity at Nigg Waste Water Treatment Works. A Drainage Impact Assessment may be required. Early engagement with Scottish Water is recommended."

4. Replacing the last sentence of the first paragraph of allocation OP2 on page 719 to read:

"An 'on the road' link to the core path network also runs along the boundary of the site and connections should be made to link up with the network."

5. Amending the western boundary of site P2 at Park Place on the settlement map on page 721 to exclude the access road to site OP1.

6. Removing the SuDS site to the south of Michael Tunstall Place and Cairnhill Drive from the P5 designation on the settlement map and replacing it with a new protected land designation P11.

7. Amending the last row of the table on page 717 to read "P8 – P11 To protect the area as forming part of the green-blue network".

8. Inserting the following new second paragraph into the allocation summary for OP3 West Monduff on page 720:

"An assessment of traffic generation will be required, either in a Transport Assessment or Statement, depending on the scope of the proposed development. A new footway (and potentially a shared cycle link) will be required along the road to the roundabout near Chapelton. Appropriate visibility splays related to the anticipated scale of HGV use would be required.

Issue 45	Portlethen and Portlethen Village	
Development plan reference:	Proposed LDP, Appendix 7E Kincardine and Mearns, Page 724-734 and Proposed LDP, Appendix 7E Kincardine and Mearns, Page 735-736	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Portlethen PP0029 Alasdair Farquharson PP0272 Scottish Water PP0474 Michelle Aitken PP0558 Asda Stores Ltd PP0563 Transport Action Kincardineshire (TRAK) PP0668 Stewart Milne Homes PP0669 Stewart Milne Homes PP0670 Stewart Milne Homes PP0679 Stewart Milne Homes PP0684 Stewart Milne Homes PP0696 Taylor Wimpey (East Scotland) Ltd PP0752 Dandara Limited PP0880 Linsey Hunter PP1133 CALA Homes PP1219 Scottish Environment Protection Agency (SEPA) PP1226 Portlethen and District Community Council PP1241 Nestrans PP1300 NatureScot (Scottish National Heritage)</p> <p>Portlethen Village PP1219 Scottish Environment Protection Agency (SEPA) PP1413 c a s e CONSULTING Limited</p>		
Provision of the development plan to which the issue relates:	Portlethen Settlement Statement and Portlethen Village Settlement Statement	
Planning authority's summary of the representation(s):		
<p>Portlethen</p> <p><u>General</u></p> <p>A representee has requested that development proposed at Portlethen is curtailed within the boundaries of common sense. There is a lack of infrastructure, public transport, employment opportunities, access to amenities and green space and a high dependence on cars. The local nursery is vastly under pressure for space (PP0880).</p> <p>Portlethen and District Community Council has welcomed that more green spaces have</p>		

been added to Portlethen and its nearby settlements. No modification sought (PP1226).
Flood Risk

Scottish Environment Protection Agency (SEPA) has requested that for consistency the second 'Flood Risk' bullet point includes sites OP2 and OP5 (RD0214.B) (PP1219).

SEPA has requested that the third 'Flood Risk' bullet point includes site BUS1 as well as site R1 and is reworded for consistency (RD0214.B) (PP1219).

SEPA has requested that the fourth 'Flood Risk' bullet point only includes site BUS2 (sites OP5 and BUS1 are moved to second and third bullet points) and is amended to include buffers strips, FRA and watercourse enhancement opportunities (RD0214.B) (PP1219).

Services and Infrastructure

Scottish Water has requested adding additional text under 'Strategic drainage and water supply', to state there is sufficient capacity at Nigg Waste Water Treatment Works and that a Drainage Impact Assessment may be required (PP0272).

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Nestrans has requested adding additional text under 'Local transport infrastructure' to state that contributions for a link road between Hillhead to Badentoy Industrial Estate may be required (RD0227.A) (PP1241).

Site P8 – To protect recreational open space as an amenity for the settlement

Portlethen and District Community Council has supported the designation of site P8 as recreational land is needed in the Hillside area. No modification sought (PP1226).

Site R1 – Safeguarded for a Park and Ride facility

Nestrans has confirmed that they continue to seek development of a strategic park and ride site to the south of Aberdeen and welcome the safeguarding of site R1 (RD0227.A). No modification sought (PP1241).

A representee has proposed reserving site R1 for a park and ride and out of city bus station, as the Guild Street Bus Station in Aberdeen is privately owned and not fit for purpose. They argue a publicly owned out of City bus station will allow bus companies to use it on equal terms and will encourage competition. They state bus passengers would be able to change between different bus companies' vehicles within the bus station and be able to wait between connections in pleasant conditions (PP0563).

Objection is made to site R1, and it is requested that it is allocated as part of BUS2 and safeguarded for business use. The representee has stated that the site has Class 4 "Business Use" consent, and this should be recognised in the zoning of the site in the Proposed Local Development Plan (PLDP) 2020. They highlight planning consent ref APP/2014/1747, extended planning consent reference APP/2000/0006 and consent is valid until December 2020 – a new planning application will be submitted. Planning permission was granted in 2014 for a park and ride facility, but it has not come forward. Not all the

land is in under control of the relevant body/Aberdeenshire Council and its allocation is sterilising a marketable business site, which is within the settlement boundary and has connections to the Trunk Road network and public transport (PP0670).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Site R2 – Reserved for a lorry park

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R2 (RD0214.B). No modification sought (PP1219).

Site R3 – Reserved for Hillside Primary School extension, if required

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R3 (RD0214.B). No modification sought (PP1219).

Site BUS1 – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS1 (RD0214.B). No modification sought (PP1219).

Site BUS2 – Safeguarded for business uses

A representee has requested the allocation of site BUS2 for 148 homes on 6.5ha of land safeguarded for business uses. The site is adjacent to housing at Hillside, it will deliver a range of house types, there is an insufficient housing land supply to meet the Housing Allowances of the Aberdeen City and Shire Strategic Development Plan 2020 (SDP). States, there are no planning, infrastructure, or environmental issues, and that the site is in a sustainable location with employment uses next to it and that it benefits from existing bus stops. Adds, the site can have two points of access from Mossie Avenue, education capacity issues can be overcome, includes a landscape buffer along the western, northern, and southern boundaries of the site, includes 40% open space to the east of the site (2.6ha) (PP0752).

In terms of loss of employment land, the representee argues there is a low demand for employment land and that Aberdeenshire has a significant over allocation of land for employment use with a reduced market demand for business use at Portlethen. Reports, there is reduced demand for employment land at Office Park at City South (BUS2), with virtually no interest in offices over the last 3 to 5 years. Notes that PLDP Appendix 1 Employment Land Allocations shows there is a surplus of 117.3 hectares of employment land in Aberdeenshire from 2020 to 2040. Adds, Policy B2 Employment/Business Land allows alternative uses on employment sites if there is a constraint on the site whereby there is no reasonable prospect of it ever becoming marketable for business development or it is poorly located for employment use. The representee has included a number of Appendices (RD0129.A, RD0129.B, RD0129.C, RD0129.D, RD0129.E and RD0129.F) in their representation which provides further detail to support their position, including a Site Assessment with a Strategic Environmental Assessment (SEA) (PP0752).

Site OP1 – Schoolhill

A representee has expressed their support for this allocation but request the PLDP is updated to reflect planning application APP/2016/0934 that was approved in October 2019. They add, this would also allow references to a Drainage Impact Assessment and Transport Assessment to be removed as issues of transport impact and drainage impact were resolved through the planning application process (PP0668).

A representee is concerned over the lack of useable open space in Portlethen and has requested significantly reducing the scale and number of homes on site OP1 to accommodate a park. They note reference was made to a public park on part of site OP1 in the Main Issues Report 2019, but this has not been carried forward. A public park would benefit the community, school, nursery, and other organisations working with young people (PP0474).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Portlethen and District Community Council is concerned that this proposal is constrained as Hillside Primary School is at overcapacity (currently under consultation for re-zoning), and there are several issues with local amenities, road network, the medical centre and waste. They query if these issues have been resolved (PP1226).

NatureScot has requested that the allocation summary for site OP1 includes a requirement that promotes active travel provision (in accordance with the Proposed Plan's aims), as it already states a Transport Assessment and contributions to improve the A92(T) Findon trunk road junction may be required (RD0255.B) (PP1300).

Site OP2 – Land to Northwest of Badentoy

SEPA has queried the need for a Flood Risk Assessment (FRA) for site OP2, which does not appear in the 'Flood Risk' bullet points and they are not aware of any flood risk issues. They suggest, if the Council's Flood Prevention Unit (FPU) confirm there is a surface water issue it should be confirmed if this can be addressed through appropriate SuDS and if not, and they confirm an FRA is required, the allocation summary should state the purpose of the FRA. In this case to address surface water flooding (RD0214.B) (PP1219).

Portlethen and District Community Council is disappointed that no decision has been made to move this site forward since its allocation in the LDP 2017 (PP1226).

NatureScot has requested that the allocation summary for site OP2 removes a reference to a core path, as no core path is shown on the settlement map and rather than being a core path, this is an 'on road link' (and Route 1 of the National Cycle Network) (RD0255.B) (PP1300).

NatureScot has requested that the allocation summary for site OP2 includes a requirement that active travel provision to and from this site, as this would promote active travel provision in accordance with the PLDP's aims (RD0255.B) (PP1300).

Site OP3 – Fairview Central

SEPA has requested that the last sentence in the last paragraph referring to peat should be

removed as the allocation site boundary has changed since the Main Issues Report stage (RD0214.B) (PP1219).

Portlethen and District Community Council has indicated that they are keen for this site to move forward since its allocation in the LDP 2017 and query where the masterplan is for the road network (PP1226).

Site OP4 – Fairview

SEPA has requested that the last sentence in the second paragraph states that peat is likely to be present in a significant part of the site and that a Peat Survey and Phase 1 Habitat Survey will be required (RD0214.B) (PP1219).

Portlethen and District Community Council has indicated that they are keen for this site to move forward since its allocation in the LDP 2017 and query what type of waste management facility will be provided on the site (PP1226).

Site OP5 – Land South of Portlethen Club House

Portlethen and District Community Council has requested that assessments will be required for any proposal on this site (PP1226).

Site OP6 – Land East of Badentoy

A representee has objected to this allocation as it is not founded on any basis of qualitative or quantitative deficiency, and no retail study has been undertaken that identifies a deficiency. They argue an extension over the A92 would further exacerbate the issue of an elongated Town Centre. They state there is no requirement for a further allocation for a food store given the sequentially preferable site with unrestricted open A1 retail use at the vacant former Homebase Unit in the town centre, which has an intended supermarket occupant along with a comparison retailer (with live applications to facilitate this reoccupation). They are also unclear how the site location would address the perception that there is no meeting place within the town centre, and it will further dissipate town centre users. They highlight that its peripheral location is isolated, without a high level of accessibility as required by Scottish Planning Policy (SPP), it does not have a convenient walk-in catchment, the A92 acts as significant barrier to free movement critical for a town centre, and it would not encourage linked trips with other services (PP0558).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP6 (RD0214.B). No modification sought (PP1219).

Site CC1 – The Green

A representee has requested that new retail facilities should be restricted by maximum floorspace levels to prevent ambiguity with the reference 'neighbourhood' and allow adequate assessment of retail impact on existing centres (PP0558).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site CC1 (RD0214.B). No modification sought (PP1219).

Portlethen and District Community Council has requested that a Transport Assessment is

required for this site (PP1226).

Non-Allocated Site – Bid Site KN027 – Land North of Thistle Drive, Hillside

A representee has requested allocating bid site KN027 for 300 homes. They argue that the bid site:

- represents a logical and deliverable allocation with no constraints;
- was originally included in the MIR by Officers for 300 homes, as it was considered suitable in terms of sustainable location, no undermining of the green belt and there being no technical capacity issues;
- is in line with the Spatial Strategy of the SDP of allocating significant new development on the northern part of this Strategic Growth Area (SGA);
- could deliver the increase in the housing allocation introduced through the SDP Examination to buffer any shortfall;
- will also help deliver much needed land in the SGA as Elsick (Chapelton) remains lower than previously programmed and propose 60 homes per annum compared to just over half of that at Elsick;
- is in a highly sustainably location north of the centre of Portlethen, has easy access to services, and is more accessible after the completion of the Aberdeen Western Peripheral Route (AWPR);
- the principles of the green belt will not be undermined as noted in the Strategic Environmental Assessment (SEA); and
- would also provide a large area of green space including allotments.

The representee has included a number of Appendices (RD0117.A, RD0117.B and RD0117.C) in their representation which provides further detail to support their position (PP0696).

A representee does not support bid site KN027 as there are other appropriate sites at KN057 and KN082. In addition, they state, the site is close to A92(T) and railway line and will be affected by noise and air pollution. The MIR had a number of concerns on its visual prominence, visual impact and issues of coalescence to the north of Portlethen. The site is at risk of flooding as confirmed by SEPA flood maps. Thistle Drive only has a footpath on one side of the road, and it does not provide scope for a bus service. The closest bus stop is 530m from the edge of the site. Cookston Road would need to be upgraded to bring the roads infrastructure to a suitable standard (PP0669).

Non-Allocated Site – Bid Site KN057 – Land to the West of Cookston Road

A representee has requested the allocation of bid site KN057 for up to 400 homes, land for education use and local retail use. There are no technical constraints, it will enhance the north western edge of Portlethen, it is a natural extension of Schoolhill, green belt land can be undesignated, and the site can be contained by the Aberdeen Western Peripheral Route (AWPR), and it is not open space. Portlethen falls within an SGA where there is a shortfall of 300 homes, and paragraph 3.11 in the PLDP encourages land allocations in settlements around Aberdeen City and Portlethen is situated close to Aberdeen City. Only minor enhancements to the roundabout at the Findon A92 junction are required, and a 2015 assessment shows the raised lowland bog will not constrain the site. The representee has included a number of Appendices (RD0113.A and RD0113.B) in their representation which provides further detail to support their position (PP0684).

A representee does not support bid site KN057 as this forms part of a valuable green belt area, it would have a detrimental impact on the local environment leading to a loss of identity and sense of place, it would have a negative impact on the air quality, peat soil would be severely affected as would the habitats for a wide range of local flora and fauna, as the land slopes it would result in drainage issues, major road improvements would be required to cater for the increased traffic, and primary education and the medical facility are operating at overcapacity (PP0029).

Non-Allocated Site – Bid Site KN058 – Land North of Schoolhill, Portlethen

A representee does not support bid site KN058 for 1550 homes, education and retail facilities, as this forms part of a valuable green belt area, it would have a detrimental impact on the local environment leading to a loss of identity and sense of place, it would have a negative impact on the air quality, peat soil would be severely affected as would the habitats for a wide range of local flora and fauna, as the land slopes it would result in drainage issues, major road improvements would be required to cater for the increased traffic, and primary education and the medical facility are operating at overcapacity (PP0029).

Non-Allocated Site – Bid Site KN082 – Land South of Bramble Way, Clashfarquhar

A representee has requested allocating bid site KN082 for up to 150 homes. They state the site does not have any constraints and can be delivered in the short-term. The site has good public transport facilities nearby. It is within easy walking distance of Fishermoss Primary School (where capacity exists for development) and Portlethen Academy. Issues such as noise from trains can be addressed. The site has previously been considered as a suitable site in the Portlethen Capacity Study 2008. The site is not at risk of flooding from the Burn of Daff according to SEPA flood maps. The area of land with high surface water to the south west will be incorporated into the SuDS proposal and create a feature in this area. It will not compromise the integrity of the green belt, will be contained, provide a defensible edge to prevent visual and physical coalescence with Newtonhill, and can enhance existing areas of open space. They also argue that the bid site supports the PLDP's vision in paragraph 3.11, which encourages land allocations in settlements around Aberdeen City, and state there is a shortage of at least 300 homes in this Strategic Growth Area. The representee has included a number of Appendices (RD0108.A, RD0108.B and RD0108.C) in their representation which provides further detail to support their position (PP0679).

Non-Allocated Site – Bid Site KN109 – Land at Causeyport Farm

A representee has requested allocating bid site KN109 for 1,800 homes, 19ha of reserved business land and 10ha for local retail and education. The site would be phased over the SDP plan period, and the land controlled by the representee can provide 380 units over the period to 2032 and the remaining 1420 homes identified as future housing land. They argue the development will create a sense of character through new connected neighbourhoods with an identity that people can enjoy living in and provide recreational opportunities that will benefit existing and new residents. They also argue the bid site has potential to deliver homes in a high demand location that has excellent connections to the wider region, it will maximise the sustainability of travel to existing services and the railway station while supporting existing and new facilities and amenities, and it provides an opportunity to meet the shortfall in housing allocations identified at the SDP Examination.

The representee has included a number of Appendices (RD0199.A) in their representation which provides further detail to support their position (PP1133).

A representee does not support bid site KN109 as this area forms part of a valuable green belt area, it would have a detrimental impact on the local environment leading to a loss of identity and sense of place, it would have a negative impact on the air quality, peat soil would be severely affected as would the habitats for a wide range of local flora and fauna, as the land slopes it would result in drainage issues, major road improvements would be required to cater for the increased traffic, and primary education and the medical facility are operating at overcapacity (PP0029).

Portlethen Village

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has requested that a new 'Strategic drainage and water supply' bullet point is added for consistency, as any development in Muchalls will be required to connect to the existing waste water network. SEPA has suggested confirmation be sought from Scottish Water with regard to the capacity of its infrastructure in Portlethen Village and wording of the bullet point be agreed accordingly (RD0214.B) (PP1219).

A representee has stated that as no residential allocations have been identified there will be no development impacts required to be mitigated by developer obligations and therefore this section is unnecessary (PP1413).

Modifications sought by those submitting representations:

Portlethen

Flood Risk

Modify the PLDP to amend the second 'Flood Risk' bullet point from, "Sites OP3 and OP4 are at risk from flooding due to one or more watercourses running through the site. A Flood Risk Assessment will be required." to "Sites OP2, OP3, OP4 and OP5 are at risk from flooding due to one or more watercourses flowing through or adjacent to the site. A Flood Risk Assessment will be required." (PP1219).

Modify the PLDP to amend the third 'Flood Risk' bullet point from, "Due to the presence of a watercourse in close proximity to site R1, a Flood Risk Assessment may be required." to "Sites R1 and BUS 1 have watercourses flowing through or close to the site. A Flood Risk Assessment may be required." (PP1219).

Modify the PLDP to amend the fourth 'Flood Risk' bullet point from, "Sites OP5, BUS1 and BUS2 have a watercourse within or next to the site that may be a source of flood risk. A Flood Risk Assessment may be required." to "A significant proportion of site BUS 2 is at flood risk from the small watercourses flowing through the site and this may be a major

constraint to any further development on site. A Flood Risk Assessment will be required to determine the developable area. Buffer strips will be required along the watercourses and opportunities to enhance the watercourses through re-naturalisation and removal of any redundant manmade features should be investigated.” (PP1219).

Services and Infrastructure

Modify the PLDP to amend ‘Strategic drainage and water supply’ to include at the end of the last sentence, “There is currently sufficient capacity at Nigg Waste Water Treatment Works. A Drainage Impact Assessment may be required.” (PP0272).

Modify the PLDP to amend ‘Local transport infrastructure’ to change the second last sentence from, “Contributions to a link road from Hillhead to Badentoy Industrial Estate.” To “Contributions may be required to a link road from Hillhead to Badentoy Industrial Estate.” (PP1241).

Site R1 – Safeguarded for a Park and Ride facility

Modify the PLDP to amend site R1 from, “Safeguarded for a Park and Ride facility” to “Reserved for Park and Ride and Out of City Bus Station.” (PP0563).

Modify the PLDP to amend site R1 to become an extension of site BUS2 (PP0670).

Site BUS2 – Safeguarded for business uses

Modify the PLDP to amend the western part of BUS2 (6.5ha) for 148 homes. (PP0752).

Site OP1 – Schoolhill

Modify the PLDP to amend the allocation summary of site OP1 to remove references to a Drainage Impact Assessment and Transport Assessment (PP0668).

Modify the PLDP to amend OP1 to reduce the scale of housing from 176 to 60 houses and accommodate a public park on the site that would become a protected area and form part of the green-blue network (PP0474).

Modify the PLDP to amend the allocation summary of site OP1 to include, “Provision for active travel is required.” (PP1300).

Site OP2 – Land to Northwest of Badentoy

Modify the PLDP to clarify if site OP2 requires an FRA and if the Council’s FPU says it does, amend the allocation summary to, “..., Flood Risk Assessment (to address surface water flooding), ...” (PP1219).

Modify the PLDP to amend the allocation summary of site OP2 to change paragraph one from, “There is a core path on the boundary of the site and connections could be made to this.” to “Efforts should be made to link into the National Cycle Network Route 1 which lies on the north boundary of the site.” (PP1300).

Modify the PLDP to amend the allocation summary of site OP2 to include after the third sentence of paragraph one, “Provision for active travel is required.” (PP1300).

Site OP3 – Fairview Central

Modify the PLDP to amend the allocation summary of site OP3 to remove the last sentence in the last paragraph, “Development should avoid areas of peat and a buffer strip will be required.” (PP1219).

Site OP4 – Fairview

Modify the PLDP to amend the allocation summary of site OP4 to change the last sentence of paragraph two from, “There could be peatland to the north of the site and a Habitats Assessment will be required.” to “There is likely to be peat underlying a significant part of the site. A Peat Survey and Phase 1 Habitat survey will be required.” (PP1219).

Modify the PLDP to amend the allocation summary of site OP5 to include information on the type(s) of waste disposal operations that will be carried out on the site (PP1226).

Site OP5 – Land South of Portlethen Club House

Modify the PLDP to amend the allocation summary of site OP5 to state what assessments will be required for any proposals on this site (PP1226).

Site OP6 – Land East of Badentoy

Modify the PLDP to remove site OP6 (PP0558).

Site CC1 – The Green

Modify the PLDP to amend the allocation summary of site CC1 to ensure the reference to ‘neighbourhood’ is restricted by maximum floorspace levels and for proposals over 400sqm gross floorspace to be subject to a Retail Impact Assessment (PP0558).

Modify the PLDP to amend the allocation summary to state that a Transport Impact Assessment is required (PP1226).

Non-Allocated Site – Bid Site KN027 – Land North of Thistle Drive, Hillside

Modify the PLDP to include bid site KN027 for 300 homes (PP0696).

Non-Allocated Site – Bid Site KN057 – Land to the West of Cookston Road

Modify the PLDP to include bid site KN057 for up to 400 homes (PP0684).

Non-Allocated Site – Bid Site KN082 – Land South of Bramble Way, Clashfarquhar

Modify the PLDP to include bid site KN082 for up to 150 homes (PP0679).

Non-Allocated Site – Bid Site KN109 – Land at Causeyport Farm

Modify the PLDP to include bid site KN109 for 1,800 homes, 19ha of reserved business land and 10ha for local retail and education (PP1133).

Portlethen Village

Services and Infrastructure

Modify the PLDP to include a new bullet point titled 'Strategic drainage and water supply' and in consultation with Scottish Water, confirm the capacity of its waste water infrastructure at Portlethen Village (PP1219).

Modify the PLDP to remove the Services and Infrastructure section in relation to developer obligations (PP1413).

Summary of responses (including reasons) by planning authority:

Portlethen

General

The Council does not agree with the issues raised by the representee. While there are primary school capacity issues at Hillside, this is being investigated by the Council's Education Service, and Portlethen is served by good public transport service, retail, amenities, open space and has two employment areas. No change is required.

Comments from Portlethen and District Community Council on green spaces are noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comments through three non-notifiable modifications, as set out in the List of Non-Notifiable Modifications. As discussed below, site OP2 should not be included in this section.

Services and Infrastructure

The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address Nestrans's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications. The Council also notes the following non-notifiable modification has been made to the PLDP to correct a typographical error referring to Hillhead rather than Hillside since the PLDP was agreed.

Site P8 – To protect recreational open space as an amenity for the settlement

Comments from Portlethen and District Community Council are noted. No change is required.

Site R1 – Safeguarded for a Park and Ride facility

The Council welcomes the support from Nestrans to safeguard site R1 for a park and ride

facility and note their desire for a strategic park and ride site to the south of Aberdeen.

The Council notes the representee's aspiration for the park and ride facility to have an out of city bus station, but this is not in the control of the Council. Bus companies can use the facility as a bus stop, just like Guild Street Bus Station. No change is required.

The Council does not agree with amending the R1 designation to employment land. Nestrans has indicated their support for this site as a park and ride facility. The building of the AWPR and subsidiary roads between 2015 and 2019 will have had an impact on the delivery of this site, and no alternative site has come forward. No planning application has come forward for business use on this site. The Council also notes that there is a representation to reduce the scale of site BUS2 by 6.5ha as the representee argues there is a lack of demand for employment land and there is an oversupply. No change is required.

Comments from SEPA are noted. No change is required.

Site R2 – Reserved for a lorry park

Comments from SEPA are noted. No change is required.

Site R3 – Reserved for Hillside Primary School extension, if required

Comments from SEPA are noted. No change is required.

Site BUS1 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Site BUS2 – Safeguarded for business uses

The Council disagrees with changing the designation of this site to an opportunity site for 148 homes. The site was not put forward for housing as a development bid in response to the Council's call for sites in 2018 and so was not considered as such at the MIR stage, nor subject to site assessment and public consultation. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. The School Roll Forecasts 2019 show the capacity at Hillside Primary and Portlethen Academy will be exceeded in 2022 and this proposal will worsen this issue, see AD0110, Appendix 1, page 5. The capacity at Portlethen Academy is unlikely to improve until a new secondary school at the new settlement of Chapelton is built. However, its development framework shows there is no timescale on when that will be built in phase 2 and construction is only in phase 1A, see AD0074, page 29.

It is noted that the representee submitted an Environmental Assessment, but the Council is not convinced that the flood risk can be suitably mitigated and score neutral, as the whole site is at risk from fluvial and surface water flooding. The representation does not provide any flooding mitigation proposals that demonstrate that the two SuDS ponds are adequate. Furthermore, allocating housing on land at risk from flooding does not comply with paragraph 255 in SPP, see AD0012, which advocates a precautionary approach to flood

risk and paragraph 256 states the “planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere”. While the provision of open space is welcomed, as there is insufficient provision in the Hillside area, the proposed location of the open space is focussed towards the rear of the site, next to the A92 where half of the area consists of SuDS ponds may not make it the most accessible, safe, welcoming or well connected site for existing and new residents.

In relation to employment demand, this site is in an appropriate location to take advantage of easy access to the A92, its location within an SGA, and its close proximity to Aberdeen and the local population. Demand for employment land is likely to have reduced due to the downturn in the oil and gas sector that began in 2015.

In conclusion, no change is required.

Site OP1 – Schoolhill

It is noted that a planning application APP/2016/0934 on this site was considered by Kincardine and Mearns Area Committee (KMAC) on 10 December 2019. They agreed that authority to grant planning permission be delegated to the Head of Planning and Environment Service subject to a number of conditions, see AD0179, pages 10 and 11. One of these conditions being a rezoning exercise and successful implementation of rezoning the houses in this application to Portlethen Primary School or Fishermoss School. Site OP1 is currently zoned in Hillside Primary School, which is at overcapacity and is forecast to rise to 147% capacity by 2024 (AD0110, Appendix 1, page 5). However, parent/carers and stakeholders were overwhelmingly against the rezoning of this site, and on 8 December 2020 KMAC agreed to recommend to the Education and Children’s Services Committee (in January 2021) that the Leathan Fields site (OP1) should not be rezoned (AD0166 and AD0180, page 5). As such, the Education and Children’s Services objection remains, and the planning condition remains unmet. In addition to this, a Legal Agreement to address the required developer obligations and further information to address concerns held by Roads Development are also required. To date, none of these matters have been addressed. As such, the planning application is still pending and the need for a Drainage Impact Assessment and Transport Assessment will remain. No change is required.

The Council notes the request for a public park on site OP1 and the general lack of open space in Portlethen. While the Council agrees there is a need for open space at Hillside, the housing on site OP1 conforms with the original masterplan for this area, see AD0084, and it can come forward as infill development at any time, subject to meeting the LDP policies. Open space will still be required on this site, but is unlikely to be at the scale the representee seeks. No change is required.

In relation to comments from Portlethen and District Community Council, as discussed above, some of these issues are still pending. No change is required.

The Council confirms that it intends to address NatureScot’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Land to Northwest of Badentoy

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Comments from Portlethen and District Community Council are noted. No change is required.

The Council confirms that it intends to address NatureScot's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP3 – Fairview Central

The Council confirms that it intends to address SEPA's comment through non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Comments from Portlethen and District Community Council are noted. A masterplan showing the road network between sites OP3 and OP4 is not yet required, as it was only introduced in this Proposed Plan. No change is required.

Site OP4 – Fairview

The Council confirms that it intends to address SEPA's comment through non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Comments from Portlethen and District Community Council are noted. The type of waste management facility will be proposed at the planning application stage. There has been no request to specify or restrict the types of uses on this site. No change is required.

Site OP5 – Land South of Portlethen Club House

Portlethen and District Community Council has not requested what type of assessments should be required for this site. The proposed allocation summary already states a number of technical assessments will be required, including a Transport Assessment, Flood Risk Assessment, a Landscape and Visual Impact Assessment, a Habitats Assessment, and a Drainage Impact Assessment. No change is required.

Site OP6 – Land East of Badentoy

The Council notes the concerns raised by the representee including, the lack of a retail study to justify the proposal, accessibility across the A92 slip road and how it would resolve meeting place issues. The town centre already crosses the A92 slip road and includes a hotel and restaurant. It is noted that a drive thru has been granted planning permission and built in 2018/2019. Given these concerns and because the allocation proposes either a food retail unit and drive thru or a garden centre and restaurant, it may be more appropriate to allocate site OP6 for uses that either do not exist or will have less of a conflict in Portlethen's existing town centre. If the Reporter is minded, to make an amendment, then the Council recommend that site OP6 is only allocated for a garden centre and restaurant (2,500m²).

Comments from SEPA are noted. No change is required.

Site CC1 – The Green

The Council notes the concerns raised by the representee but adding a maximum floor space to the allocation is not supported, as Policy B1 Town Centre Development requires a Retail Impact Assessment for any major proposal. No change is required.

Comments from SEPA are noted. No change is required.

The Council does not agree with Portlethen and District Community Council's requirement for a Transport Assessment as the allocation summary already refers to the need for a travel plan, which is deemed sufficient. No change is required.

Non-Allocated Site – Bid Site KN027 – Land North of Thistle Drive, Hillside

The Council does not support allocating bid site KN027 for 300 homes. Bid site KN027 was identified as a preferred option in the MIR, see AD0038.F, page 83, but the Kincardine and Mearns Area Committee did not support it, see AD0040.F, page 108). Notwithstanding this, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. Furthermore, the scale of this proposal could affect the delivery of Chapelton, which is less than 2km from Portlethen, and the SDP states, "Allocations should be of a scale which would not inhibit the delivery of current strategic allocations", see AD0016, paragraph 4.19. Reporters at previous LDP Examinations have also recognised that while the development of Chapelton has been slow and an obvious response would be to identify other sites to remedy the shortfall, this would divert the market demand to other sites and thereby threaten the viability and further delay the implementation of the Chapelton proposal (see Examination of the Aberdeenshire Local Development Plan 2017 (AD0036), page 102, paragraph 4, page 107, paragraph 19 and page 728, paragraph 10).

The proposal would also result in the loss of green belt land, and to some extent compromise the three objectives of the green belt as set out in paragraph 49 of SPP, see AD0012, namely directing development to the most appropriate locations and supporting regeneration; protecting and enhancing the character, landscape setting and identity of settlements along the A92, including Portlethen, Marywell and Aberdeen; and protecting and providing access to open space. The SDP states, "The green belt around Aberdeen will continue to protect the character and landscape setting of the City and make sure that development is directed to appropriate locations.", see AD0016, paragraph 6.9. As discussed above and in Issue 5, there is a sufficient supply of housing land and the loss of further green belt is not justified at this time.

While the new Aberdeen Western Peripheral Route will enhance the desirability of living in a settlement near to it, the SDP states, "Any new development adjacent to the Aberdeen Western Peripheral Route, including the Fastlink to Stonehaven, will be resisted unless it has been properly considered through the Development Plan process", see AD0016, paragraph 3.14. While a large number of homes are proposed in the northern part of the Aberdeen to Laurencekirk Strategic Growth Area, this is focused in Chapelton to relieve pressure in neighbouring settlements, which is supported by local communities (for example see AD0036, page 721, paragraph 1 under Vision, and Newtonhill, Muchalls and Cammachmore Community Council's response (PP0556) page 4 paragraph 2).

Comments objecting to this bid site are noted.

In conclusion, no change is required.

Non-Allocated Site – Bid Site KN057 – Land to the West of Cookston Road

The Council does not support allocating bid site KN057 for 400 homes, and land for education use and local retail uses, which is part of a much larger development extending to the west. Bid site KN057 (mixed uses including 400 homes) was not identified as a preferred option in the MIR, see AD0038.F, page 86. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. Furthermore, the scale of this proposal could affect the delivery of Chapelton, which is less than 2km from Portlethen, and the SDP states, “Allocations should be of a scale which would not inhibit the delivery of current strategic allocations”, see AD0016, paragraph 4.19. Reporters at previous LDP Examinations have also recognised that while the development of Chapelton has been slow and an obvious response would be to identify other sites to remedy the shortfall, this would divert the market demand to other sites and thereby threaten the viability and further delay the implementation of the Chapelton proposal (AD0036, page 102, paragraph 4, page 107, paragraph 19 and page 728, paragraph 10).

Parts of this site, especially the central area, is identified as at risk from surface water, as identified in SEPA’s flood risk map, see AD0169. Allocating housing on land at risk from flooding does not comply with paragraph 255 in SPP, which advocates a precautionary approach to flood risk and paragraph 256 states the “planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere”, see AD0012.

The proposal would also result in the loss of green belt land, diminishing its integrity and separation it safeguards between Portlethen, Marywell and Aberdeen. The SDP states, “The green belt around Aberdeen will continue to protect the character and landscape setting of the City and make sure that development is directed to appropriate locations.”, see AD0016, paragraph 6.9. Part of this site was also discussed at the Examination of the LDP 2017 as bid site KM065 and the Reporter concluded that “an urban extension of this scale would be detrimental to the greenbelt’s integrity and the separation it safeguards between Portlethen and the Aberdeen city boundary.” (AD0036, page 727, paragraph 9). NatureScot also expressed their concerns that this bid site would result in coalescence and a lack of identity and sense of place in Portlethen (AD0040.F page 104, paragraph 4).

While the new Aberdeen Western Peripheral Route will enhance the desirability of living in a settlement near to it, the SDP states, “Any new development adjacent to the Aberdeen Western Peripheral Route, including the Fastlink to Stonehaven, will be resisted unless it has been properly considered through the Development Plan process”, see AD0016, paragraph 3.14. While a large amount of homes are proposed in the northern part of the Aberdeen to Laurencekirk Strategic Growth Area, this is focused in Chapelton to relieve pressure in neighbouring settlements, which is supported by local communities (for example see AD0036, page 721, paragraph 1 under Vision, and Newtonhill, Muchalls and Cammachmore Community Council’s response (PP0556) page 4 paragraph 2).

The Council is still concerned about the capacity of the Findon junction, as initially raised by Transport Scotland in their comments on the bids who are concerned with development

to the north west of Portlethen, see Transport Scotland pre-MIR comments, AD0177. The Settlement Statement for Portlethen states under the Services and Infrastructure section that strategic transport contributions will be required to upgrade the Findon A92 junction. It is noted that the representee has not submitted evidence that there are no capacity issues at Findon junction or what impact this proposal would have.

Comments objecting to this bid site are noted.

In conclusion, no change is required.

Non-Allocated Site – Bid Site KN058 – Land North of Schoolhill,

Comments from the representee are noted. No change is required.

Non-Allocated Site – Bid Site KN082 – Land South of Bramble Way, Clashfarquhar

The Council does not support allocating bid site KN082 for up to 150 homes. Bid site KN082 (160 homes) was not identified as a preferred option in the MIR, see AD0038.F, page 87. The site is affected by surface water flooding, which covers more than the southwest corner of the site. Paragraph 255 in SPP advocates a precautionary approach to flood risk and para 256 states the “planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere”, see AD0012. There are also secondary school capacity issues, as Portlethen Academy will be at 103% capacity by 2024, see AD0110, Appendix 1, page 5). While the Portlethen Capacity Study 2008 considered this site as suitable for development, its purpose was to identify options for future growth, and was written prior to the adoption of the Aberdeenshire Local Development Plan 2012, which identified a new settlement at Chapelton (then known as Elsick) to accommodate most of the housing allowance in the Aberdeen to Laurencekirk Strategic Growth Area.

The proposal would also result in the loss of green belt land, diminish the degree of separation from Newtonhill and Cammachmore, and to some extent compromise the three objectives of the green belt set out in paragraph 49 of SPP, see AD0012, namely directing development to the most appropriate locations and supporting regeneration; protecting and enhancing the character, landscape setting and identity of settlements; and protecting and providing access to open space. The SDP states, “The green belt around Aberdeen will continue to protect the character and landscape setting of the City and make sure that development is directed to appropriate locations.”, see AD0016, paragraph 6.9. The Reporter at the Examination of the LDP 2017 was also critical of this site (AD0036, page 728, paragraph 11).

A single access road into this bid site is inadequate for the number of homes proposed, as a second access is required under paragraph 12.1 of the Council’s Standards for Road Construction Consent and Adoption (2015), which states, “Where a core road is not a loop and serves more than 50 but less than 100 dwellings, an emergency access route must be provided, see AD0111. Where a core road serves in excess of 100 houses it must have at least two points of access.” Furthermore, south Portlethen already has a defensible boundary, which was previously considered at the Local Development Plan 2017 Examination, where the Reporter concluded that, “the boundary established by the existing development [on Bramble Way and Bramble Place] and planting already provides these qualities.” (AD0036, page 728, paragraph 11).

In conclusion, no change is required.

Non-Allocated Site – Bid Site KN109 – Land at Causeyport Farm

The Council does not support allocating bid site KN109 for 1,800 homes, 19ha of reserved business land and 10ha for local retail and education. Bid site KN109 was not identified as a preferred option in the MIR, see AD0038.F, pages 87-88. The PLDP does not reserve land for housing beyond the proposed Plan period. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. Furthermore, the scale of this proposal could affect the delivery of Chapelton, which is less than 2km from Portlethen, and the SDP states, “Allocations should be of a scale which would not inhibit the delivery of current strategic allocations”, see AD0016, paragraph 4.19. Reporters at previous LDP Examinations have also recognised that while the development of Chapelton has been slow and an obvious response would be to identify other sites to remedy the shortfall, this would divert the market demand to other sites and thereby threaten the viability and further delay the implementation of the Chapelton proposal (AD0036, page 102, paragraph 4, page 107, paragraph 19 and page 728, paragraph 10).

The western area of this site is identified as at risk from surface water, as identified in SEPA’s flood risk map. Allocating housing on land at risk from flooding does not comply with paragraph 255 in SPP, see AD0012, which advocates a precautionary approach to flood risk and para 256 states the “planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere”.

The proposal would also result in the loss of green belt land, diminishing its integrity and separation it safeguards between Portlethen, Marywell and Aberdeen. The SDP states, “The green belt around Aberdeen will continue to protect the character and landscape setting of the City and make sure that development is directed to appropriate locations.”, see AD0016, paragraph 6.9. This site was also discussed at the Examination of the LDP 2017 as bid site KM065 and the Reporter concluded that “an urban extension of this scale would be detrimental to the green belt’s integrity and the separation it safeguards between Portlethen and the Aberdeen city boundary.”, see AD0036, page 727, paragraph 9. NatureScot also expressed their concerns that this bid site would result in coalescence and a lack of identity and sense of place in Portlethen, see AD0040.F, page 104, paragraph 4).

While the new Aberdeen Western Peripheral Route will enhance the desirability of living in a settlement near to it, the SDP states, “Any new development adjacent to the Aberdeen Western Peripheral Route, including the Fastlink to Stonehaven, will be resisted unless it has been properly considered through the Development Plan process”, see AD0016, paragraph 3.14. While a large number of homes are proposed in the northern part of the Aberdeen to Laurencekirk Strategic Growth Area, this is focused in Chapelton to relieve pressure in neighbouring settlements, which is supported by local communities (for example see AD0036, page 721, paragraph 1 under Vision, and Newtonhill, Muchalls and Cammachmore Community Council’s response (PP0556) page 4 paragraph 2).

Comments objecting to this bid site are noted.

In conclusion, no change is required.

Portlethen Village

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

A pumping station takes foul water from Portlethen Village on to the water treatment plant at Nigg Bay in Aberdeen, which has capacity. The Council confirms that it intends to address SEPA's comment through non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement, which will require to be appropriately assessed by the Council in accordance with the relevant policies of the LDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to the settlement statement matters covered in Issue 45. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Flood Risk

3. I agree with the Scottish Environment Protection Agency (SEPA) that sites OP2 and OP5 should be added to the second bullet point in the interests of consistency. I also agree that the third bullet point should be amended to refer to site BUS1, alongside site R1. This is a presentational matter and has no implications for the information provided. Modifications to this effect are recommended.

4. SEPA has indicated that a significant proportion of allocation BUS2 is at risk of flooding, which may have implications for the development capacity of the site. I agree that it would be appropriate to highlight this potential constraint in the plan and indicate that a flood risk assessment will be required to determine the developable area. However, in advance of this assessment being undertaken, it would be premature to indicate that this may be "a major constraint to any further development", as suggested by SEPA. I recommend a modification, based on SEPA's representation, but excluding the reference

to a major constraint.

Services and Infrastructure

5. The change requested by Nestrans would clarify that contributions may be required to a link road from Hillhead and Badentoy Industrial Estate. I agree that this change would be necessary as the requirement for contributions would need to be assessed in line with policy RD2. A modification is recommended.

6. The strategic drainage and water supply section in the proposed plan does not provide any information on available capacity at the waste water treatments works. I agree that the additional text provided by Scottish Water should be included to address this omission and inform developers that a drainage impact assessment may be required. A modification is recommended.

Site R1 – Safeguarded for a Park and Ride Facility

7. The purpose of the allocation is to reserve the site for use as a park and ride facility. It is not an allocation and the details of who would run this facility and how it would operate are not matters for this plan.

8. The representation which wishes to see site R1 included within allocation BUS2 indicates that the site has planning permission for business use. It notes that the permission is valid until December 2020, before which a new planning application would be submitted. However, the council's response indicates that no new planning application has come forward. I therefore assume that the previous permission has now lapsed. The figures shown in Table 1 in Appendix 1 of the proposed plan indicates that there is no requirement to allocate additional business land in the period 2021-2032.

9. Nestrans has identified a need for a strategic park and ride site to the south of Aberdeen and supports the safeguard. Within this context and given the site's proximity to the A92 and A956, I do not consider there is any justification to remove this safeguard. No modification is required.

Site BUS2 – Safeguarded for business uses

10. Allocation BUS2 in the proposed plan covers around 16 hectares, the northern section of which is already partly built and occupied. The representation from Dandara seeks to divide the overall site in two, with the southern part (6.5 hectares) to be developed for 148 homes.

11. The deletion of the business allocation on part of the site would result in the loss of a 6.5 hectare site which currently forms part of the existing employment land supply. The strategic development plan sets a target of 62 hectares of business land in the Aberdeen to Laurencekirk Strategic Growth Area for the period 2021 to 2032. Table 1 in Appendix 1 of the proposed plan shows that business allocations in this area provide 71.4 hectares, which is only a surplus of 9.4 hectares. The strategic reserve figures for the period beyond 2032 show a shortfall of 19.2 hectares. I conclude that, whilst there is no requirement for the plan to allocate more employment land in the Aberdeen to Laurencekirk Strategic Growth Area, there is not a significant surplus as suggested by Dandara.

12. Matters relating to overall housing provision in the proposed plan are covered in issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. The allocation of this site for housing development could potentially meet this shortfall.

13. The strategic environmental assessment for the proposed plan includes allocation BUS2, but does not assess the site as a potential housing allocation. The proposal has not been the subject of consultation with key agencies, the public and other stakeholders. A revised site assessment submitted by Dandara suggests that potential negative effects in relation to flooding can be mitigated. However, I consider this scoring to be potentially inconsistent with the changes SEPA has requested in relation to the flood risk bullet points.

14. The site is at high risk of fluvial flooding. Paragraph 263 in Scottish Planning Policy indicates that sites of medium to high risk may be suitable for residential development, but only in particular circumstances. I have insufficient evidence before me to assess whether these circumstances would apply to this site.

15. Housing development on the site would be located within the existing settlement boundary and would be well connected with existing housing in the Hillside area. I note the potential to enhance open space provision and footpath links. Whilst all new sites in Portlethen would raise concerns in relation to the capacity of Portlethen Academy, the site is also located within the catchment of Hillside primary, which is the only primary school in Portlethen currently exceeding its capacity. However, policy RD2 in the proposed plan provides a mechanism to seek developer contributions towards education infrastructure. I therefore do not consider this constraint to be insurmountable.

16. Overall, I consider that housing development at this location could bring benefits. However, there is uncertainty regarding the suitability of the site for housing, given the high risk of flooding. There are other sites available to meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area. I conclude that no modification is required.

Site OP1 - Schoolhill

17. Site OP1 is an infill site located within the settlement boundary at Hillside. I note that the council agreed to grant planning permission in December 2019, subject to the new homes being rezoned to an alternative primary school. Concerns have been expressed that this allocation is not deliverable because the education constraint has not been resolved. I issued a further information request (FIR017) to ask the council to provide an update on the situation regarding planning application APP/2016/0934, the rezoning proposal and the implications for the delivery of allocation OP1.

18. The council has explained that the proposal to rezone the site of the application to an alternative primary school has been rejected. It is now working with the developer on an alternative solution, which would result in the phased delivery of the development based on the availability of school places.

19. I note that at Main Issues Report stage, it was proposed to allocate the site for 60 homes with the remainder protected as amenity open space or excluded from the settlement boundary. However, the Issues and Actions Paper notes that it was agreed to

allocate the entire site for 176 homes, with land to the west of the primary school to be protected open space, in line with the original Hillside master plan.

20. An area of protected open space (designation P8) is identified to the west of the primary school on the Portlethen Key Map. I observed on my site inspection that a multi-purpose sports pitch has been provided on part of the protected land. On this basis, I do not consider it necessary to require the provision of a public park on site OP1 or reduce the overall capacity to 60 homes.

21. The evidence presented by the council suggests that there is a way forward to address the education constraint during the plan period. This would involve restricting build rates to 10 homes per year for at least the first three years commencing in 2023. I note that from 2026, faster build rates may be possible and I am aware that other solutions may emerge to address this constraint. However, as I have no other evidence before me to indicate that the whole site can be delivered within the plan period, I conclude that the contribution that allocation OP1 makes towards the strategic development plan allowance for the Aberdeen Housing Market Area should be reduced to 100 homes. Whilst no change is required to the Portlethen settlement statement, a modification will be required to the relevant table in Appendix 6. The implications of this change for the overall housing land provision are addressed in Issue 5.

22. I consider that reference to the promotion of active travel provision within the allocation summary would be in accordance with the plan's aim to promote walking and cycling. I recommend a modification to address the representation from NatureScot on this matter.

Site OP2 – Land to the northwest of Badentoy

23. For the same reasons as above, I agree that reference to the provision of active travel provision and connection with the National Cycle Network should be added to the allocation summary for site OP2. As SEPA has indicated that there are no flood risk issues affecting this site, I agree that the requirement for a flood risk assessment should be deleted. Modifications on these matters are recommended.

Sites OP3 Fairview Central and OP4 Fairview

24. The business allocation in the existing local development plan has been subdivided in the proposed plan. The modifications requested by SEPA would clarify that an area of peat lies within site OP4, and not OP3. A Peat Survey and Phase 1 Habitat survey would ensure any effects on peat are fully addressed. Modifications to both allocation summaries are required.

Site OP6 – Land east of Badentoy

25. Allocation OP6 is for a food retail store and drive thru restaurant or a garden centre and restaurant. The representation from Asda seeks the deletion of the food retail store.

26. The proposal would extend the part of the town centre which lies to the north of the A92 junction, in a south westerly direction. The council has not provided any evidence in the form of a retail study to assess the impact of the additional food retail floorspace on the viability and vitality of the existing town centre.

27. I note that since the proposed plan was published, Aldi has opened in the former Homebase unit in the main part of the town centre to the south of the A92. In the absence of any evidence to the contrary, I consider it unlikely that a further food retail store would be justified. The council has suggested that allocation OP6 be modified to relate only to a garden centre and restaurant. I agree that the food retail store should be removed from allocation OP6. As the drive thru restaurant proposal forms part of the food retail store option for site OP6, I consider that it should also be deleted. A modification to this effect is recommended.

Site CC1 – The Green

28. The representation from Asda, which seeks a maximum floorspace level, relates to neighbourhood facilities in unspecified housing allocations. I do not consider it applies to The Green, which is an existing neighbourhood centre providing a range of retail and other local facilities. The allocation summary in the proposed plan refers to “small-scale infill development opportunities” in the centre. I note that Appendix 2 in the proposed plan supports local retail provision (less than 500m² gross floor area) in neighbourhood centres and that proposals would require to be assessed in relation to policy B1 Town Centre Development. No modification is required.

29. The allocation summary for site CC1 indicates that a transport assessment is likely to be required. No modification is needed.

Non-allocated Bid Site KN027 – Land North of Thistle Drive, Hillside

30. Bid site KN027 lies between the A92 and the railway line, to the north east of the existing settlement boundary at Thistle Drive. The site comprises 17.3 hectares of predominantly semi-improved grassland and is bordered to the north east by the minor road to Findon. Taylor Wimpey objects to the non-allocation of bid site KN027 for 300 homes. I note that the site was included as a preferred option in the Main Issues Report and recommended by officers for inclusion in the proposed plan. The Kincardine and Mearns Area Committee agreed not to allocate the site and the council’s response above indicates that the main reasons relate to lack of housing need and impacts on Chapelton, the green belt and the transport network.

31. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I consider that bid site KN027 could help to meet this shortfall, if allocated.

32. The information provided in the Main Issues Report, Issues and Actions Paper, environmental report for the proposed plan and supporting documents submitted by Taylor Wimpey indicate that development on this site would have a number of positive effects. The Issues and Actions Paper summarises the responses to this bid proposal and housing in general in Portlethen, following consultation on the Main Issues Report. These include concerns regarding impact on infrastructure and local services and environmental effects such as landscape, noise, air quality and flooding, but also opportunities in terms of available capacity at Portlethen train station and enhanced access from Findon junction.

33. I agree that the site would form a logical extension to the settlement, and is conveniently located for residents to access the town centre, other local facilities and the railway station. Supporting information provided by Taylor Wimpey shows a wide range of services within a 20 minute walk of the site. Development would be visually prominent from the A92 road. However, given the relatively flat and contained nature of the site and existing development on the north west side of the A92, I do not consider that allocating this site would comprise the objectives of the green belt. The site does not currently provide access to open space and matters relating to landscape impact and maintaining the identity of Portlethen and Marywell to the north could be addressed through a masterplan.

34. The proposal would not result in the loss of prime agricultural land and the indicative layout submitted by Taylor Wimpey suggests that allocating the site would provide opportunities to enhance open space, footpath links and biodiversity. NatureScot did not object to the proposal in its response to the Main Issues Report. It indicates that the site should prioritise green infrastructure to mitigate impacts and contribute to pedestrian/cycle links to Aberdeen and the rest of Portlethen. Furthermore, the creation of green networks would contribute to a sense of identity. I conclude that, subject to the preparation of a masterplan, housing development on this site has the potential to demonstrate the six qualities of successful places, set out in Scottish Planning Policy and section 9 of the proposed plan.

35. I note that parts of the site are identified on the SEPA flood maps as being at medium to high risk of flooding, including along the two watercourse corridors running through the site and immediately to the north east of Thistle Drive. Taylor Wimpey considers that flood risk matters can be addressed by identifying an accurate flood envelope and considering the impact of this on developable areas and access options. I understand that a detailed flood risk assessment has been commissioned, but I do not know if this work has been undertaken.

36. The Issues and Actions Paper indicates that SEPA did not object to the site when it was identified as a preferred option in the Main Issues Report. It indicated that a flood risk assessment would be required and additional wording was requested for the enhancement of the straightened watercourses through re-naturalisation and removal of any redundant features to be investigated.

37. Paragraph 255 of Scottish Planning Policy states that the planning system should promote a precautionary approach to flood risk and locate development away from medium to high risk area. Paragraph 263 indicates that sites with a medium to high risk of flooding may be suitable for residential development in particular circumstances. Based on SEPA's response, I conclude that flood risk matters would not prevent housing development on the site, but the outcome of the flood risk assessment may have implications for the overall development capacity.

38. The strategic environmental assessment indicates that the Nigg Waste Water Treatment Works has sufficient capacity to accommodate the development. However, local network reinforcement and drainage impact assessment may be required. Concerns regarding noise and air quality impact could be addressed through the site layout.

39. Various supporting documents refer to capacity constraints at the Findon junction of the A92(T), which is located to the north of the site. Whilst the bid proposal is not included

in the transport assessment for the proposed plan, the site would be served by this junction. The strategic bullet point in the settlement statement states that “contributions will be required to upgrade the Findon A92(T) grade separated junction” and Transport Scotland has advised that the required improvements to the trunk road junction could affect site KN027. Further information on the details of the junction upgrade and necessary developer contributions would be required. However, this could be addressed through the Supplementary Guidance on developer obligations and affordable housing (see recommended modification in Issue 12).

40. Whilst the indicative site layout shows two access points, one from Thistle Drive and one from the north, this would require further discussion with the council. The transport appraisal report submitted by Taylor Wimpey suggests potential ways that the site could be developed to make travel to and from the Findon junction less desirable, including encouraging use of the southern access to the site. It also indicates that junction improvements between Thistle Drive and Cookston road would be feasible, if considered necessary. I consider that these matters could be explored further through a transport assessment at planning application stage.

41. The site is within the catchment area of Portlethen Primary School which I note, from the 2019 school roll information submitted by the council, is only predicted to be at 64% capacity in 2024. The requirement for developer contributions towards additional capacity at Portlethen Academy, if necessary, is already included in the Portlethen settlement statement.

43. Portlethen is located within the Aberdeen to Laurencekirk Strategic Growth Area. I consider that the allocation of this site would be consistent with the strategic development plan as it states (in paragraph 4.18) that sites to meet the strategic allowances should be focussed within the strategic growth areas. However, paragraph 4.19 states that “allocations should be of a scale which would not inhibit the delivery of current strategic allocations”.

44. I agree that, given the proximity of Portlethen to Chapelton, there is a risk that allocating this site could have a negative effect on the delivery of strategic allocation OP1 at Chapelton. However, I have indicated above that only 100 homes on site OP1 in the proposed plan are expected to be deliverable within the plan period. Given the size and characteristics of Portlethen, I consider it reasonable to conclude that the settlement could accommodate more than 100 houses in the period up to 2032, with no adverse effect on the delivery of Chapelton.

45. I consider overall that housing development on bid site KN027 would have many positive effects and that environmental and infrastructure impacts arising from the development could be satisfactorily mitigated through the preparation of a masterplan and at planning application stage. As with existing allocations in the proposed plan, matters which require to be given further consideration would be included in the allocation summary.

46. Given the need to identify additional sites to meet the strategic development plan allowance for the Aberdeen Housing Market Area (see Issue 5) and taking account of the above considerations, I conclude that site KN027 should be allocated for housing and identified as contributing 300 homes towards the strategic development plan allowance for the Aberdeen Housing Market Area. I note that the outcome of the detailed flood risk

assessment may reduce the overall capacity of the site. However, as with other allocations in the plan, this figure is an indicative capacity, with the exact number of homes determined at planning application stage.

47. It is recommended that the plan be modified to identify bid site KN027 as allocation OP7: Land north of Thistle Drive for 300 homes and include an allocation summary, as set out in the recommendations below. The allocation summary should include reference to the need to prepare a masterplan and consider matters raised by SEPA, NatureScot and others, where appropriate. Further assessments will be required to support a planning application, which provides further opportunity to address matters raised by respondents at the Main Issues Report stage.

48. As a result of this recommended modification, the settlement maps should be amended to include site KN027 within the settlement boundary and exclude it from the green belt (I note that consequential modifications would also be required to the green belt maps on page 37 and in Appendix 4 of the proposed plan). This new allocation should be included in the relevant table in Appendix 6 and shown as contributing 300 homes to the strategic development plan allowance for the Aberdeen Housing Market Area. Given the presence of watercourse in the site, I also recommend that site OP7 is added to the first bullet point in the flood risk section. Modifications to this effect are set out below.

Non-allocated Bid Site KN057 Land to the west of Cookston Road

49. Stewart Milne Homes is promoting site KN057 for up to 400 homes and educational and local retail facilities. The site covers 27 hectares of agricultural land and is located to the northwest of existing business residential uses. Whilst this bid is being presented as a standalone proposal, I understand that it originated as a first phase of a larger development (bid site KN058). There is no representation seeking the allocation of bid site KN058. However, a site with similar boundaries is being promoted by CALA Homes (Bid site KN0109).

50. Stewart Milne Homes considers that additional housing land is needed within the Aberdeen to Laurencekirk Strategic Growth Area. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area.

51. This bid proposal raises similar issues to those for site KN027 in terms of implications for the deliverability of the strategic allocation at Chapelton and uncertainty regarding impact on the A92 (T) junction at Findon. I note that parts of the site are identified on the SEPA flood maps as being at medium to high risk of flooding and development may result in the loss of peat rich soil. Neither of these matters are addressed in the supporting information provided by Stewart Milne Homes.

52. As indicated above, paragraph 255 of Scottish Planning Policy states that the planning system should promote a precautionary approach to flood risk and locate development away from medium to high risk area. Paragraph 263 indicates that sites with a medium to high risk of flooding may be suitable for residential development in particular circumstances. However, based on the information before me, I am unable to reach a conclusion as to whether these circumstances would apply in this case. I also have

insufficient information to assess whether the presence of peat has implications for the development capacity of the site.

53. The strategic environmental assessment of the site indicates that the scale and location of the proposal would have a negative impact on the landscape character and the openness of and integrity of the green belt. I consider the open aspect and rolling fields to the north west of the local distributor road contribute to the character, landscape setting and identity of Portlethen, consistent with one of the purposes of the green belt identified in Scottish Planning Policy. Site KN057 is somewhat irregular in shape and would not in itself provide a clearly identifiable visual boundary to the green belt.

54. I do not consider that the site is particularly well located in terms of accessibility to the town centre, local facilities and the railway station. Whilst the proposal includes land for educational use and local facilities, it is not clear whether these would be viable and deliverable as part of a stand-alone proposal on site KN057.

55. Given the availability of other sites to meet the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider that meeting housing need would outweigh the negative effects arising from the development of site KN057. No modification is recommended.

Non-allocated Bid Site KN109 Land at Causeyport

56. CALA Homes seeks the allocation of this 164 hectare site for 1,800 homes, 19 hectares of reserved business land and 10 hectares for local retail and education provision. Whilst the site includes bid site KN057, it proposes an alternative indicative layout.

57. CALA Homes considers that insufficient land has been allocated to meet the strategic development plan housing allowances and suggests that this site could contribute 380 units in the period to 2032 with the remaining capacity contributing towards future allowances. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. The matters raised in the report on housing land submitted in support of bid site KN109 have been taken into account.

58. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Whilst 380 units from this site could contribute towards meeting this shortfall, there is no standalone proposal for a development of this scale.

59. Paragraph 4.20 in the strategic development plan states that “Local Development Plans may choose to make provision for additional Strategic Reserves for Housing for the period 2033 to 2040 in line with Table 3, but this is not a requirement.” The council’s decision not to include future opportunity sites in this plan is in accordance with the strategic development plan. There is therefore no justification to allocate a housing site of this scale at this time. Furthermore, I agree with the council that the proposal could inhibit the delivery of the strategic allocation at Chapelton, which would be contrary to the strategic development plan.

60. The strategic development plan sets a target of at least 60 hectares of marketable

land available to businesses at all times in a range of places within strategic growth areas in Aberdeenshire. Table 1 in Appendix 1 of the proposed plan indicates that within the Aberdeen to Laurencekirk Strategic Growth Area, there is a 19.2 hectare shortfall in the strategic reserve. Whilst the business component of this site could potentially address this, the bid does not include a standalone business site proposal for my consideration.

61. As I have already indicated in relation to bid site KN057, I consider the open aspect and rolling fields to the north west of the local distributor road contribute to the character, landscape setting and identity of Portlethen, consistent with one of the purposes of the green belt identified in Scottish Planning Policy. However, I note that bid proposal KN109 would provide a better opportunity than site KN057 to create new clearly identifiable visual boundaries to the green belt.

62. The strategic environmental assessment of site KN109 identifies a number of other negative effects, some of which it may be possible to mitigate. The supporting document provided by CALA Homes highlights the strategic scale of infrastructure that would be required to support the proposal. I have insufficient details before me to take a view on potential mitigation measures to address matters such as flooding, education and transport.

63. However, as I have concluded that there is no justification for an allocation of this scale and it could inhibit the delivery of Chapelton, it is not necessary for me to address these matters in this examination. I conclude that bid site KN109 should not be identified as an allocation. No modification is required.

Non-allocated Bid Site KN082 Land south of Bramble Way

64. Stewart Milne Homes is promoting this 6.3 hectare site, located immediately to the south of the existing settlement boundary, for 150 homes. The supporting information shows an indicative layout and states that the site is free from constraints.

65. Stewart Milne Homes considers that additional housing land is needed within the Aberdeen to Laurencekirk Strategic Growth Area. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I consider that bid site KN082 could contribute towards meeting this shortfall, if allocated.

66. The site is currently within the green belt. The council is concerned that development on this site would reduce the degree of separation between Portlethen and Newtonhill and Cammochmore and compromise the objectives of the green belt. I observed from my site inspection that the site is not prominent in views from the A92(T) and I do not consider that development would have a significant effect on the landscape setting of Portlethen. Whilst the site is located within the South East Aberdeenshire Coast special landscape area, I do not consider that development would detract from the qualities of this designation.

67. The site is not used for countryside recreation purposes and development would not result in the loss of open space. Whilst the extension of Portlethen in a southerly direction would diminish the gap between it and Newtonhill and Cammochmore, I do not consider this would affect the identity of either of these settlements. I conclude that, subject to

detailed design and layout considerations, development would not compromise the objectives of the green belt or the character of the special landscape area. Whilst I agree that the existing southern boundary of Portlethen provides a strong defensible green belt edge, the indicative layout shows that a new clearly identifiable visual boundary could be created.

68. I note that the strategic environmental assessment of the site identifies negative effects in relation to surface water, flooding, biodiversity and infrastructure. I consider each of these in turn.

69. Parts of the site are shown as being at high risk of surface water flooding on the SEPA flood map. Stewart Milne Homes considers that this risk can be managed by incorporating buffer strips next to the burn and sustainable urban drainage systems in the site layout. The council has pointed out that the extent of the area at high risk of flooding covers more than the southwest corner and that Scottish Planning Policy promotes a precautionary approach to flood risk.

70. Paragraph 263 in Scottish Planning Policy indicates that sites with a medium to high risk of flooding may be suitable for residential development in particular circumstances. However, based on the information before me, I am unable to reach a conclusion as to whether the risk of flooding would rule out housing development or reduce the development capacity of the site.

71. The strategic environmental assessment indicates that the proposal would result in the loss of lowland raised peatbog. NatureScot has indicated that any lowland raised bog on the site should be protected from development. Stewart Milne Homes has indicated that an assessment of the peatbog would inform the final layout of the site. However, at this time, I am unable to reach a conclusion on how this would affect the development of the site.

72. The council indicates that the proposed layout shows 150 homes served by one vehicular access from Bramble Road, which would not meet its road standards. This matter has not been addressed by Stewart Milne Homes and the bid proposal indicates that no transport assessment has been undertaken. I am therefore unclear whether adequate access arrangements can be provided to serve a development of over 100 houses.

73. Overall, I conclude that that housing development on this site could be accommodated with limited impact on landscape character and the green belt. However, given the uncertainty regarding flooding, biodiversity and transport matters and the availability of other suitable sites to meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider that this site should be allocated in the plan. No modification is required.

Portlethen Village

74. The Portlethen Village settlement statement in the proposed plan does not include any information on strategic drainage and water supply. I agree with SEPA that this information should be provided and note its request that the council should confirm the capacity of the waste water infrastructure. I consider that the wording suggested by the council should be added in the interests of consistency. A modification to this effect is

recommended.

75. A representee considers that the services and infrastructure section in the settlement statement should be deleted because there are no development allocations identified in Portlethen Village. The absence of any allocated sites in the plan would not preclude the submission of planning applications for development on sites in or adjacent to the settlement. The potential need for relevant developer contributions towards services and infrastructure is as applicable to proposals on non-allocated sites as it is for those identified in the plan. I therefore consider the inclusion of this information in the settlement statement to be appropriate. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

Portlethen

1. Replacing the second bullet point in the flood risk section of the Portlethen settlement statement on page 725 with:

“• Sites OP2, OP3, OP4, OP5 and OP7 are at risk from flooding due to one or more watercourses flowing through or adjacent to the site. A Flood Risk Assessment will be required.”

2. Replacing the third bullet point in the flood risk section of the Portlethen settlement statement on page 725 with:

“• Sites R1 and BUS1 have watercourses flowing through or close to the site. A Flood Risk Assessment may be required.”

3. Replacing the fourth bullet point in the flood risk section of the Portlethen settlement statement on page 725 with:

“• A significant proportion of site BUS2 is at flood risk from the small watercourses flowing through the site. A Flood Risk Assessment will be required to determine the developable area. Buffer strips will be required along the watercourses and opportunities to enhance the watercourses through renaturalisation and removal of any redundant manmade features should be investigated.”

4. Replacing the third sentence of the local transport infrastructure bullet point in the Portlethen settlement statement on page 726 with:

“Contributions to a link road from Hillside to Badentoy Industrial Estate may be required.”

5. Inserting the following sentences at the start of the strategic drainage and water supply bullet point in the Portlethen settlement statement on page 726:

“There is currently sufficient capacity at Nigg Waste Water Treatment Works. A Drainage Impact Assessment may be required.”

6. Inserting the following new fifth sentence in the first paragraph of the allocation summary for OP1 – Schoolhill in the Portlethen settlement statement on page 727:

“Provision for active travel is also required.”

7. Replacing the ‘176’ in the allowances 2020 - 2032 column for Portlethen OP1 in the relevant table in Appendix 6 (Housing Land Allocations) with ‘100’ and amending the total

figures accordingly. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report).

8. Replacing the last sentence of the first paragraph of the allocation summary for OP2 – Land to the northwest of Badentoy in the Portlethen settlement statement on page 727 with the following two sentences:

“Provision for active travel is required. Efforts should be made to link into the National Cycle Network Route 1, which lies on the north boundary of the site.”

9. Deleting “Flood Risk Assessment,” from the first sentence of the second paragraph of the allocation summary for OP2 – Land to the northwest of Badentoy in the Portlethen settlement statement on page 727.

10. Deleting the last sentence of the third paragraph in the allocation summary of OP3 – Fairview Central in the Portlethen settlement statement on page 728 (Development should avoid areas of peat and a buffer strip will be required.)

11. Replacing the last sentence in the second paragraph in the allocation summary of OP4 – Fairview in the Portlethen settlement statement on page 728 with:

“There is likely to be peat underlying a significant part of the site. A Peat Survey and Phase 1 Habitat survey will be required.”

12. 12. Deleting the words “Food retail (1100m²) and drive thru restaurant (450m²) or a” from the allocation title for site OP6 – Land East of Badentoy in the Portlethen settlement statement on page 729. (The allocation title would now read ‘Garden centre and restaurant (2500m²)’)

13. Inserting the following new allocation after OP6 on page 729:

“OP7: Land north of Thistle Drive
Allocation: 300 homes

This is a newly allocated site located to the north east of Thistle Drive and to the south east of the A92. The site forms a logical extension of Portlethen and is conveniently located for access to the town centre, other local facilities and railway station.

A Masterplan will be required for the delivery of this site. Early discussions should take place with the council to identify the assessments required to inform and support development proposals. These are expected to include a transport assessment; a flood risk assessment; a drainage impact assessment; a landscape appraisal and tree survey; a habitat and ecological survey; and a noise impact assessment and mitigation plan. These assessments will influence the overall capacity, access to and layout of the site.

The transport assessment will be required to set out any wider infrastructure requirements and, subject to further investigation, contributions are expected to be required towards improvements to the Findon A92(T) junction.

The site is at risk from flooding due to watercourses running through the site and a Flood Risk Assessment will be required. Buffer strips will be required adjacent to the watercourses, which should be integrated positively into the development. Proposals should make provision for enhancement of the straightened watercourses through re-naturalisation and investigate the removal of any redundant features.

The proposals should prioritise green infrastructure to mitigate impacts, provide a sense of identity and contribute to pedestrian/cycle links to Aberdeen and the rest of Portlethen.

It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and integrated into the design of the development to provide a mix of houses types and sizes to meet local needs.”

14. Amending the Portlethen settlement map on pages 730 – 734 (as relevant) to show bid site KN027 as housing allocation OP7, include the site within the settlement boundary, and remove it from the green belt.

15. Adding Portlethen OP7 for 300 homes to the table showing new sites which contribute towards the strategic development plan allowance for the Aberdeen Housing Market Area in Appendix 6. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

Portlethen Village

16. Adding the following new first bullet point to the services and infrastructure section of the Portlethen Village settlement statement on page 735:

“• Strategic drainage and water supply: A pumping station takes foul water from Portlethen Village to Nigg Waste Water Treatment Works in Aberdeen.”

Issue 46	Stonehaven	
Development plan reference:	Proposed LDP, Appendix 7E Kincardine and Mearns, Page 744-756	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
PP0136 Alastair Johnstone PP0272 Scottish Water PP0564 Transport Action Kincardineshire (TRAK) PP0666 Stewart Milne Homes PP0683 Stewart Milne Homes PP0783 Sluie Estate Trust PP0784 Sluie Estate Trust PP0785 Sluie Estate Trust PP0786 Sluie Estate Trust PP0878 The Woodland Trust Scotland PP0880 Dr Linsey Hunter PP0902 Kirkwood Homes Ltd PP0920 Donald Bouma PP0921 Sharon Bouma PP0926 Bancon Homes Ltd PP0981 INEOS FPS PP1132 CALA Homes (North) Ltd PP1142 Mr George Pearson PP1198 Barratt North Scotland PP1219 Scottish Environment Protection Agency (SEPA) PP1221 FM Ury Ltd PP1241 Nestrans PP1297 Barratt North Scotland PP1298 Barratt North Scotland PP1300 NatureScot (Scottish Natural Heritage) PP1315 Stewart Milne Homes PP1316 Stewart Milne Homes PP1343 Historic Environment Scotland PP1393 Stonehaven and District Community Council		
Provision of the development plan to which the issue relates:	Stonehaven Settlement Statement	
Planning authority's summary of the representation(s):		
<u>General</u> It is requested that development proposed at Stonehaven should be curtailed within the boundaries of common sense, as Stonehaven has a lack of infrastructure, public transport, employment opportunities, access to amenities and green space, it has a high dependence on cars, and the nursery is vastly under pressure for space (PP0880).		

Given the removal of the P9 site from the current 2017 LDP, which was protected to reserve an area for the replacement of Dunnottar Primary School, it is requested that clarity is provided on the locational requirements for a replacement facility (PP0926).

Nestrans has highlighted the strategic importance of the junction between the Aberdeen Western Peripheral Route (AWPR) and A92(T) to the north of the town, and the requirement to ensure that future development in the vicinity of this junction does not compromise its safety and performance (RD0227.A) (PP1241).

Nestrans has reported that work recently undertaken demonstrates that Stonehaven Rail Station provides strategic access to the rail network to a wider catchment beyond Stonehaven and has recommended further investigation of improvements to car parking capacity at the station (RD0227.A) (PP1241).

Flood Risk

Scottish Environment Protection Agency (SEPA) has recommended amalgamating the first two 'Flood Risk' bullet points, for consistency, as they are both 'general' statements (RD0214.B) (PP1219).

SEPA has recommended amalgamating the last four 'Flood Risk' bullet points on sites OP1, OP2, OP3 and OP6 into one, as they all lie within or adjacent to SEPA's 1:200 flood risk area or have watercourses flowing through or adjacent to them (RD0214.B) (PP1219).

SEPA has requested moving BUS3 into its own 'Flood Risk' bullet point and state that a buffer strip will be required in addition to maybe requiring a Flood Risk Assessment (FRA) (RD0214.B) (PP1219).

Services and Infrastructure

Scottish Water has requested that under 'Strategic drainage and water supply' it states that there is sufficient capacity at Nigg Waste Water Treatment Works and that a Drainage Impact Assessment may be required (PP0272).

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site P9 – To protect the area as a significant contribution to the character of the place and to provide a landscape buffer

Site P9 is supported in principle as a landscape buffer (PP0902 and PP1221), as it accords with a representee's masterplan and will help provide a high-quality backdrop to the proposed new development (PP1221). However, it is requested that the inner line is noted as indicative and includes text that allows the full extent and character of site P9 to be agreed as part of the detailed planning application process on site OP5 (PP0902 and PP1221). The representees have included a number of Appendices (RD0168.A and RD0215.A) in their representation which provides further detail to support their position (PP0902 and PP1221).

Site R1 – Reserved for an extension to Fetteresso Cemetery

SEPA has stated there are unlikely to be any SEPA issues with site R1 continuing to be allocated as a cemetery (RD0214.B) (PP1219).

Site BUS1 – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS1 (RD0214.B). No modification sought (PP1219).

Site BUS2 – Safeguarded for business uses

It is requested that site BUS2 is removed on the basis of non-delivery. The site has significant water drainage issues which is one of the reasons why the adjacent site, OP7 was allocated, to spread the cost of the upgrades but this has not happened. The site is not marketable, is not deemed effective employment land due its constraints, and is not accessible by sustainable modes of transport (PP0786).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS2 (RD0214.B). No modification sought (PP1219).

Site OP1 – Carron Den

SEPA has noted that the allocation summary for site OP1 does not include a requirement for an FRA even though it is listed in the 'Flood Risk' bullet point. They suggested this should be reviewed (RD0214.B) (PP1219).

Site OP2 – Ury House, East Lodge

Two representees have expressed their support for site OP2 for 212 houses (PP0902 and PP1221). It is in an attractive location with excellent links to Stonehaven and the wider area (PP1221). The representee remains committed to the development of the Ury Estate and this site has planning permission (PP1221). It will relieve pressure from other, potentially more sensitive sites around Stonehaven, whilst simultaneously providing enabling funding for essential infrastructure and the wider maintenance and enhancement of the Ury Estate (PP0902). The representees have included a number of Appendices (RD0168.A and RD0215.A) in their representation which provides further detail to support their position (PP0902 and PP1221).

The allocation summary is supported, i.e., recognising the requirement for the link road; the provision of access to site OP5, connections to the core path network, the listed technical requirements, and agrees that a revised masterplan would be timeous and beneficial (PP0902).

Objection has been received to the inclusion of site OP2 as it is likely to cause damage and/or loss to areas of ancient woodland. Removal of woodland is contrary to Scottish Planning Policy (SPP) paragraphs 216 and 218 and to the Control of Woodland Removal Policy (RD0161.A) (PP0878).

It is requested that the allocation summary of site OP2 includes a reference to Policy P4 and the Health and Safety Executive's (HSE) specific advice due to the presence of the

Forties Pipeline (PP0981).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (see RD0214.B). No modification sought (PP1219).

NatureScot has requested that despite the requirement for a new link road between the B979 and A957, the allocation summary for site OP2 includes text that retains the amenity of the core path to the south of the site, which forms part of a key cycle link between the B979 and A957, as this will help support active travel in accordance with the LDP (RD0255.B) (PP1300).

Site OP3 – Ury House, Blue Lodge

A representee has expressed their support for site OP3 for 99 homes. They are committed to the development of the Ury Estate and this site has, planning permission. However, the current planning permission is for a small number of very large homes that does not reflect current market demand and it is argued that the success of this site (and Ury) depends on increasing its density. The representee has included a revised masterplan showing sites with planning permission and sites for future development (RD0215.A) (PP1221).

It is requested that the number of homes on site OP3 is reduced from 99 to 51 homes (PP0920, PP0921 and PP0981). The developments at Ury Estate, which were approved as enabling development to restore Ury House, was 280 homes, but has increased to over 400 homes with little progress being made to achieving the non-housing element. They are concerned that increasing the scale of the development exacerbates existing challenges including the proximity to historic assets, buffer strips to Cowie Water, appropriate road access, footpath linkages to the town, preserving the character of the area and pressure on services. They argue there is also plenty of potential to provide additional homes in the Portlethen to Stonehaven SGA without adding homes at Ury Estate, including Chapelton (PP0920 and PP0921).

A representee has highlighted that most of site OP3 is located within the HSE's middle zone of the Forties Pipeline, which is a Major Accident Hazard Pipeline (MAHP). They report that the HSE response to the most recent approval within this allocation (Application APP/2018/0113) stated that they considered this development of 51 units "as being the limit of residential development in the inner and middle zone at this location". It is also suggested that this allocation is reduced to a maximum of 46 homes if the 5 homes with planning permission are outwith the allocation, to ensure compliance with HSE guidance (PP0981).

SEPA has recommended moving the sentence referring to the FRA from the eighth paragraph of the allocation summary, which discusses mains water, to the seventh paragraph, as it refers to buffer strips and culverts and would sit more appropriately in this paragraph (RD0214.B) (PP1219).

NatureScot has requested that despite the requirement for a new link road between the B979 and A957, the allocation summary for site OP3 includes text that retains the amenity of the core path to the north and west of the site, which forms part of a key cycle link between B979 and A957, as this will help support active travel in accordance with the LDP. They also welcome the need for a revised masterplan for the Ury Estate (RD0255.B)

(PP1300).

Historic Environment Scotland (HES) is concerned about the potential impact site OP3 could have on the scheduled monument known as Cowie Line (pill box and anti-tank blocks). The site is just north of the monument and any development must avoid direct (i.e., physical) impacts on the monument or affect its setting. They highlight the need for a sensitive housing design with the possible need for landscaping, such as leaving land undeveloped, in line with HES Setting guidance (RD0266.A) (PP1343).

Site OP4 – Land Adjacent to Kirktown of Fetteresso

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP4 (see RD0214.B). No modification sought (PP1219).

Site OP5 – Land at East Lodge

Two representees have expressed their support for the allocation of site OP5 for 60 houses (PP0902 and PP1221). The site forms a logical expansion of site OP2 and is a credible and deliverable housing site (PP1221). A representee has agreed that a revised masterplan would be timeous and beneficial (PP0902), and another representee has included a revised masterplan showing sites with planning permission and sites for future development (PP1221). This site relieves pressure from other, potentially more sensitive sites around Stonehaven, whilst simultaneously providing enabling funding for essential infrastructure and the wider maintenance and enhancement of the Ury Estate (PP0902). The representees have included a number of Appendices (RD0168.A, RD0215.A) in their representation which provides further detail to support their position (PP0902 and PP1221).

The allocation summary is supported in relation to recognising the requirement to connect into the link road, access and connectivity with site OP2, and the various listed technical requirements (PP0902).

It is requested that site OP5 is removed from the Proposed Aberdeenshire Local Development Plan 2020 (PLDP) (PP0666, PP1315 and PP1316). Stonehaven is an important sub-regional service centre and the historic allocations at Ury Estate should not be relied upon (PP1315 and PP1316). Another representee has stated that to maintain the housing land supply and provide a choice of housing sites, no further land at Ury East Lodge should be allocated, as the Aberdeen City and Shire Housing Land Audit (HLA) 2019 shows 342 homes on the Ury Estate that have planning permission, but at 35 homes per annum, it will take 13.2 years to build (PP0666). They also add, as site OP5 and the Ury Estate are owned by the same owner, this site is likely to become available sequentially, rather than in parallel to OP5 and highlight that alternative short-term sites are available (bid sites KN050/KN051 and KN081) (PP0666). The representees have included a number of Appendices (RD0104.A, RD0263.A and RD0264.A), in their representation, which provides further detail to support their position (PP0666, PP1315 and PP1316).

Other concerns include site OP5's proximity from facilities and the services of Stonehaven (PP0666, PP1315 and PP1316), and lead to an over-reliance on private car travel (PP1315 and PP1316). Although consent has been granted for a supermarket at Ury, no operator has been committed (PP0666). The link road within the site remains incomplete and could result in another car dominated development, and potential impacts on a scheduled

monument, ancient woodland, and a pipeline (PP0666). The site is contrary to PLDP paragraph 3.13 in terms of sustainability (PP0666, PP1315 and PP1316). The representees have included a number of Appendices (RD0104.A, RD0263.A and RD0264.A), in their representation, which provides further detail to support their position (PP0666, PP1315 and PP1316).

A representee has requested amending the allocation summary of site OP5 to state that site P9 be indicative, but that the total area of site P9 must not fall below that identified. They support site P9 in principle but request that rather than this site having a definitive inner line, it should be flexible to accommodate landform and detailed levels survey at the time of a planning application on site OP5. A representee has included a number of Appendices (RD0168.A) in their representation which provides further detail to support their position (PP0902).

It is requested that the affordable housing provision reflects the approach taken throughout the masterplan area of the Ury Estate and that the affordable housing quota for site OP5 is provided elsewhere within the masterplan area. A representee has included a number of Appendices (RD0168.A) in their representation which provides further detail to support their position (PP0902).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP5 (RD0214.B). No modification sought (PP1219).

NatureScot has requested an additional paragraph is added to the allocation summary for site OP5 on the proposal's potential for significant effects on the designed (non-inventory) landscape of Ury House, on minimising effects on the designed landscape, on planting, and on opportunities to further reinforce the historic character in this location (RD0255.B) (PP1300).

NatureScot notes that the allocation summary for site OP5 refers to "Access and connectivity must be integrated with site OP2." and has requested that the allocation summary also promotes active travel provision in accordance with LDP policy (RD0255.B) (PP1300).

Site OP6 – Mackie Village Ury Estate

A representee has expressed their support for site OP6, which reflects the current planning permission, but has requested further flexibility in the allocation summary to allow the affordable housing allowance of other sites in the Ury Estate to be delivered on this site (e.g., sites OP2, OP3 and OP5). It is argued that site OP6 is an appropriate site for further affordable housing in light of infrastructure, design continuity and the presence of other amenities and transport links. They are committed to the development of the Ury Estate and have included a revised masterplan showing sites with planning permission and sites for future development (RD0215.A) (PP1221).

It is requested that the boundary of site OP6 is amended to reflect the site boundary of two approved planning applications (APP/2018/2227 and APP/2018/2228). They are concerned that as a larger area than that approved is to be allocated, it provides the potential for further residential development in this location when this area is located within the middle zone of the Forties Pipeline and would result in an increased density (PP0981).

It is requested that the allocation summary for site OP6 includes a statement requiring development at Ury Estate to consult with HSE and the HSE's Planning Web App will not be used to inform decision-making (PP0981).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP6 (RD0214.B). No modification sought (PP1219).

Site OP7 – East Newtonleys

It is requested that site OP7 for 7ha employment land is removed. The site has been allocated since 2012 but has not been developed, it has significant water drainage issues which is one of the reasons why the adjacent site, OP7 was allocated, to spread the cost of the upgrades but this has not happened. The site is not marketable, is not deemed effective employment land due its constraints, and is not accessible by sustainable modes of transport (PP0786).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP7 (RD0214.B). No modification sought (PP1219).

Non-Allocated Site – Bid Site KN032 – Land at Braehead

A representee has requested the allocation of bid site KN032 for 340 homes, strategic landscaping, sports pitches and open space. They argue it will meet the shortfall in the housing allowances, set out in the Aberdeen City and Shire Strategic Development Plan 2020 (SDP). The development can provide several benefits for existing and future residents including supporting the local community centre, providing alternative access to the coastal road, improved site drainage to mitigate flooding and Braehead Farm can provide community sports facilities. The representee also states that the site can make a substantial contribution to the delivery of housing in Aberdeenshire in the coming years as well as provision of affordable housing and contribute towards meeting housing land requirements. The representee has included a number of Appendices (RD0198.A and RD0198.B) in their representation which provides further detail to support their position (PP1132).

A representee objects to this bid site due to its potential to exacerbate flooding issues in Stonehaven and the lack of demand for more homes due to the downturn in the oil industry. They support the allocation of sites OP2, OP3, OP5 and OP6 that do not pose a risk to flooding to surrounding properties or roads (PP0136).

Non-Allocated Site – Bid Site KN050 – Land at Mains of Cowie (Mixed Use)

A representee has requested the allocation of bid site KN050 for 250 homes, food retail and a primary school. They argue this a suitable and deliverable site for mixed-use development, as it is sustainable, accessible, and is located in an area of strong market demand. It complies with the principles of Scottish Planning Policy (SPP) with regards to promoting sustainable new growth and increasing generosity and flexibility in the housing land supply. It is effective and free of constraints, delivers a new primary school to alleviate existing concerns, provides a much-needed site for retail as the site at Ury Estate has failed to come forward, and lies within a defensible boundary created by the A90/92. It is deliverable within 5 years unlike the Ury Estate development that will deliver only 35 homes per year according to the HLA 2019 and affect delivery of affordable homes. They report

that this site has been informed by a detailed landscape and visual appraisal and that the Reporters commented during the LDP 2017 Examination that this site could be successfully accommodated. The representee disagreed that most of the housing allocations in Stonehaven should be in one area at Ury Estate and a range of sites should be promoted. Adds, the Strategic Environmental assessment (SEA) of the site scores well against most topics and is deemed to have a neutral or positive effect against numerous criteria. The topics in which the site has scored negatively (e.g., air, soil, climatic factors, landscape and cultural heritage) are not considered to be a barrier to development and can be appropriately addressed. The representee has included a number of Appendices (RD0263.A) in their representation which provides further detail to support their position (PP1315).

Non-Allocated Site – Bid Site KN051 – Land at Mains of Cowie (Residential)

A representee has requested the allocation of bid site KN051 for 350 homes and a primary school. They argue this a suitable and deliverable site for mixed-use development, as it is sustainable, accessible, and is located in an area of strong market demand. It complies with the principles of Scottish Planning Policy (SPP) with regards to promoting sustainable new growth and increasing generosity and flexibility in the housing land supply. It is effective and free of constraints, delivers a new primary school to alleviate existing concerns, and lies within a defensible boundary created by the A90/92. It is deliverable within 5 years unlike the Ury Estate development that will deliver only 35 homes per year according to the HLA 2019 and affect delivery of affordable homes. They report this site has been informed by a detailed landscape and visual appraisal and that the Reporters commented during the LDP 2017 Examination that this site could be successfully accommodated. They disagree that most of the housing allocations in Stonehaven should be in one area at Ury Estate and a range of sites should be promoted. Adds, the SEA of the site scores well against most topics and is deemed to have a neutral or positive effect against numerous criteria. The topics in which the site has scored negatively (e.g., air, soil, climatic factors, landscape and cultural heritage) are not considered to be a barrier to development and can be appropriately addressed. The representee has included a number of Appendices (RD0264.A) in their representation which provides further detail to support their position (PP1316).

Non-Allocated Site – Bid Site KN076 – Land at East Newtonleys, East of A957

A representee has requested the allocation of bid site KN076 for around 100 homes if bid site KN078 is not allocated. Bid site KN076 is accessible from the town centre via different modes of transport. It is adjacent to existing residential development to the north and emerging employment land to the south. They disagree with the Main Issues Report (MIR) that the site is “detached from the town and due to topography, the sites would be visually prominent” and “do not present the best scale of development in the right places”, as it is closer to Stonehaven town centre in comparison to sites OP2 and OP6. The site also benefits from easy access to the trunk road A92/A90 grade separated junction to the south. The site was deemed suitable for development through an allocation within the Consolidated Aberdeenshire Local Plans (CALP), adopted in 1998. In the Examination of the LDP 2017, the Reporter considered that the western part of the site [MIR 2013 bid site KM098, see AD0037.B, pages 71 and 77] would have sufficient proximity to Stonehaven, but the entire site was inappropriate, and the proposed bid site has addressed the Reporter’s concerns by restricting development to the west. They note that the preferred sites in Stonehaven are unlikely to contribute to the delivery of those Strategic Housing

Allowances and are being built at slower rates than anticipated. Development at Chapelton is also moving slowly. They conclude the site is “right development in the right places” as advocated by paragraph 15 of the Scottish Planning Policy. The representee has included a number of Appendices (RD0174.A, RD0174.B, RD0174.C, and RD0174.D) in their representation which provides further detail to support their position (PP0926).

Non-Allocated Site – Bid Site KN077 – Land at East Newtonleys, Between A957 and Boggartyhead

A representee has requested the allocation of bid site KN077 for 300 homes as a future opportunity site, a primary school and 200sqm retail uses. A future opportunity site would provide the Local Authority with the flexibility to review the delivery of allocations and overall housing land supply position following an interim review of the Plan. Bid site KN077 is accessible from the town centre via different modes of transport. It is adjacent to existing residential development to the north and emerging employment land to the south. They disagree with the MIR that the site is “detached from the town and due to topography, the sites would be visually prominent” and “do not present the best scale of development in the right places”, as it is closer to Stonehaven town centre in comparison to sites OP2 and OP6. The site also benefits from easy access to the trunk road A92/A90 grade separated junction to the south. The site was deemed suitable for development through an allocation within CALP, adopted in 1998. In the Examination of the LDP 2017, the Reporter considered that the western part of the site [MIR 2013 bid site KM098] would have sufficient proximity to Stonehaven, but the entire site was inappropriate, and the proposed bid site has addressed the Reporter’s concerns by restricting development to the west. It only includes a small area of the Special Landscape Area. They note that the preferred sites in Stonehaven are unlikely to contribute to the delivery of those Strategic Housing Allowances and are being built at slower rates than anticipated. Development at Chapelton is also moving slowly. They conclude the site is “right development in the right places” as advocated by paragraph 15 of the Scottish Planning Policy. The representee has included a number of Appendices (RD0174.A, RD0174.B, RD0174.C, and RD0174.D) in their representation which provides further detail to support their position (PP0926).

It is noted that the replacement of Dunnottar Primary School is not preferred by the Council’s Learning Estates Team, despite concern raised by the community over its poor condition and urgent need for replacement. As such, given the existing school’s location to the south of Stonehaven and lack of opportunities for redevelopment in the immediate vicinity of the school, it is requested that a replacement site should be identified within the same catchment to the south of the settlement (PP0926).

Non-Allocated Site – Bid Site KN078 – South of Braehead, East of A957

A representee has requested the allocation of bid site KN078 for around 100 homes if bid site KN076 is not allocated. It is adjacent to existing residential development to the north and emerging employment land to the south. They disagree with the MIR that the site is “detached from the town and due to topography, the sites would be visually prominent” and “do not present the best scale of development in the right places”, as it is closer to Stonehaven town centre in comparison to sites OP2 and OP6. The site also benefits from easy access to the trunk road A92/A90 grade separated junction to the south. The site was deemed suitable for development through an allocation within the CALP, adopted in 1998. In the Examination of the LDP 2017, the Reporter considered that the western part of the site [MIR 2013 bid site KM098] would have sufficient proximity to Stonehaven, but the

entire site was inappropriate, and the proposed bid site has addressed the Reporter's concerns by restricting development to the west. It only includes a small area of the Special Landscape Area. They note that the preferred sites in Stonehaven are unlikely to contribute to the delivery of those Strategic Housing Allowances and are being built at slower rates than anticipated. Development at Chapelton is also moving slowly. The representee has included a number of Appendices (RD0174.A, RD0174.B, RD0174.C, and RD0174.D) in their representation which provides further detail to support their position (PP0926).

Non-Allocated Site – Bid Site KN081 – Land South of Braehead, Adjacent to A975

A representee has requested the allocation of bid site KN081 for 50 homes. They report that the site was previously deemed as suitable for development in 1998 through CALP and in the Stonehaven Capacity Study for residential use and in the Aberdeenshire Local Development Plan 2017 where the northern part of the site was deemed suitable for a primary school (which is no longer required). They argue Braehead provides the opportunity to deliver a sustainable extension to the town, with access to existing services, utilities and amenities. As the site is no longer required for a school, an alternative use should be considered on this site. The site is set adjacent to the settlement boundary and is not separated by the A90(T). The site has very good public transport and walking and cycling routes. The town centre can be accessed via footpath. This is designated as a "safe route to school". Their masterplan shows that the site has capacity for development. NatureScot did not raise any concern regarding this site coming forward. It can be delivered in the short term. The representee has included a number of Appendices (RD0112.A and RD0112.B) in their representation which provides further detail to support their position (PP0683).

Non-Allocated Site – Bid Site KN108 – Land East and West of Mains of Dunnottar

A representee has requested the allocation of bid site KN108 for a visitor centre and associated car parking at Dunnottar Castle, and the allocation summary allows for enabling development if necessary. They argue this proposal will enhance the visitor experience at Dunnottar Castle and promote the local tourism industry. It will consider the potential impact on Dunnottar Castle, a Scheduled Monument. It will not negatively affect the landscape and NatureScot raised no concerns. Surveys undertaken by a Tourism Resources Company highlighted the need for improved facilities at the Castle and raised concern that the lack of a modern information centre, car parking and fit for purpose toilets could have a negative impact on visitor numbers to the Castle. The enhanced facilities would also result in additional jobs and the proposal has the potential for significant economic benefits. The MIR noted support, in principle, for the visitor centre. The representee has included a number of Appendices (RD0202.A, RD0202.B, RD0202.C, RD0202.D, and RD0202.E) in their representation which provides further detail to support their position (PP1142).

Non-Allocated Site – Bid Site KN115 – Land at New Mains of Ury (Retail)

A representee has requested the allocation of bid site KN115 for retail (supermarket). They state there is demand for a supermarket in Stonehaven, and the site at Ury Estate that was granted planning permission in 2016 remains undeveloped with no retailer interest. They add, the Ury Estate site is constrained due to the need for a link road between site OP2 and the A957 and should not be considered as a viable retail location. They argue bid site

KN115 is a logical location for a supermarket as it is located adjacent to existing houses and the A90(T) and the AWPR, it is accessible by sustainable modes of transport, there are no constraints to its development, and there is interest from a national food store. The SEA also notes that the site is a suitable location for a supermarket development. The representee has included a number of Appendices (RD0139.A and RD0139.B) in their representation which provides further detail to support their position (PP0785).

Non-Allocated Site – Bid Site KN117 – Land at New Mains of Ury

A representee has requested the allocation of bid site KN117 for employment land. It is in a logical location, is located adjacent to the A90, the AWPR, and existing and proposed housing developments, and is able to be reached by sustainable means. The site will not create adverse traffic implications on the B979 or the AWPR junction. The site is effective, as it is not impeded by any infrastructure constraints. It would not have any negative impact on the local aspect as the recent development in the area, AWPR and the Ury Estate development has significantly changed the landscape, and any landscape issues can be addressed through strategic planting. The representee has included a number of Appendices (RD0140.A) in their representation which provides further detail to support their position (PP0786).

Non-Allocated Site – Bid Site KN118 – Land East of East Lodge, New Mains of Ury

A representee has requested the allocation of bid site KN118 for a hotel and restaurant. They report the need for a hotel facility has been acknowledged by Aberdeenshire Council and the Stonehaven community for several years, but nothing has been provided. They state the site is a logical location for a tourist development as it is situated close to the Ury Estate development (e.g., OP2), lies directly adjacent to the A90(T) and AWPR making it easily accessible by both car and sustainable means. The SEA also notes the site as a logical location for a hotel development. The representee has included a number of Appendices (RD0138.A and RD0138.B) in their representation which provides further detail to support their position (PP0784).

Non-Allocated Site – Bid Site KN119 – Land East of Megray Burn, New Mains of Ury

A representee has requested the allocation of bid site KN119 for roadside services comprising of a petrol filling station, ancillary class 1 unit and drive-thru. They state there is a deficiency of modern roadside facilities on the A90(T) for road users, with the closest being in Stracathro, 23 miles south of Stonehaven. They highlight the site is adjacent to the AWPR interchange, there are no roadside facilities on the A90(T) or the AWPR, and it will not adversely impact the road network or have a negative visual impact on the surrounding area. The representee has included a number of Appendices (RD0137.A and RD0137.B) in their representation which provides further detail to support their position (PP0783).

Non-Allocated Site – Bid Site KN120 – Mill of Forest (Site for 250 Units), Land at Toucks

A representee has requested the allocation of bid site KN120 for 250 homes and local retail/commercial/service facilities to address the shortfall of 939 homes identified in the SDP that are not apportioned within the PLDP, to compensate for historic under-delivery of existing housing sites, to address the lack of affordable housing delivery, and to ensure that realistic densities can be applied on a site-by-site basis. The representee has included an

Appendix (RD0213.A) in their representation which provides further detail to support their position (PP1198).

Non-Allocated Site – Bid Site KN121 – Mill of Forest (Site for 750 Units), Land at Toucks

It has been requested that bid site KN121 is allocated for 750 homes and local retail/commercial/service facilities. A representee has stated that this site is needed to address the shortfall of 939 homes identified in the SDP that are not apportioned within the PLDP, to compensate for historic under-delivery of existing housing sites, to address the lack of affordable housing delivery, and to ensure that realistic densities can be applied on a site-by-site basis. The representee has included an Appendix (RD0213.A) in their representation which provides further detail to support their position (PP1198).

Another representee has stated that there is a need to allocate additional housing land within the Aberdeen to Laurencekirk Strategic Growth Area to support housing land and rates of delivery. That the principle of extending Stonehaven beyond the A90 has been established by development at Ury Estate. The proposed site is of an appropriate scale for the size of Stonehaven. Previous applications on the site were only refused because they were not allocated and included a supermarket – the supermarket element is no longer proposed. The bid site benefits from proximity to strategic transport links and has good connectivity to public transport. They have also noted that from the A90, the bid site is viewed within the same visual envelope as Stonehaven and would be seen as an extension to the town. Concerns regarding landscape and environmental impacts can be meaningfully addressed through a masterplan and supporting documents. The representee has included a number of Appendices (RD0253.A) in their representation which provides further detail to support their position (PP1298).

Non-Allocated Site – Bid Site KN122 – Mill of Forest (Site for 1500 Units), Land at Toucks

It has been requested that bid site KN122 is allocated for 1500 homes, primary school and local retail/commercial/service facilities (PP1198 and PP1297). A representee has stated that this site is needed to address the shortfall of 939 homes identified in the SDP that are not apportioned within the PLDP, to compensate for historic under-delivery of existing housing sites, to address the lack of affordable housing delivery, and to ensure that realistic densities can be applied on a site-by-site basis (PP1198). The representees have included a number of Appendices (RD0213.A and RD0252.A) in their representation which provides further detail to support their position (PP1198 and PP1297).

A representee has stated that there is a need to allocate additional housing land within the Aberdeen to Laurencekirk Strategic Growth Area to support housing land and rates of delivery. That the principle of extending Stonehaven beyond the A90 has been established by development at Ury Estate. The proposed site is of an appropriate scale for the size of Stonehaven. Previous applications on the site were only refused because they were not allocated and included a supermarket – the supermarket element is no longer proposed. The bid site benefits from proximity to strategic transport links and has good connectivity to public transport. They have also noted that from the A90, the bid site is viewed within the same visual envelope as Stonehaven and would be seen as an extension to the town. Concerns regarding landscape and environmental impacts can be meaningfully addressed through a masterplan and supporting documents. The representee has included a number of Appendices (RD0252.A) in their representation which provides further detail to support their position (PP1297).

Non-Allocated Site – New Site N006 – Land near A90(T)/B979 roundabout

Two representees, including the Stonehaven and District Community Council, have requested the designation of a “Park and Choose” facility at the junction of the A90(T) and the B979 and it is reserved as site R2 (PP0564 and PP1393). The Community Council has suggested that this could be on the site vacated by the AWPR’s Construction Team’s Administration Building (PP1393). They argue that a “Park and Choose” facility that is similar to the facility at Newtonhill will enable fast long-distance buses to serve Stonehaven and connected destinations with a minimum stopping time (PP0564 and PP1393), as visiting town centres is not feasible for fast services (PP0564). It could link to the Ury Estate development when it has a town bus service (PP1393). It avoids people needing to commute into Aberdeen Bus station to connect with long-distance services and could utilise the Airport Bus Service and improve the viability of Airport and Town services (PP0564 and PP1393). It would also reduce Aberdeen commuter traffic and the usage of the crowded City Bus Station (PP0564 and PP1393).

Non-Allocated Site – New Site N007 – Land at Ury Estate (retail and hotel)

A representee has requested the allocation of new site N007 for a food store and hotel and is recognised as a committed development, as it benefits from planning permission and this would provide clarity and certainty. The representee has included a revised masterplan showing sites with planning permission and sites for future development (RD0215.A) (PP1221).

Non-Allocated Site – New Site N008 – Land at North Lodge (housing)

A representee has requested the allocation of new site N008 for 90 homes and is recognised as a committed development, as it benefits from planning permission and this would provide clarity and certainty. The representee has included a revised masterplan showing sites with planning permission and sites for future development (RD0215.A) (PP1221).

Non-Allocated Site – New Site N009 – Land at Ury Estate (Ury House and Golf Course)

A representee has requested the allocation of new site N009 for a hotel at Ury House and a golf course and it is recognised as a committed development and as it benefits from planning permission and this would provide clarity and certainty. The representee has included a revised masterplan showing sites with planning permission and sites for future development (RD0215.A) (PP1221).

Modifications sought by those submitting representations:

General

Modify the PLDP to review the scale of housing proposed in Stonehaven (PP0880).

Modify the PLDP to provide clarity over the future replacement of Dunnottar Primary School (PP0926).

Modify the PLDP to ensure future development in the vicinity of this junction does not

compromise its safety and performance (PP1241).

Modify the PLDP to investigate possible improvements to Stonehaven Rail Station car parking capacity (PP1241).

Flood Risk

Modify the PLDP to amalgamate the first two 'Flood Risk' bullet points, "Stonehaven lies within an area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment. Flood Risk Assessments may be required." and "Parts of the settlement may be at risk from coastal flooding." into one "Stonehaven lies ... National Flood Risk Assessment. Parts of the settlement are also at risk from coastal flooding. Flood Risk Assessments may be required." (PP1219).

Modify the PLDP to amalgamate the last four 'Flood Risk' bullet points, "Site OP1 is at risk from fluvial flooding and is adjacent to a small watercourse. A Flood Risk Assessment may be required.", "Site OP2 is at risk from fluvial flooding and has a small watercourse running through the site. A Flood Risk Assessment may be required.", "Site OP3 and BUS3 are adjacent to a small watercourse. A Flood Risk Assessment may be required., and "Site OP6 is adjacent to land at risk from flooding and Cowie Water. A Flood Risk Assessment may be required." into one "Sites OP1, OP2, OP3 and OP6 lie within or adjacent to SEPA's 1:200 flood risk area or have watercourses flowing through or adjacent to them. Flood Risk Assessments may be required." (PP1219).

Modify the PLDP to remove "BUS3" from the fifth 'Flood Risk' bullet point and create a new bullet point, "BUS3 site is adjacent to a small watercourse. A buffer strip will be required alongside the watercourse and a Flood Risk Assessment may be required." (PP1219).

Services and Infrastructure

Modify the PLDP to amend wording under 'Strategic drainage and water supply' to include at the end, "There is currently sufficient capacity at Nigg Waste Water Treatment Works. A Drainage Impact Assessment may be required." (PP0272).

Site P9 – To protect the area as a significant contribution to the character of the place and to provide a landscape buffer

Modify the PLDP to amend the description of P9 to note that it is indicative and that its full extent and character will be agreed as part of the detailed planning process of site OP5 (PP0902, PP0926 and PP1221).

Site BUS2 – Safeguarded for business uses

Modify the PLDP to remove site BUS2 (PP0786).

Site OP1 – Carron Den

Modify the PLDP to review if the allocation summary for site OP1 needs to include a requirement for an FRA (PP1219).

Site OP2 – Ury House, East Lodge

Modify the PLDP to remove site OP2 (PP0878).

Modify the PLDP to amend the allocation summary of site OP2 to include, “Development on this site must accord with Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land and the Health and Safety Executive “Land Use Planning Methodology”.” (PP0981).

Modify the PLDP to amend the allocation summary of site OP2 to change paragraph four from, “Consideration should also be given to providing footpath linkages with Stonehaven as well as providing safe routes to School. A core path runs along the boundary and through the site and connections should be made to the network. Public Transport Strategy.” to “Consideration should also be given to providing active travel linkages with Stonehaven as well as providing safe routes to School. A core path runs along the boundary and through the site and connections should be made to the network. The core path forms part of a key cycle link between the B979 and A957 and amenity of this link/core path should be retained despite the requirement for a new linking road. Public Transport services should be delivered with construction of the link road in accordance with the site-wide Public Transport Strategy.” (PP1300).

Site OP3 – Ury House, Blue Lodge

Modify the PLDP to reduce the allocation of site OP3 from 99 to 51 homes (PP0920 and PP0921).

Modify the PLDP to reduce the allocation of site OP3 from 99 to 46 homes if excluding the homes with planning permission that are outwith the site (PP0981).

Modify the PLDP to amend the allocation summary of site OP3 to include, “This allocation is capped at 51 homes (or 46 homes if the approved planning application does not mirror site OP3 in full) due to the restrictions on development in close proximity to a Major Accident Hazard Pipeline.” (PP0981).

Modify the PLDP to amend the allocation summary of site OP3 to include, “For development at Ury Estate, HSE shall be consulted directly and the HSE’s Planning Web App shall not be used to inform decision-making.” (PP0981).

Modify the PLDP to amend the allocation summary of site OP3 to move the sentence, “A Flood Risk Assessment may be required.” from paragraph eight to seven (PP1219).

Modify the PLDP to amend the allocation summary of site OP3 to change paragraph five from, “It is also important that consideration is given to possible footpath linkages with the main development of Stonehaven. A core path runs along the boundary of the site and connections should be made to the network.” to “It is also important that consideration is given to possible active travel linkages with the main development of Stonehaven. A core path runs along the boundary of the site and connections should be made to the network. The core path forms part of a key cycle link between forms part of a key cycle link between the B979 and A957 and amenity of this link/core path should be retained.” (PP1300).

Modify the PLDP to amend the allocation summary of site OP3 to state that any assessment on the potential impact on the setting of the Scheduled Cowie Lines (pill box)

notes it is a strategic military site and located at a strategic crossing point of the Cowie Burn (PP1343).

Modify the PLDP to amend the allocation summary of site OP3 to ensure sensitive housing design is promoted and landscaping is considered, such as leaving undeveloped land, in line with HES's Setting guidance (PP1343).

Site OP5 – Land at East Lodge

Modify the PLDP to remove site OP5 (PP0666, PP1315 and PP1316).

Modify the PLDP to amend the allocation summary of site OP5 to change the second sentence in paragraph four to state that site P9 (landscape buffer) is indicative and an alternative layout will be supported providing it does not fall below the area identified as P9 (PP0902).

Modify the PLDP to amend the allocation summary of site OP5 to change paragraph five to allow affordable homes to be provided elsewhere within the Masterplan area for the Ury Estate (PP0902).

Modify the PLDP to amend the allocation summary of site OP5 to change paragraph five to allow the affordable housing allowance to be delivered on site OP6 (PP1221).

Modify the PLDP to amend the allocation summary of site OP5 by adding a new fifth paragraph, "Development of the full extent of this site is likely to incur significant effects on the designed (non- inventory) landscape of Ury House and is likely to compromise the balance of open to enclosed spaces which typify this historic parkland. To minimise effects on the designed landscape, the siting and massing of housing should seek to focus on the lower slopes, with a landscape structure to reflect the character, scale and species of the existing policy woodlands. Specification of planting should follow best practice to ensure early and effective establishment of tree stock on this more exposed site. Opportunities to further reinforce the historic character in this locale should be explored." (PP1300).

Modify the PLDP to amend the allocation summary of site OP5 to change paragraph two to include, "Provision for active travel is required." before "Access and connectivity must be integrated with site OP2." (PP1300).

Site OP6 – Mackie Village Ury Estate

Modify the PLDP to reduce the boundary of site OP6 to reflect the boundary of the approved development of 91 homes (APP/2018/2227 and APP/2018/2228) (PP0981).

Modify the PLDP to amend the allocation summary of site OP6 to change the last paragraph to include, "For development at Ury Estate HSE shall be consulted directly and the HSE's Planning Web App will not be used to inform decision-making." (PP0981).

Site OP7 – East Newtonleys

Modify the PLDP to remove site OP7 (PP0786).

Non-Allocated Site – Bid Site KN032 – Land at Braehead

Modify the PLDP to include bid site KN032 for 340 homes and strategic landscaping, sports pitches and open space (PP1132).

Non-Allocated Site – Bid Site KN050 – Land at Mains of Cowie (Mixed Use)

Modify the PLDP to include bid site KN050 for 250 homes, food retail and a primary school (PP1315).

Non-Allocated Site – Bid Site KN051 – Land at Mains of Cowie (Residential)

Modify the PLDP to include bid site KN051 for 250 homes and a primary school (PP1316).

Non-Allocated Site – Bid Site KN076 – Land at East Newtonleys, East of A957

Modify the PLDP to include bid site KN076 for 100 homes (PP0926).

Non-Allocated Site – Bid Site KN077 – Land at East Newtonleys, Between A957 and Boggartyhead

Modify the PLDP to include bid site KN077 as a Future Opportunity Site for 300 homes, primary school and 200sqm retail uses (PP0926).

Non-Allocated Site – Bid Site KN078 – South of Braehead, East of A957

Modify the PLDP to include bid site KN078 for 100 homes (PP0926).

Non-Allocated Site – Bid Site KN081 – Land South of Braehead, Adjacent to A975

Modify the PLDP to include bid site KN081 for up to 50 homes (PP0683).

Non-Allocated Site – Bid Site KN108 – Land East and West of Mains of Dunnottar

Modify the PLDP to include bid site KN108 for a new visitor centre and associated car parking facilities and enabling development if required (PP1142).

Non-Allocated Site – Bid Site KN115 – Land at New Mains of Ury (Retail)

Modify the PLDP to include bid site KN115 for retail (supermarket) (PP0785).

Non-Allocated Site – Bid Site KN117 – Land at New Mains of Ury

Modify the PLDP to include bid site KN117 for employment land (PP0786).

Non-Allocated Site – Bid Site KN118 – Land East of East Lodge, New Mains of Ury

Modify the PLDP to include bid site KN118 for tourist uses (Hotel & Restaurant) (PP0784).

Non-Allocated Site – Bid Site KN119 – Land East of Megray Burn, New Mains of Ury

Modify the PLDP to include bid site KN119 for roadside services (comprising petrol filling

station, ancillary class 1 unit and drive-thru class 3 food and drink units) (PP0783).

Non-Allocated Site – Bid Site KN120 – Mill of Forest (Site for 250 homes), Land at Toucks,

Modify the PLDP to include bid site KN120 for 250 homes and local retail/commercial/service facilities (PP1198).

Non-Allocated Site – Bid Site KN121 – Mill of Forest (Site for 750 homes), Land at Toucks

Modify the PLDP to include bid site KN121 for 750 homes and local retail/commercial/service facilities (PP1198 and PP1298).

Non-Allocated Site – Bid Site KN122 – Mill of Forest (Site for 1500 homes), Land at Toucks

Modify the PLDP to include bid site KN122 for 1,500 homes, a primary school and local retail/commercial/service facilities (PP1198 and PP1297).

Non-Allocated Site – New Site N006 – Land near A90(T)/B979 roundabout

Modify the PLDP to include new site N006 for a “Park and Choose” facility (PP0564 and PP1393).

Non-Allocated Site – New Site N007 – Land at Ury Estate (retail and hotel)

Modify the PLDP to include new site N007 for a food store and hotel and it is recognised as a committed development (PP1221).

Non-Allocated Site – New Site N008 – Land at North Lodge (housing)

Modify the PLDP to include new site N008 for 90 homes and it is recognised as a committed development (PP1221).

Non-Allocated Site – New Site N009 – Land at Ury Estate (Ury House and Golf Course)

Modify the PLDP to include new site N009 for a hotel at Ury House and a golf course, and it is recognised as a committed development (PP1221).

Summary of responses (including reasons) by planning authority:

General

The Council does not agree with the issues raised by the representee. Stonehaven is served by a good public transport service, retail, amenities, open space and has two employment areas. No change is required.

The School Roll Forecast for 2019 shows that none of the primary schools will be overcapacity, see AD0110, Appendix 1, Mackie Academy section, page 5. The school roll at Mill O’Forest and Dunnottar primary schools are forecast to decline. As such, there is no requirement for a new primary school or to replace Dunnottar Primary School currently. No change is required.

The Council agrees with Nestrans regarding the strategic importance of the junction between the AWPR and A92(T) and to ensure that future development does not compromise this junction. No change is required.

Comments from Nestrans on Stonehaven's Rail Station are noted, but is not a matter for the LDP. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comments through three non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Comments from SEPA are noted. No change is required.

Site P9 – To protect the area as a significant contribution to the character of the place and to provide a landscape buffer

The Council agrees with the representee to allow some flexibility where the boundary of site P9 runs alongside site OP5, but this should be stated in the allocation summary for site OP5. No change is required.

Site R1 – Reserved for an extension to Fetteresso Cemetery

Comments from SEPA are noted. No change is required.

Site BUS1 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Site BUS2 – Safeguarded for business uses

The Council disagrees with removing this site. There are no other undeveloped employment land sites in Stonehaven and this site can take advantage of the A90(T) grade separated junction. It is also on a regular bus route (service 107 and X7), and bus stops can be added. The Council is aware of the water connection issues as the site is between two water supply zones, but it should be possible to resolve this. No change is required.

Comments from SEPA are noted. No change is required.

Site OP1 – Carron Den

A Flood Risk Assessment would be required for this site, but as it has planning consent and is under construction, it is not necessary to state that one would be required. No change is required.

Site OP2 – Ury House, East Lodge

Support for this site is noted.

The Council does not agree that site OP2 will cause damage and/or loss to areas of ancient woodland, as it is unlikely that trees will be lost from the new housing, but a link road is required across Cowie Water. See AD0157, which shows where site OP2 overlays ancient woodland. No change is required.

The Council agrees that for consistency, this site should include a reference to Policy P4 and HSE's specific advice, it intends to address this comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP3 – Ury House, Blue Lodge

Support for this site is welcomed and noted. However, the Council would like to make a correction to the allocation summary as the 51 homes that have been granted planning permission includes 5 homes outwith site OP3. It intends to address this comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Concerns about increasing the density of site OP3 within a pipeline consultation zone are noted. Development within a pipeline consultation zone would normally be discouraged, but this site was granted planning permission to enable the redevelopment of Ury House, a category B listed building on the Buildings at Risk register. The pipeline's middle and inner consultation zones do dissect the site, and is therefore likely to inform the layout, and early engagement from developers on this matter would be encouraged to ensure that delivery can be accommodated within the site. Site OP3 measures around 16ha and if development were excluded from the inner consultation zone this would leave 10ha. At 99 homes, this would result in a very low-density development (10 homes per hectare). However, the Council notes HSE comments on previous planning applications on this site, referred to by INEOS FPS. For information, the latest planning applications on this site are APP/2012/1617 and APP/2018/0667, which superseded planning applications APP/2008/0113 and APP/2012/1616. The Council agrees HSE should be consulted directly, as requested in their comments on planning application APP/2018/0667, see AD0066. The Council also would like to highlight that while increasing the density will increase the number of homes on the site, in theory reducing the number of bedrooms per home will reduce the number of occupants per home. As such, each proposal will need to be considered individually and HSE comments on previous planning applications should not be considered as final. The Council confirms that it intends to address some of the representee's concerns on consulting with HSE and no development within the inner consultation zone through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Other concerns raised about overdevelopment, proximity to historic assets, buffer strips to Cowie Water, appropriate road access, linkages to the town, preserving the character of the area and pressure on services are noted. There is sufficient capacity at the local primary school, the impact on the setting of the scheduled Cowie Line can be referenced in the allocation summary, buffer strips can be applied, as required in the LDP, and existing

road links (and a new link road) can be used. This is not a new allocation, but an intensification of an existing site to accommodate a different house type to make the site more marketable. If the Reporter is minded, to make an amendment, then the Council recommend that the allocation summary could be modified to amend paragraph six to read, " Development on this site must avoid direct (i.e. physical) impacts on the scheduled Cowie Line, pill box and anti-tank blocks or affect its setting, and not affect the setting of other historic assets, including Ury House. A sensitive housing design should be promoted, and appropriate landscaping considered, such as leaving undeveloped land, in line with HES's guidance, Managing Change in the Historic Environment - Setting. Any assessment on the potential impact on the setting of the scheduled Cowie Line, pill box and anti-tank blocks should note it is a strategic military site and located at a strategic crossing point of the Cowie Burn."

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP4 – Land Adjacent to Kirktown of Fetteresso

Comments from SEPA are noted. No change is required.

Site OP5 – Land at East Lodge

Support for this site is welcomed and noted.

The Council notes the comments on the rate of development, but this fluctuates across most the allocations, and providing there is a five-year effective housing land supply and as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

The Council does not agree this is not a sustainable site. The construction of a link road is a condition of planning consent for APP/2007/2015 on part of site OP2, see AD0059, condition 18. Matters Specified in Conditions for a supermarket next to site OP6 were approved in 2019 (APP/2018/1842 and has been implemented). Whether or not a site has a committed occupant is not a material consideration and a reason to dismiss it. No ancient woodlands will be lost, impacts to the setting of scheduled monuments will be considered, although HES did not raise any concerns with this site, only a small part of the site is within the outer and middle pipeline consultation zone, and the edge of site OP5 is around 15 metres above the edge of the inner consultation zone (uphill). No change is required.

The Council does not agree to moving the affordable housing requirement to another site, as this does not achieve the PLDP objective of promoting sustainable mixed communities, see AD041.A, see paragraph 4.2. However, given the history of development in the Ury Estate, under Policy H2 Affordable Housing, the representee's request could be considered as an exceptional circumstance at the planning application process. No change is required.

Comments from SEPA are noted. No change is required.

The Council accepts NatureScot's request to ensure the proposal minimises its potential impact on the designed (non-inventory) landscape of Ury House and agrees that the layout of site P9 in the proposal map should be considered as indicative, as site P9 was taken from the indicative layout in bid site KN103. While it could be argued that site P9 will help to mitigate potential impacts on the setting of historic assets, there is merit, to adding NatureScot's suggested text and referencing site P9 together, as site OP5 forms part of the designed (non-inventory) landscape and is within the Council's Historic Environment Record. If the Reporter is minded, to make an amendment, then the Council recommend that the allocation summary could be modified to include a new fifth paragraph, and to amend and move the existing sentence on site P9 to the new fifth paragraph to read, "Development of the full extent of this site is likely to incur significant effects on the designed (non- inventory) landscape of Ury House and is likely to compromise the balance of open to enclosed spaces which typify this historic parkland. To minimise effects on the designed landscape, the siting and massing of housing should seek to focus on the lower slopes, with a landscape structure to reflect the character, scale and species of the existing policy woodlands. Specification of planting should follow best practice to ensure early and effective establishment of tree stock on this more exposed site. Opportunities to further reinforce the historic character in this locale should be explored. Strategic landscaping will be required along the entire northern boundary, and while there is some flexibility on its layout, it must not fall below the minimum area that is identified as site P9."

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP6 – Mackie Village Ury Estate

Support for this site is welcomed and noted.

The Council agrees to reducing the size of site OP6 to reflect the boundary of the approved development of 91 homes (APP/2018/2227 and APP/2018/2228) to avoid further development within the pipeline consultation zone. There will be no change to the allocation. The Council is aware that there is a desire to build the affordable housing requirement of site OP5 on site OP6, but the precautionary approach should be adopted and avoid risk by carefully considering sites that are within pipeline consultation zones. If the Reporter is minded, to make an amendment, then the Council recommend that the proposals map could be modified to reducing the size of site OP6 to reflect the boundary of the approved development of 91 homes (APP/2018/2227 and APP/2018/2228).

Although this site is only partially within a pipeline consultation zone, it would be helpful for HSE to be informed of any further development in the Ury Estate. The Council confirms that it intends to address some of the representee's concerns on consulting with HSE and no development within the inner consultation zone through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Comments from SEPA are noted. No change is required.

Site OP7 – East Newtonleys

The Council disagrees with removing this site. There are no other undeveloped employment land sites in Stonehaven and this site can take advantage of the A90(T) grade separated junction. It is also on a regular bus route (service 107 and X7), and bus stops can be added. The Council is aware of the water connection issues as the site is between two water supply zones, but it should be possible to resolve this. No change is required.

Comments from SEPA are noted. No change is required.

Non-Allocated Site – Bid Site KN032 – Land at Braehead

The Council does not support allocating bid site KN032 for the allocation of 340 homes, strategic landscaping, sports pitches and open space. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. Furthermore, the scale of this proposal could also affect the delivery of developments at the Ury Estate and Chapelton, and the SDP states, “Allocations should be of a scale which would not inhibit the delivery of current strategic allocations”, see AD0016, paragraph 4.19. While the development of Chapelton and the Ury Estate have been slow, identifying other sites to remedy the shortfall would divert the market demand to other sites and thereby threaten the viability and further delay the implementation of developments at Chapelton and the Ury Estate.

The bid site is within the East Aberdeenshire Coast Special Landscape Area, and while the proposal could have several community benefits, this does not outweigh the Council’s concerns on the general siting and scale of the development in a prominent location to the south of the settlement. NatureScot also share these concerns on the potential landscape impact this bid site could have, which they raised in their response to the MIR 2019, see AD0171, page 34). This bid site was also considered at the LDP 2017 Examination and the Reporters shared “the concerns of the Planning Authority regarding the landscape impact that would arise from the development of this site. This would affect the setting of both the Black Hill Monument and the town itself, with the site being particularly prominent in wide ranging views from the north”, AD0036 page 752, paragraph 37.

Objection to this site is noted.

In conclusion, no change is required.

Non-Allocated Site – Bid Site KN050 – Land at Mains of Cowie (Mixed Use)

The Council does not support allocating bid site KN050 for 250 homes, food retail and a primary school. Bid site KN050 for mixed uses including 250 homes was not identified as a preferred option in the MIR, AD0038.F, page 101). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. Not all the allocations are at the Ury Estate, with two sites to the south of Stonehaven (OP1 and OP4). The scale of this proposal could also affect the delivery of developments at the Ury Estate and Chapelton, and the SDP 2020 states, “Allocations should be of a scale which would not inhibit the delivery of current strategic allocations”, see AD0016, paragraph 4.19. While the development of Chapelton and the Ury Estate have been slow, identifying other sites to

remedy the shortfall would divert the market demand to other sites and thereby threaten the viability and further delay the implementation of developments at Chapelton and the Ury Estate.

The bid site is located within the South East Aberdeenshire Coast Special Landscape Area, and the Council agrees with NatureScot's concerns on the potential landscape impact this site could have, which they raised in their response to the MIR 2019, see AD0171, page 34). The refused application (APP/2015/3324) and dismissed appeal for mixed-use development on this site both heavily referenced landscape impact and prominence within the reasoning for refusal, and those concerns remain.

The topography of the bid site reduces its accessibility with the rest of the settlement, and the retail element conflicts with the town centre first principle, and no sequential test has been provided. A site for a supermarket has been identified at the Ury Estate, next to site OP6. To identify a further site for such use would be not be appropriate and potentially damaging to the vitality and viability of Stonehaven town centre.

There is currently no requirement for a new primary school in Stonehaven, and the School Roll Forecasts 2019 show that all the primary schools in Stonehaven are below capacity and the allocation of 350 homes would not provide the critical mass to justify a new school, see AD0110, Appendix 1, Mackie Academy section, page 5.

In conclusion, no change is required.

Non-Allocated Site – Bid Site KN051 – Land at Mains of Cowie (Residential)

The Council does not support allocating bid site KN050 for 350 homes and a primary school. Bid site KN051 for 350 homes and a school was not identified as a preferred option in the MIR, see AD0038.F, pages 101-102. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. Not all the allocations are at the Ury Estate, with two sites to the south of Stonehaven (OP1 and OP4). The scale of this proposal could also affect the delivery of developments at the Ury Estate and Chapelton, and the SDP states, "Allocations should be of a scale which would not inhibit the delivery of current strategic allocations", see AD0016, paragraph 4.19. While the development of Chapelton and the Ury Estate have been slow, identifying other sites to remedy the shortfall would divert the market demand to other sites and thereby threaten the viability and further delay the implementation of developments at Chapelton and the Ury Estate.

The bid site is located within the South East Aberdeenshire Coast Special Landscape Area, and the Council agrees with NatureScot's concerns on the potential landscape impact this site could have in their response to the MIR 2019, see AD0171, page 34. The refused application (APP/2015/3324) and dismissed appeal for mixed-use development on this site both heavily referenced landscape impact and prominence within the reasoning for refusal, and those concerns remain.

The topography of the bid site reduces its accessibility with the rest of the settlement, and there is currently no requirement for a new primary school in Stonehaven. The School Roll Forecasts 2019 show that all the primary schools in Stonehaven are below capacity and

the allocation of 350 would not provide the critical mass to justify a new school see AD0110, Appendix 1, Mackie Academy section, page 5.

In conclusion, no change is required.

Non-Allocated Site – Bid Site KN076 – Land at East Newtonleys, East of A957

The Council does not support allocating bid site KN076 for around 100 homes if bid site KN078 is not allocated. Bid site KN076 for 100 homes was not identified as a preferred option in the MIR, see AD0038.F, page 102). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. The scale of this proposal could also affect the delivery of developments at the Ury Estate and Chapelton, and the SDP 2020 states, “Allocations should be of a scale which would not inhibit the delivery of current strategic allocations”, see AD0016, paragraph 4.19. While the development of Chapelton and the Ury Estate have been slow, identifying other sites to remedy the shortfall would divert the market demand to other sites and thereby threaten the viability and further delay the implementation of developments at Chapelton and the Ury Estate.

The representee refers to the bid site being supported in CALP, see AD0029, but this plan was abandoned and not adopted when the next structure plan was agreed in 2001. Furthermore, the homes at Braehead Crescent were granted at appeal in 1997 to meet housing need and were not supported by Officers, see CALP Report of Public Local Inquiry extract, AD0140, paragraphs 53, 55 and 63. Only a further 25 homes were allocated by the Reporter as site A at the Aberdeenshire Local Plan 2006 (ALP) public local inquiry, see AD0030.A pages 257 and 260, AD0030.B pages 239 and 242, and AD0167 pages 99, 100 and 108. No further homes have been supported in subsequent Examinations for the 2012 and 2017 LDPs due to this area’s elevated position and that development in this area is likely to be conspicuous in long range views, see AD0032 paragraph 35, page 377 and AD0036 page 752, paragraph 37.

The Council’s opinion remains that this site is detached from the settlement, and while the bid site is contained by tree belts and woodland, it is still visible when viewed from the north and could impact on the setting of the town. It is not linked to any existing development and it will set a precedent for further development given the representee’s aspiration to build adjacent to this site and include land for a new primary school. There is currently no requirement for a new primary school in Stonehaven, and the School Roll Forecasts 2019 show that all the primary schools in Stonehaven are below capacity and the allocation of 100 homes would not provide the critical mass to justify a new school, see AD0110, Appendix 1, Mackie Academy section, page 5. This site does not represent the best scale of development on the best development sites in the right places. No change is required.

Non-Allocated Site – Bid Site KN077 – Land at East Newtonleys, Between A957 and Boggartyhead

The Council does not support allocating bid site KN077 for 300 homes as a future opportunity site, a primary school and 200sqm retail uses. Bid site KN077 (mixed uses including 400 homes) was not identified as a preferred option in the MIR, see AD0038.F, page 102. The PLDP does not reserve land for housing beyond the proposed Plan period.

As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. The scale of this proposal could also affect the delivery of developments at the Ury Estate and Chapelton, and the SDP 2020 states, “Allocations should be of a scale which would not inhibit the delivery of current strategic allocations”, see AD0016, paragraph 4.19. While the development of Chapelton and the Ury Estate have been slow, identifying other sites to remedy the shortfall would divert the market demand to other sites and thereby threaten the viability and further delay the implementation of developments at Chapelton and the Ury Estate.

The representee refers to the bid site being supported in CALP, see AD0029, but this plan was abandoned and not adopted when the next structure plan was agreed in 2001. Furthermore, the homes at Braehead Crescent were granted at appeal in 1997 to meet housing need and were not supported by Officers, see CALP Report of Public Local Inquiry extract, AD0140, paragraphs 53, 55 and 63. The Council also notes that around two thirds of this bid site is outwith the allocations proposed in CALP, see AD0029, page 726). Only a further 25 homes were allocated by the Reporter as site A at the Aberdeenshire Local Plan 2006 (ALP) public local inquiry, see AD0030.A pages 257 and 260, AD0030.B pages 239 and 242, and AD0167 pages 99, 100 and 108. No further homes have been supported in subsequent Examinations for the 2012 and 2017 LDPs due to this area’s elevated position and that development in this area is likely to be conspicuous in long range views, see AD0032 paragraph 35, page 377 and AD0036 page 752, paragraph 37.

The Council’s opinion remains that this site is detached from the settlement, and due to topography, it would be visually prominent. Just under half of the bid site is with the South East Aberdeenshire Coast Special Landscape Area, and in the Examination of the LDP 2017, the Reporter considered that the eastern half of bid site KN098, see AD0037.B, pages 71, 73 and 77, which includes parts of bid site KN077, “the eastern half of the site [KM098] would be significantly more prominent from the coastal area and Black Hill Monument where development would appear as detached from the town. The eastern part of the site would also be more remote from the town centre”, AD0036, page 753, paragraph 41. The site is exposed and visible when viewed from the north (e.g., A90/A92 interchange and Cowie/Stonehaven waterfront) and will appear on the skyline. The bid site would alter the landscape character of the area, its sense of place, and affect the setting of Stonehaven.

There is currently no requirement for a new primary school in Stonehaven, and the School Roll Forecasts 2019 show that all the primary schools in Stonehaven are below capacity and the allocation of 300 homes would not provide the critical mass to justify a new school, see AD0110, Appendix 1, Mackie Academy section, page 5.

This site does not represent the best scale of development on the best development sites in the right places. No change is required.

Non-Allocated Site – Bid Site KN078 – South of Braehead, East of A957

The Council does not support allocating bid site KN078 for around 100 homes if bid site KN076 is not allocated. Bid site KN077 was not identified as a preferred option in the MIR, see AD0038.F, page 103. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing

Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. The scale of this proposal could also affect the delivery of developments at the Ury Estate and Chapelton, and the SDP 2020 states, “Allocations should be of a scale which would not inhibit the delivery of current strategic allocations”, see AD0016, paragraph 4.19. While the development of Chapelton and the Ury Estate have been slow, identifying other sites to remedy the shortfall would divert the market demand to other sites and thereby threaten the viability and further delay the implementation of developments at Chapelton and the Ury Estate.

The representee refers to the bid site being supported in CALP, see AD0029, but this plan was abandoned and not adopted when the next structure plan was agreed in 2001. Furthermore, the homes at Braehead Crescent were granted at appeal in 1997 to meet housing need and were not supported by Officers, see CALP Report of Public Local Inquiry extract, AD0140, paragraphs 53, 55 and 63. The Council also notes that around two thirds of this bid site is outwith the allocations proposed in CALP, see AD0029, page 726). Only a further 25 homes were allocated by the Reporter as site A at the Aberdeenshire Local Plan 2006 (ALP) public local inquiry, see AD0030.A pages 257 and 260, AD0030.B pages 239 and 242, and AD0167 pages 99, 100 and 108. No further homes have been supported in subsequent Examinations for the 2012 and 2017 LDPs due to this area’s elevated position and that development in this area is likely to be conspicuous in long range views, see AD0032 paragraph 35, page 377 and AD0036 page 752, paragraph 37.

The Council’s opinion remains that this site is detached from the settlement, and due to topography, it would be visually prominent. The site is exposed and visible when viewed from the north (e.g., A90/A92 interchange and Cowie/Stonehaven waterfront) and will appear on the skyline. The bid site would alter the landscape character of the area, its sense of place, and affect the setting of Stonehaven. It will set a precedent for further development given the representees aspiration to build adjacent to this site and include land for a new primary school. Half of this site is with the South East Aberdeenshire Coast Special Landscape Area, and in the Examination of the LDP 2017, the Reporter considered that the eastern half of bid site KN098, see MIR 2013, AD0037.B, pages 71, 73 and 77, which includes bid site KN078, “the eastern half of the site [KM098] would be significantly more prominent from the coastal area and Black Hill Monument where development would appear as detached from the town. The eastern part of the site would also be more remote from the town centre”, see AD0036, page 753, paragraph 41.

There is currently no requirement for a new primary school in Stonehaven, and the School Roll Forecasts 2019 show that all the primary schools in Stonehaven are below capacity and the allocation of 300 homes would not provide the critical mass to justify a new school, see AD0110, Appendix 1, Mackie Academy section, page 5.

This site does not represent the best scale of development on the best development sites in the right places. No change is required.

Non-Allocated Site – Bid Site KN081 – Land South of Braehead, Adjacent to A975

The Council does not support allocating bid site KN081 for 50 homes. Bid site KN081 was not identified as a preferred option in the MIR, see AD0038.F, page 103. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area.

The representee refers to the bid site being supported in CALP, but this plan was abandoned and not adopted when the next structure plan was agreed in 2001. The adopted Aberdeenshire Local Plan 2006 did not allocate any land in this location, see AD0030.A. The Stonehaven Capacity Study 2006 considered the hypothetical implications of allowing for expansion by about 50% of Stonehaven's housing stock, from about 4100 (in 2001) to about 6,100 homes, see AD0175 pages 2 to 5 and Diagrams 1 to 9 and AD0182, Appendix 2. The study was written prior to the adoption of the Aberdeenshire Local Development Plan 2012, which identified a new settlement at Chapelton (then known as Elsick) to accommodate most of the housing allowance in the Aberdeen to Laurencekirk Strategic Growth Area.

The Council's opinion remains that this site is detached from the settlement, and due to topography, it would be visually prominent. The Council identified a site for a primary school in this area, see site P9 in LDP 2017, AD0034.H, page 542) as at the time it was the right development on the right location. The representee is proposing a different use that the Council deems is not in the right place.

Non-Allocated Site – Bid Site KN108 – Land East and West of Mains of Dunnottar

The Council does not support allocating bid site KN108 for a visitor centre and associated car parking at Dunnottar Castle, and for the allocation summary of this bid site to allow enabling development if necessary. Bid site KN108 (visitor centre with retail and café and 10 homes (enabling development)) was not identified as a preferred option in the MIR, see AD0038.F, pages 130-131. There are policies in the LDP that support development of tourist facilities, namely Policy B3 Tourist Facilities. Therefore, such a proposal can come forward without being allocated or reserved in the Plan. The Council also opposes allocating this site as it impacts on the South East Aberdeenshire Coast Special Landscape Area, which this site lies within, and impacts on the setting of Dunnottar Castle, should be considered through the development management process.

As demonstrated in the Schedule 4 Issue 9: Section 11 – The Historic Environment and Appendix 11 Conservation Areas the use of enabling development other than to restore a listed building at risk is not supported. The PLDP only supports enabling development to restore historic buildings 'at risk', under Policy HE3 Helping to Reuse Historic Buildings at Risk, and it should only be sought as a last resort, see AD0041.A. As such the Council opposes the use of enabling development to build a Visitor Centre when the representee has not sufficiently justified what other funding avenues they have explored and exhausted or provided a cost benefit analysis on the type and number of homes likely to be required.

In conclusion, no change is required.

Non-Allocated Site – Bid Site KN115 – Land at New Mains of Ury (Retail)

The Council does not support allocating bid site KN115 for retail (supermarket). Bid site KN115 was not identified as a preferred option in the MIR, see AD0038.F, pages 103-104. This proposal conflicts with the Town Centre First Principle, and no sequential test has been provided. A site for a supermarket has been identified at the Ury Estate, next to site OP6. To identify a further site for such use would be irresponsible and potentially damaging to the vitality and viability of Stonehaven town centre. The need for a link road in the Ury Estate is not a constraint, but an infrastructure requirement. No change is required.

Non-Allocated Site – Bid Site KN117 – Land at New Mains of Ury

The Council does not support allocating bid site KN117 for employment land. Bid site KN117 was not identified as a preferred option in the MIR, see AD0038.F, page 104). Sufficient supply of employment land exists at BUS2/OP5 at East Newtonleys, with consents in place. Therefore, further allocations are not required at this time. In addition, this junction forms part of the AWPR and the SDP states that LDPs “must ensure that the transport benefits created by the road are “locked in” and that the capacity of the route, and its junctions, is not negatively affected by development. Local Development Plans, in line with the sequential test and Town Centre First Principle, should expressly avoid any new development that would result in a negative impact on the route or any junction.”, see AD0016, paragraph 3.14. No Transport Assessment or other supporting material has been provided to demonstrate if the junction’s capacity will be affected. No change is required.

Non-Allocated Site – Bid Site KN118 – Land East of East Lodge, New Mains of Ury

The Council does not support allocating bid site KN118 for a hotel and restaurant. Bid site KN118 was not identified as a preferred option in the MIR, see AD0038.F, pages 104-105. There are policies in the LDP to support development of tourist accommodation, namely Policy B3 Tourist Facilities. Therefore, such a proposal can come forward without being allocated or reserved in the Plan. Furthermore, planning permission has been granted for a 50-bedroom hotel and restaurant at Ury estate (APP/2015/3716). The latest matters specified in conditions were approved in 2020. Ury House also has planning permission to be converted into a hotel as part of the enabling development scheme (planning application APP/2015/2710).

The site is noted to be accessible for passing trade and provide opportunity for tourists to explore the region due to ease of access to the A90, but the site topography does raise concern in terms of visual and landscape impacts, and the Reporter stated at the Examination of the LDP 2017 that “notwithstanding its proximity to the A90 and AWPR, it maintains a countryside character”, see AD0036, page 750, paragraph 29. This site is also next to the junction that forms part of the AWPR and the SDP 2020 states that LDPs “must ensure that the transport benefits created by the road are “locked in” and that the capacity of the route, and its junctions, is not negatively affected by development. Local Development Plans, in line with the sequential test and Town Centre First Principle, should expressly avoid any new development that would result in a negative impact on the route or any junction.”, see AD0016, paragraph 3.14. Concern does remain in relation to access to the B979 and potential implications on the functionality of the AWPR junction and no Transport Assessment or other supporting material has been provided to demonstrate if the junction’s capacity will be affected. The representee highlights the SEA’s comment that “the site would appear to be a logical location for passing trade”, but it also highlights several issues affecting the site and it still notes there would be a negative landscape impact, see AD0045.B, pages 172 and 173. No change is required.

Non-Allocated Site – Bid Site KN119 – Land East of Megray Burn, New Mains of Ury

The Council does not support allocating bid site KN119 for roadside services comprising of a petrol filling station, ancillary retail and a drive-thru. Bid site KN119 was not identified as a preferred option in the MIR, see AD0038.F, page 105). While the general location of this proposal, off the A90/A92 junction may be logical, there are several issues. Firstly, this use conflicts with the Town Centre First Principle, although this could be resolved using a

sequential test. Secondly, the specific location is visually prominent, contains very little development on the north side of the A90, and when considered against Policy R2 Development Proposals Elsewhere in the Countryside, employment proposals in 'accessible' rural areas are restricted to brownfield sites. Such opportunities are available on bid site KN115, which is less intrusive on the landscape. Thirdly, the Council is concerned about road access and road safety, as access is proposed off a grade separated junction, using an access road that only serves Megray Farm. This junction forms part of the AWPR and the SDP 2020 states that LDPs "must ensure that the transport benefits created by the road are "locked in" and that the capacity of the route, and its junctions, is not negatively affected by development. Local Development Plans, in line with the sequential test and Town Centre First Principle, should expressly avoid any new development that would result in a negative impact on the route or any junction.", see AD0016, paragraph 3.14. The representee seeks to address this in their supporting material on page 29, which states a Transport Assessment has been undertaken (they note it is available on request), but its conclusions only refer to the capacity of the junction and not the appropriateness of using the road access to Megray Farm. Finally, in terms of need and whether the negative effects are outweighed by the need of this proposal, there are several service stations and drive-thru's along the A90/A92 corridor. Portlethen, 10km away has a drive-thru and petrol station linked to a supermarket, and a hotel and restaurant just off the A92. There is a service station at Fiddes, 9.5km south of this bid site. Stonehaven already has 2 petrol stations and Westhill, off the 90(T), has a petrol station. No change is required.

Non-Allocated Site – Bid Site KN120 – Mill of Forest (Site for 250 homes), Land at Toucks

The Council does not support allocating bid site KN120 for 250 homes and local retail/commercial/service facilities. Bid site KN120 was not identified as a preferred option in the MIR, see AD0038.F, page 105). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. The scale of this proposal could also affect the delivery of developments at the Ury Estate and Chapelton, and the SDP 2020 states, "Allocations should be of a scale which would not inhibit the delivery of current strategic allocations", see AD0016, paragraph 4.19. While the development of Chapelton and the Ury Estate have been slow, identifying other sites to remedy the shortfall would divert the market demand to other sites and thereby threaten the viability and further delay the implementation of developments at Chapelton and the Ury Estate.

NatureScot agreed with the Council's landscape assessment in their response to the MIR 2019, which states, the bid site "is disconnected from Stonehaven and is constrained as it relates poorly to the town. The indicative plans also lack a central core to the town, making it lack a sense of place, and it also shows the loss of ancient woodland. Although compensatory planting is proposed, it breaks up the continuity of trees south of the site.", see AD0038.F, page 105. This is further evidenced by refused applications APP/2015/3583 and APP/2010/3646 both citing the inappropriate scale of development and associated landscape impacts and detrimental impact on the setting of Stonehaven.

In conclusion, no change is required.

Non-Allocated Site – Bid Site KN121 – Mill of Forest (Site for 750 homes), Land at Toucks

The Council does not support allocating bid site KN121 for 750 homes and local retail/commercial/service facilities. Bid site KN121 was not identified as a preferred option in the MIR, see AD0038.F, pages 105-106. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. The scale of this proposal could also affect the delivery of developments at the Ury Estate and Chapelton, and the SDP 2020 states, “Allocations should be of a scale which would not inhibit the delivery of current strategic allocations”, see AD0016, paragraph 4.19. While the development of Chapelton and the Ury Estate have been slow, identifying other sites to remedy the shortfall would divert the market demand to other sites and thereby threaten the viability and further delay the implementation of developments at Chapelton and the Ury Estate.

NatureScot agreed with the Council’s landscape assessment in their response to the MIR 2019, which states, the bid site “is disconnected from Stonehaven and has a number of constraints, including poor connectivity and visual impact. It relates poorly to the town, and although a new bridge is proposed across the A90, land for the bridge is in separate ownership and details of it, which includes crossing the Carron Den Road to site OP1, are uncertain. There are also concerns with... the setting of Stonehaven...”, see AD0038.F, page 105. This is further evidenced by refused applications APP/2015/3583 and APP/2010/3646 both citing the inappropriate scale of development and associated landscape impacts and detrimental impact on the setting of Stonehaven.

In conclusion, no change is required.

Non-Allocated Site – Bid Site KN122 – Mill of Forest (Site for 1500 homes), Land at Toucks

The Council does not support allocating bid site KN122 for 1500 homes, primary school and local retail/commercial/service facilities. Bid site KN122 was not identified as a preferred option in the MIR, see AD0038.F, page 106. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. The scale of this proposal could also affect the delivery of developments at the Ury Estate and Chapelton, and the SDP 2020 states, “Allocations should be of a scale which would not inhibit the delivery of current strategic allocations”, see AD0016, paragraph 4.19. While the development of Chapelton and the Ury Estate have been slow, identifying other sites to remedy the shortfall would divert the market demand to other sites and thereby threaten the viability and further delay the implementation of developments at Chapelton and the Ury Estate.

NatureScot agreed with the Council’s landscape assessment in their response to the MIR 2019, which states, the bid site “is disconnected from Stonehaven by the A90 and has a number of constraints, including poor connectivity and landscape impact. It relates poorly to the town, and although a new bridge is proposed across the A90, land for the bridge is in separate ownership and details of it, which includes crossing the Carron Den Road to site OP1, are uncertain... There are also concerns with...the landscape setting of Stonehaven...”, see AD0038.F, page 105. This is further evidenced by refused applications APP/2015/3583 and APP/2010/3646 both citing the inappropriate scale of development and associated landscape impacts and detrimental impact on the setting of Stonehaven.

In conclusion, no change is required.

Non-Allocated Site – New Site N006 – Land near A90(T)/B979 roundabout

The Council is supportive of a “Park and Choose” facility serving Stonehaven, and while a site at the junction of the A90(T) and the B979 would be appropriate further considerations are necessary, such as impacts on the capacity of the A90/A92 junction, and land ownership, as several bids for alternative uses are proposed in this area. This proposal could come forward on brownfield land on bid site KN115 under Policy R2 Development Proposals Elsewhere in the Countryside. No change is required.

Non-Allocated Site – New Site N007 – Land at Ury Estate (retail and hotel)

The Council agrees that new site N007 could be identified in the Plan as a commercial centre (e.g., CC1), as the Council granted planning permission for a commercial development comprising of 3,750m² supermarket with 50-bedroom hotel and restaurant (APP/2015/3716). If the Reporter is minded, to make an amendment, then the Council recommend that the Settlement Statement could be modified to include a new commercial centre called CC1, as defined in planning application APP/2015/3716 and include a new allocation summary to read, “CC1: Site east of Slug Road, Allocation: Commercial, retail and 50-bedroom hotel. This is a newly allocated site. It received Planning Permission in Principle for a commercial development comprising of 3,750m² supermarket with 50-bedroom hotel and restaurant in 2016 and several matters specified in conditions have since been submitted and approved.”

Non-Allocated Site – New Site N008 – Land at North Lodge (housing)

The Council agrees with allocating site N008 as an allocation, as the principle of development has been accepted by the Council through the granting of planning application APP/2015/0541 in 2018 for a golf course and enabling housing development (90 homes). A start has been made on this approved development through the creation of road access at the North Lodge. Any further planning applications will be considered through other policies in the plan, such as on landscape and ancient woodland. If the Reporter is minded, to make an amendment, then the Council recommend that the Settlement Statement could be modified to include a new housing allocation, site OP8 “North Lodge”, as defined in planning application APP/2015/0541, and it is allocated for 90 homes (or as site OP7 and change the existing employment allocation from site OP7 to OP8 to keep retain the order of housing then employment allocations). The allocation summary of this site should be consistent with sites OP2, OP3, OP5 and OP6, as they are all part of the Ury Estate. As such, the Reporter may wish to include the following in the allocation summary for this new site:

- that the site is allocated to enable the development of a golf course;
- a revised Masterplan for the Ury Estate would be beneficial before further planning consents are granted;
- that this site forms the start of the link road connecting the A957 Slug Road and the B979 Netherley Road;
- it includes footpath linkages to Stonehaven;
- it includes a statement on pipelines; and
- it minimises impact on ancient woodland.

Non-Allocated Site – New Site N009 – Land at Ury Estate (Ury House and Golf Course)

The Council agrees that new site N009 could be reserved for a hotel at Ury House and a golf course, as it will provide clarity and certainty. Full planning permission for a golf course and enabling development of 90 homes was approved in 2018 (APP/2015/0541) and conditions are currently being purified. If the Reporter is minded, to make an amendment, then the Council recommend that the Settlement Statement could be modified to include a new reserved site, R2, as defined in planning application APP/2015/0541 and is “Reserved for a hotel at Ury House and a golf course, as part of the approved planning application APP/2015/0541.”

Reporter’s conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 46. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

General

3. I agree with the council that Stonehaven has a good public transport service, including a railway station, a range of retail and other local services, including schools and health facilities, and employment opportunities. Stonehaven is located within the Aberdeen to Laurencekirk strategic growth area, one of three strategic growth areas identified in the strategic development plan. The strategic development plan states that the strategic growth areas will be the main focus for development. Within this context, I do not consider it appropriate to curtail further development in Stonehaven. No modification is recommended.

4. The council has explained the current situation regarding the need for a replacement primary school. I have nothing further to add. No modification is required.

5. Paragraph 3.14 in the strategic development plan makes clear that “local development plans must ensure that the transport benefits created by the (Aberdeen Western Peripheral Route) road are “locked in” and that the capacity of the route, and its junctions, is not negatively affected by development”. As this matter is addressed in the spatial strategy section of the proposed plan (paragraph 5.8), I do not consider it necessary to include any additional reference in the Stonehaven settlement statement. No modification is required.

6. The council considers that further investigation of improvements to car parking capacity at Stonehaven railway station is not a matter for the local development plan. I would not

necessarily agree. However, the absence of an allocation or reserved site in the proposed plan would not prevent a proposal coming forward, if required. No modification is required.

Flood Risk

7. The Scottish Environment Protection Agency (SEPA) has requested a number of changes to the flood risk section of the Stonehaven settlement statement. I agree that in the interests of consistency, the first two bullet points should be amalgamated. I consider that it would be logical to bring together information in relation to sites OP1, OP2, OP3 and OP6 into one bullet point. Given that site BUS3 is located next to a watercourse, the need for a buffer strip is justified. Modifications on these matters are recommended.

8. I agree that the strategic drainage and water supply bullet point should be amended to include the information provided by Scottish Water on the capacity of the Nigg waste water treatment works. A modification to this effect is recommended.

Protected Land: P9

9. The purpose of designation P9 is to protect the character of the place and provide a landscape buffer to the north of housing allocations OP2 and OP5. For the reasons set out in my assessment of representations to allocation OP5, I consider that the exact boundaries and layout of designation P9 should be addressed through the future master plan for site OP5. A modification to the allocation summary for OP5 is recommended to address this representation, alongside related comments from NatureScot – see site OP5 below.

Site BUS2 (business safeguard) and Site OP7 - East Newtonleys

10. Sites BUS2 and OP7 are located next to each other to the south of Stonehaven and close to the junction between the A90(T) and the A92. Together they relate to over 20 hectares of agricultural land, which is safeguarded/allocated for business uses and employment land in the proposed plan. The representation on behalf of Sluie Estate Trust seeks the deletion of these allocations on the basis that they are not effective and a better alternative site for business uses is available (bid site KN117 Land at New Mains of Ury).

11. I consider the merits of bid site KN117 later in this schedule 4. In terms of sites BUS2 and OP7, the council has indicated that these allocations are on a regular bus route and I note their proximity to the A90(T) road. I do not have any detailed information before me regarding the drainage infrastructure constraint. However, I note that SEPA has not raised any concerns and the council considers that water connection issues can be overcome. No evidence has been provided to back up the claim that the two sites are not marketable.

12. The strategic development plan requires the plan to provide 62 hectares of employment land allocations in the Aberdeen to Laurencekirk strategic growth area. Appendix 1 in the proposed plan shows allocations for 71.4 hectares, including seven hectares on site OP7 in Stonehaven. Further information in relation to the implementation of site BUS2 and OP7 is provided in the delivery programme for the proposed plan. I note that planning permission was granted in October 2016 for a business park on OP7 and that there is a current application for the approval of matters specified in conditions. The delivery plan states that development on BUS2 will follow OP7, as a proposed roundabout will serve both sites.

13. From the information before me, I do not consider there is any justification to remove these sites from the plan on the grounds of deliverability. No modification is recommended.

OP1 - Carron Dam

14. Given that site OP1 is under construction, I agree with the council that there would be no reason to require a flood risk assessment to be undertaken. No modification is recommended.

Site OP2 – Ury House, East Lodge

15. The Woodland Trust is concerned that allocation OP2 would result in the loss of ancient woodland. The plan submitted by the council shows that only a small proportion of the site is included in the ancient woodland inventory. Comparing this plan to the illustrative planning summary submitted by FM Ury Limited, I find that no housing is proposed on the parts of site OP2 where ancient woodland exists. The indicative link road shown on map 1 in the Stonehaven settlement statement does appear to pass through an area of ancient woodland. However, I note that the construction of a link road is a condition of a planning permission on part of site OP2 and therefore not a matter for this examination. No modification is required.

16. NatureScot has requested additional text to highlight that the core path, which runs along the boundary and through site OP2, forms part of an important cycle route and that the new link road should not affect its amenity. I consider that the changes proposed by NatureScot would be consistent with the plan's aim to promote walking and cycling. A modification to the allocation summary of OP2 is recommended.

17. INEOS FPS indicates that the Forties pipeline passes through or close to allocation OP2. I agree that, in the interests of consistency, a reference to policy P4 (Hazardous and Potentially Polluting Developments and Contaminated Land) and Health and Safety Executive advice should be included in the allocation summary for site OP2. A modification to this effect is recommended.

Site OP3 – Ury House, Blue Lodge

18. Site OP3 has planning permission for 46 houses, with permission for a further five houses on land outwith the site boundary. The council proposes to increase the level of housing development on the site by a further 48 homes, which have been identified as contributing towards the strategic development plan allowance for the Aberdeen Housing Market Area. Whilst the principle of housing development on this site has already been established, there are a number of unresolved representations to the proposed increased in density.

19. The Health and Safety Executive's consultation response dated 22 October 2018 on planning application APP/2018/0667 advises "against any future residential development at this location which would increase the housing density or introduce dwellings within the inner zone of the BP Forties pipeline". It goes on to say that the Health and Safety Executive should be consulted if any further residential developments are proposed at the Ury Estate. In response to a request for further information (FIR11), the council indicated

that the Health and Safety Executive has not been consulted on the proposed increase in capacity for allocation OP3.

20. Whilst the indicative layout submitted as part of the bid proposal would not result in any homes within the inner zone, it would increase the housing density in the middle zone contrary to the advice of the Health and Safety Executive in 2018. As there is no consultation response from Health and Safety Executive on allocation OP3, I am unclear whether the proposed additional 48 homes on this site would be supported.

21. The council's proposed modification would include a statement that "no housing will be allowed within the inner pipeline consultation zone". However, this would not address the issue of increased density in the middle zone. Whilst the council has indicated that higher density development has been permitted in the middle zone in Westhill, I have no detailed evidence of this proposal and it does not necessarily follow that an increased density would be supported on site OP3.

22. The strategic environmental assessment report for the proposed plan indicates that allocation OP3 has an overall negative impact due to impact on air quality, riparian habitats, some loss of prime agricultural land, cultural heritage and ancient woodland, and it is within a pipeline corridor. However, it considers that the proposal would provide a better mix of house types than what is currently approved, that effects on habitats, landscape, the scheduled Cowie Line and Ury House can be mitigated, and it contributes to redeveloping the B listed Ury House. I consider that the modification suggested by the council would address the matters raised by Historic Environment Scotland in relation to the potential impact of development on the Cowie Line scheduled ancient monument and its setting. A modification to this effect is required.

23. In response to the other concerns raised in representations, the council indicates that there is sufficient capacity at the local primary school and existing and proposed road network and matters relating to the provision of buffer strips and active travel links can be addressed through development. I agree that the change requested by SEPA, to move the sentence on flood risk assessment to the paragraph which addresses buffer strips and culverts, would be logical. I also consider that the additional wording recommended by NatureScot in relation to active travel linkages would be consistent with the plan's aim to promote walking and cycling. Modifications to this effect are recommended.

24. In conclusion, the principle of increasing the density would be consistent with paragraph 4.8 in the strategic development plan which states that "land brought forward to housing must be used efficiently". Subject to the modifications referred to above, I consider that adverse environmental and infrastructure impacts can be addressed at planning application stage. However, I am unable to reach a conclusion on whether the site can accommodate additional homes due to the presence of the pipeline consultation zone.

25. I therefore consider that the number of homes in this allocation should not be specified and the allocation summary should make clear that the potential to increase the site capacity is subject to consultation with the Health and Safety Executive. This would require some wording changes to the first paragraph of the allocation summary. Also, given the potential constraint relating to the pipeline consultation zone, I recommend that a new paragraph on this matter is inserted after the first paragraph in the allocation summary.

26. Given the uncertainty regarding the potential to increase the density of development, I do not consider that additional homes on site OP3 should be counted towards meeting the strategic development plan allowance for the Aberdeen Housing Market Area. A modification is therefore required to the relevant table in appendix 6 to remove allocation OP3 from the list of sites which contribute towards the strategic development plan allowance for the Aberdeen Housing Market Area. The implications of a deduction of 48 homes from the sites that contribute to the strategic development allowances are addressed in Issue 5.

Site OP5 – Land at East Lodge

27. Allocation OP5 for 60 homes is located immediately to the north east of site OP2, which is currently under construction by the same developer. It is identified as contributing towards the strategic development plan allowance for the Aberdeen Housing Market Area.

28. The 2020 housing land audit indicates that the remaining capacity on existing site OP2 will be completed by 2025, with an average completion rate of 25 homes per year. Based on a similar build rate, it would be reasonable to expect the additional 33 homes proposed on site OP2 and the new allocation for 60 homes on site OP5 to be deliverable by 2032.

29. The strategic environmental assessment for the proposed plan indicates that site OP5 has an overall mixed impact with negative impacts due to the distance from the settlement and services, soil and possibly on air and a pipeline zone. However, it considers that the impact on population, material assets, water, setting of Ury House and landscape can be mitigated.

30. NatureScot is concerned about the impact of development on the designed landscape of Ury House. The allocation would introduce built development on an area of open and relatively exposed agricultural land, which slopes upwards in a northerly direction from site OP2. The additional text suggested by NatureScot highlights the importance of creating a landscape framework which reflects the character of existing woodland and careful siting and massing of housing on the lowers slopes to minimise effects on the designed landscape. It also identifies the need for early and effective tree planting and encourages the reinforcements of the historic character. I agree that these design principles are important, to ensure that development protects and reflects the character of the wider designed landscape and should be addressed in the required masterplan.

31. The illustrative planning summary (July 2020) submitted by Ury Estate and Kirkwood Homes includes an area of undeveloped land along the northern boundary of the site, which is reflected generally in the proposed plan through protected land designation P9. Whilst a landscape buffer in this location would help prevent development on the uppermost slopes of the site, it may not necessarily provide a landscape structure which reflects the character and scale of the existing policy woodlands. I consider that there would be benefits in allowing the detailed extent of protected land to be identified as part of the masterplanning process. In its response to further information request (FIR11), the council has indicated that restricting development on the upper slopes would still allow 60 homes to be provided on the site.

32. I conclude that the allocation summary for site OP5 should be amended to allow more

flexibility in relation to the protected land allocation P9, but also ensure that the concerns of NatureScot are addressed. A modification to this effect is recommended

33. I note the council's response to the other concerns raised in representations and would agree that proposals for a supermarket at Ury and public transport services (once the link road is complete) have the potential to reduce reliance on accessibility by private car. Within this context, I agree that a sentence on provision for active travel should be added, as requested by NatureScot.

34. Historic Environment Scotland has not raised any concerns about the potential impact of allocation OP3 on the Cowie Line scheduled ancient monument. In addition, the protecting resources map on page 78 of the proposed plan does not show any ancient woodland within the boundaries of allocation OP5 and the council has indicated that only a small part of the site is within the pipeline consultation zone. On the basis of the information before me, I consider that these matters, and any impact on the Cowie Burn, can be addressed at planning application stage, and would not justify the removal of the site from the plan. No further modifications are required.

OP6 – Mackie Village Ury Estate

35. The approved site plans for applications APP/2018/2227 and APP/2018/2228 show built development in the southern part of site OP6 only. This is consistent with the area shown in blue (sites with planning permission) on the illustrative planning summary, submitted by Ury Estate and Kirkwood Homes.

36. I agree that the extent of allocation OP6 should be modified to align with the boundaries shown on the approved site plans for applications APP/2018/2227 and APP/2018/2228. This would address the risk of further development within the middle pipeline consultation zone. A modification to this effect is recommended, which I consider would respond to the matters raised in the representation from Ineos FPS. No changes to the allocation summary are required.

37. FM Ury Estates has asked for further flexibility in the delivery of affordable homes at Mackie Village. The council has indicated that this refers to a desire to build the affordable housing requirements for site OP5 on site OP6. However, no details have been provided in the representation. No modification is required.

Non-Allocated Bid Site KN032 – Land at Braehead

38. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area.

39. The site at Braehead covers 33 hectares of agricultural land which sits to the south of Stonehaven town centre and to the west of the coastal route. The strategic environmental assessment identifies a number of post mitigation significant adverse impacts in relation to the development of 400 homes on this site. These relate to the loss of prime agricultural land, landscape and visual impact and effects on cultural heritage. The council also cited education capacity and impact on the delivery of strategic allocations at Chapelton and Ury Estate as reasons for not including the site in the proposed plan.

40. The submission from Cala Homes indicates that there has been a change of developer since the bid submission, with the number of homes reduced to 340 and the site layout amended to create and retain views to the war memorial. Additional information has been provided to address the council's concerns regarding loss of agricultural land, visual and landscape impact and education capacity.

41. I note that the proposal would result in the loss of 22 hectares of category 3.1 prime agricultural land, albeit around nine hectares of this would be used as strategic open space. In line with policy PR1 (Protecting Important Resources), I consider that the loss of prime agricultural land may be justified, if it is required to meet strategic housing needs and there are no reasonable alternative sites.

42. The Stonehaven settlement statement does not identify any issues in relation to secondary school capacity and the school roll is predicted to decline from 2023 onwards. Whilst I note that Dunnottar Primary School is not currently at capacity, measures to accommodate additional pupils could be secured through developer obligations if required, in accordance with policy RD2. I do not consider that educational impact would justify the non-allocation of the site.

43. Paragraph 4.19 in the strategic development plan states that "allocations should be of a scale which would not inhibit the delivery of current strategic allocations". It goes on to say that "it will be for Local Development Plans to determine whether a proposal is small scale or not, giving due regard to its context and deliverability. The strategic development plan glossary defines "strategic allocations" as "major land allocations, which are identified in a Local Development Plan for development over a number of phases". I agree with the council that the allocations at Chapelton and Ury Estate would meet this definition.

44. I consider that the development of 340 houses at Braehead would be of a scale which could inhibit the delivery of the strategic allocation at Ury Estate. The allocation of bid site KN032 may therefore raises issues in terms of consistency with the strategic development plan.

45. The additional information and visualisations provided by Cala Homes are helpful in considering the potential landscape and visual impact of development on this site. I note that there is scope to reduce landscape and visual impacts by avoiding development on sensitive areas and through the provision of open space and strategic landscaping. Whilst I recognise that these matters and others could be addressed in further detail through a masterplan and at planning application stage, I share the council's concern regarding the siting and scale of development in a prominent location to the south of the settlement.

46. I agree that the proposal would have minimal impact on most of the key features of the South East Aberdeenshire Coast Special Landscape Area, set out in appendix 13 of the proposed plan. However, detailed consideration would need to be given to the impact of the proposed layout on views to the war memorial, which is visible from many vantage points. Whilst the site itself may not have any particularly notable features, I consider that the existing open agricultural landscape provides an attractive backdrop to the town and harbour. I therefore conclude that, even with strategic landscape planting along the northern edge of the site, the proposal would detract from the setting of the settlement in views from the north. This is evidenced in visualisations showing views from Stonehaven Golf Club access, contained in appendix 2 of Cala Homes' submission. I also viewed the

site from various locations as part of my site inspections.

47. Overall, I conclude that the scale of development on bid site KN032 would potentially inhibit the delivery of the existing strategic allocation at Ury Estate. Furthermore, the bid proposal would have an adverse impact on the landscape setting of Stonehaven and result in the loss of prime agricultural land. Given the availability of other suitable sites to meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, I conclude that this site should not be identified as a housing allocation. No modification is recommended.

Non-allocated Bid Sites KN050 and KN051 Land at Mains of Cowie

48. Stewart Milne Homes has submitted representations in relation to two development scenarios for a site at Mains of Cowie. Housing is the predominant use in both proposals and accordingly I have focussed my assessment on this use in the first instance.

49. As I have indicated above, there is a shortfall in the amount of housing land identified to meet the Strategic Development Plan allowance for the Aberdeen Housing Market Area.

50. The 34 hectare site at Mains of Cowie is located at the north eastern end of the settlement, immediately to the south of the railway line. The majority of this triangular shaped site is a relatively flat area of raised arable land, with fields which slope down to adjacent roads on the southern and western boundaries.

51. The supporting information submitted by Stewart Milne Homes for bid sites KN050 and KN051 addresses matters relating to proximity to local facilities, site opportunities and constraints and provides an indication of development parameters. The strategic environmental assessment identifies only one post mitigation significant negative effect, in relation to the loss of prime agricultural land. From the supporting information provided, I agree that the proposal has the potential to bring a number of environmental benefits.

52. As I have indicated in relation to other bid proposals, I consider that, in line with policy PR1 (Protecting Important Resources), the loss of prime agricultural land may be justified, if required to meet strategic housing needs and there are no reasonable alternative sites.

53. The site is located on a raised beach landform which is one of the key features of the South East Aberdeenshire Coast Special Landscape Area, set out in appendix 13 of the proposed plan. Development at this location would form a prominent eastward extension of the existing built up area and I note the concerns raised by NatureScot at the main issues report stage. However, I agree with the comments in the strategic environmental assessment and supporting information provided by Stewart Milne Homes, that adverse landscape and visual impacts could potentially be mitigated through site layout and strategic landscaping. I also note that, in views across Stonehaven Bay from the south, the proposal would sit at a level lower than existing development to the west.

54. Given the proximity of the site at Cowie Mains to Ury Estate, I consider that its development would potentially inhibit the delivery of this strategic allocation. The allocation of bid site KN050/KM051 may therefore raise issues in terms of consistency with the strategic development plan.

55. Information provided by Stewart Milne Homes indicates that the site is located within

a 15 minute walk of a wide range of local facilities. Whilst the sloping nature of the southern and western boundaries of the site make integration of development with the existing urban area more challenging, the indicative site layout suggests potential solutions could be explored through the preparation of a master plan.

56. Overall, I conclude that that housing development on this site could be accommodated with limited environmental impact and could bring a number of benefits. However, the scale of development would potentially inhibit delivery of the existing strategic allocation at Ury Estate and the development would result in the loss of prime agricultural land. Given the availability of other suitable sites to meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, I conclude that this site should not be identified for housing development.

57. In light of my conclusions on housing, I have not undertaken a detailed assessment of the other uses proposed in bids KN050 and KN051. However, I note the council's comments that there is no requirement for a new primary school in Stonehaven and that a site for a new supermarket has been identified as part of the Ury Estate development. No modification is required.

Non-allocated Bid Sites KN076, KN077, KN078 and KN081 East Newtonleys and South of Braehead

58. These four bid submissions relate to land to the south west of existing housing at Braehead and to the south east of the A957 road which provide access to Stonehaven from the south.

59. Bancon Homes Limited considers that land for 100 homes should be allocated, either on bid site KN076 or bid site KN078. It considers that remaining land in the wider bid site KN077 should be identified as a future opportunity site for 300 homes, a primary school and retail uses. The area covered by Site KN077 also includes bid site KN078, a rectangular shaped site adjacent to the A957 road, which Stewart Milne Homes is promoting for 50 homes.

60. Matters relating to the overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I find that bid sites KN076, KN078 and KN081 could each contribute to meeting this shortfall, if allocated.

61. I agree with the council that an allocation of the scale proposed on site KN077 would potentially inhibit the delivery of the existing strategic allocation at the Ury Estate, which would be contrary to the strategic development plan. Due to their smaller size, I consider that, on an individual basis, bid sites KN076, KN078 and KN081 would be less likely to have any impact on the delivery of the strategic allocations at Ury Estate or Chapelton.

62. I have concluded under Issue 2 that there is no requirement for the plan to identify future opportunity sites for development beyond 2032. For this reason and its potential impact on the delivery of the strategic housing allocation at Ury Estate, there is no justification to identify site KN077 as a future development opportunity. I therefore have not undertaken a detailed assessment of the proposal. No modification is required.

63. The strategic environmental assessment for sites KN076 and KN078 identifies significant post mitigation environmental effects due to the loss of prime agricultural land and landscape impact. As I have indicated in relation to other bid proposals, I consider that, in line with policy PR1 (Protecting Important Resources), the loss of prime agricultural land may be justified if required to meet strategic housing needs and there are no reasonable alternative sites.

64. Site KN078 covers 10 hectares of agricultural land which slopes upwards from the north west corner. The eastern section of site KN078 is located within the South East Aberdeenshire Coast Special Landscape Area. The indicative master plan submitted by Bancon Homes seeks to address previous concerns regarding impact on the special landscape area and proposes no built development on the eastern section of the site. Based on the information before me, I consider that the proposal is unlikely to have a significant impact on the character of the coastal landscape, taking account of the key features set out in appendix 13 of the proposed plan. However, detailed consideration would need to be given to the impact of the proposed layout on views to and from the war memorial.

65. The council considers that the site would be visible from the north and development could impact on the setting of the town due to the site's prominent position on the skyline. From my site inspection, I observed that the commercial forestry plantation to the south west of the site is clearly visible in views from various locations from the north. Bancon Homes has indicated that a landscape and visual assessment has been prepared to inform the extent of the area capable of accommodating development. It concludes that the visual impact beyond that already created by the Braehead development to the north and the business park to the south would be minimal. However, no visualisations have been provided for consideration at this examination.

66. Based on the information before me and my site inspection, I conclude that development on the western part of site KN078 (as shown on the indicative layout) would be visible in views from the north, but it would be unlikely to have a significant impact on the skyline and setting of Stonehaven.

67. Whilst the north west corner of the site sits immediately adjacent to the settlement boundary, I agree with the council that development at this location would be detached from the rest of the settlement. The site is set back from the A957 road and, with the exception of the north west corner, is surrounded on all sides by undeveloped land. As the site slopes upwards in a south easterly direction, development would be readily visible on the approach to the settlement from the south

68. The indicative master plan is an extract from a proposal for the wider KN077 site and does not demonstrate how development of this site would integrate into the surrounding area. I note that it has not been updated to reflect the non-inclusion of the school safeguard in the proposed plan. Apart from avoiding built development in the special landscape area, no explanation or justification for the extensive area of open space and playing fields on the eastern part of the site. Overall, I find the site boundaries and indicative layout to be somewhat arbitrary and I am not convinced that development at site KN078 would result in an appropriate extension or southern gateway to the existing settlement.

69. I conclude that that housing development on the western part of the site (as shown on

the indicative layout) could be accommodated with limited environmental impact. However, development on the site would not be well integrated with the existing settlement or surrounding countryside and would result in the loss of prime agricultural land. Given the availability of other sites to meet the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider the allocation of this site to be justified. I conclude that site KN078 should not be identified as a housing allocation.

70. Site KN076 covers 8.6 hectares of agricultural land, which also includes an area of commercial forestry plantation and the farmhouse and outbuildings at East Newtonleys Farm. The site sits immediately to the south of business allocations OP7 and BUS 2 and over 500 metres from the edge of the main settlement boundary. It is currently surrounded by open fields on all sides

71. A small area of land at the south eastern corner of the site lies within the South East Aberdeenshire Coast Special Landscape Area. However, I consider it unlikely that development on this site would affect the character of the coastal area. The council indicates that the site is visible from the north and could impact on the setting of the town, but has not referred to any particular locations. The information provided by Bancon Homes on this matter comes from a wider landscape and visual assessment for Stonehaven south and is not site specific. The indicative master plan does not demonstrate how this site, if developed on its own, would integrate into the surrounding landscape. I find overall that I have insufficient information before me to reach a firm conclusion on landscape and visual impact.

72. I consider that the allocation of this site on its own would result in a development remote from the main built up area. The site is located over a kilometre from local shops and other facilities, with access along an A class road with only one narrow pavement. The indicative site layout shows access to the site from the A92, through the business allocation sites to the south. In terms of public transport accessibility, I consider it unlikely that a development of this scale would justify an extension of the town bus service. I conclude that the development would be poorly integrated with the main urban area to the north and would encourage reliance on travel by private car.

73. Given the availability of other sites to meet the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider that meeting housing need would outweigh the loss of prime agricultural land and other likely negative effects arising from the development of site KN076. No modification is recommended.

74. Bid site KN081 is a rectangular site which covers nearly four hectares of agricultural land immediately to the south east of the A957 road. The northern boundary of the site lies adjacent to existing housing at Braehead. Whilst part of the site is reserved for a primary school in the adopted local development plan, this reservation has not been included in the proposed plan.

75. The strategic environmental assessment identifies only limited negative effects from this proposal. Development would not involve the loss of prime agricultural land and landscape and visual impacts would not be significant, because most of the site sits at a lower level than land to the east and the nearby woodland could help screen built development. The highest point of the site is at the southern corner, where the site opportunities and constraints diagram provided by Stewart Milne Homes notes "views of Stonehaven and Coast". This suggests that this part of the site would be visible from other

vantage points. There are also views from and through the site to the war memorial. However, I acknowledge that adverse landscape and visual impacts could potentially be addressed through the preparation of a masterplan.

76. The proposal for 50 homes would extend the existing built up area at Braehead for around 450 metres in a southerly direction opposite Dunottar Woods. This would alter the rural character of the approach to Stonehaven from the south along the A957 road, particularly adjacent to the southern section of the site where existing housing at Braehead is not visible. I am not convinced that an elongated extension of the built up area along one side of the A957 road would provide an appropriate gateway for Stonehaven. However, I recognise that the character of the approach from the A92 to the south may change, as a result of the development of business allocations OP7 and BUS2.

77. I consider that the northern section of the site, that which is currently reserved for the primary school, would enjoy similar levels of accessibility to the town centre and local facilities as existing housing at Braehead. Development at the southern end of the site would be more remote from the existing built up area and consideration would need to be given to the creation of safe active travel links to avoid reliance on the A975.

78. I recognise that development of this site could bring a number of benefits and that it may be possible to mitigate some of the negative effects. However, given the availability of other sites to meet the strategic development plan allowance for the Aberdeen Housing Market Area, I do not consider that the bid site KN076 should be identified as a housing allocation. No modification is recommended.

Non-allocated Bid Site KN108 – land east and west of Mains of Dunnottar

79. The representee seeks the allocation of land for a new visitor centre at Dunnottar Castle on land to the east of the Coastal Tourist Route, with support provided for enabling development, if necessary. The main issues report indicates that the enabling development would comprise 10 homes on land to the west of Mains Of Dunnottar. However, no further information on the housing proposal is provided in the representation.

80. I agree with the council that the development of new tourist facilities is supported in principle by policy B3 in the proposed plan. However, given the location of the site within the South East Aberdeenshire Coast Special Landscape Area and that Dunnottar Castle is a Scheduled Monument, careful consideration would need to be given to matters of siting, scale and design.

81. I have insufficient detailed information before me to assess the suitability of the site for a visitor centre. I agree with the council that such a proposal could come forward through the development management process, which would allow assessment against relevant development plan policies. This would also allow for the submission of information to justify enabling development, if necessary. No modification is required.

Non-allocated Bid Sites KN115, KN117, KN118 and KN119 Land at New Mains of Ury

82. Bid submissions KN115 (retail) and KN117 (employment land) relate to the same brownfield site, which is located to the east of housing allocation OP2 and close to the interchange between the A90, A92 and Aberdeen Western Peripheral Route. The northern half of the site is occupied by traditional and modern farm buildings, and there are

existing residential properties to the east and south, just outwith the site boundary.

83. Site KN118 lies immediately to the north and east of the B979 and occupies the corner of an agricultural field which slopes gently downwards in a southerly direction. Site KN119 forms part of a sloping, agricultural field which is located to the east of the road interchange.

84. Sluie Estate Trust has submitted two alternative master plans, both showing a hotel and restaurant on site KN118 and a petrol filling station and two drive thru restaurants on site KN119. One version proposes a retail development of 2,787 square metres with associated car parking on land to the east of OP2 (bid proposal KN115) and the other proposes four business units ranging from 2,600 square metres to 162 square metres with car parking on the same site (bid proposal KN117).

85. The supporting information provided by Sluie Estate Trust indicates that site KN115/KN117 is free from constraints and deliverable. I note that the strategic environmental assessment identifies negative effects in relation to soil erosion and loss of prime agricultural land. However, given the predominantly brownfield nature of the site, I consider any negative impacts on these resources are likely to be minimal. Sluie Estate Trust considers that transport information submitted with a planning application for a supermarket in 2015 demonstrates that there would be no adverse impact on the road network or junction. This transport information has not been submitted to the examination. However, on the basis that this information is likely to be more than six years old and it predates the strategic development plan, which highlights the need to prevent negative effects on the new route and its junctions, I consider that a more up to date transport assessment would be required.

86. I note that planning permission has been granted for a supermarket at Ury Estate. Paragraph 68 in Scottish Planning Policy indicates that development plans should adopt a sequential town centre first approach for retail uses. This site would fall into the category of "out of centre location", which is the lowest preference. I agree with the council that an additional supermarket to the north of the A90 is unlikely to be justified and would potentially have an adverse impact on the town centre. No modification is required in relation to bid KN115.

87. The strategic development plan sets a target of 62 hectares of employment land in the Aberdeen to Laurencekirk strategic growth area for the period to 2032. It also identifies the need for 42 hectares of land to provide a strategic reserve for the period 2033 -2044 in this strategic growth area. Paragraph 5.11 in the strategic development plan states that "in order to ensure that we can plan for growth, local development plans should ensure that strategic reserve land for employment is provided in line with the allocations set in Tables 4 and 5"

88. Table 1 in appendix 1 in the proposed plan shows that there are sufficient allocations to meet the strategic development plan requirements up to 2032. This includes site OP7 at Stonehaven, which I have already concluded should be retained within the local development plan. However, there is a 19.2 hectare shortfall in the strategic reserve land identified in the Aberdeen to Laurencekirk strategic growth area.

89. The council has indicated that it does not support the allocation of this site as employment land because further allocations are not required at this time. However, no

mention is made of the shortfall in the strategic land reserve. Based on the information before me, I consider that site KN117 could potentially contribute to the strategic land reserve. However, in the absence of an up to date transport assessment, I am unable to reach a conclusion in terms of its impacts on the Aberdeen Western Peripheral Route and its junction. No modification is recommended in relation to bid KN117.

90. I do not consider that the allocation of bid site KN118 for a hotel and restaurant or KN119 for roadside services would be justified. The proposals would result in the loss of prime agricultural land which policy PR1 seeks to protect, unless public economic and social benefits outweigh any negative effects. No supporting information has been submitted to quantify the economic and social benefits of the proposals. Furthermore, similar to bid proposals KN115 and KN117, I am unable to assess the impact of the proposed uses on the Aberdeen Western Peripheral Route and its junction.

91. I recognise that the sites would be well placed to benefit from passing trade and tourists using the main road network. However, site KN118 sits on the eastern edge of the strategic housing allocation at Ury Estate and is not well integrated with the rest of Stonehaven. Site KN119 is separated from the built up area by the new road interchange to the west and the A92 to the south. Both sites would be likely to encourage car based travel from the surrounding area, which I consider would be at odds with the sustainable development objectives in the proposed plan. From the information provided by the council, in relation to two alternative proposals for hotels at the Ury Estate and existing service stations in the surrounding area, I conclude that there is no overriding need for the proposed facilities. No modification is recommended in relation to bid site KN118 and KN119.

Non-allocated Bid Sites KN120, KN121 and KN122 Mill of Forest, Land at Toucks

92. Barratt North Scotland has submitted a representation which relates to three alternative development options of increasing scale on land to the west of the A90 and to the south west of the settlement boundary. Whilst all three proposals include local retail/commercial/service facilities, the main land use is housing – 250 homes on site KN120; 750 homes on KN121 and 1500 homes and a primary school on KN122. Barratt North Scotland considers that the proposed plan should be modified to provide additional housing allocations, including sites KN120, KN121 or KN122 at Mill of Forest.

93. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area.

94. Barratt North Scotland has also submitted a separate representation for bid site KN121, which includes supporting information. No additional information is provided in relation to bid sites KN120 and KN122.

95. There is no justification to allocate additional housing land on the scale proposed on sites KN121 and KN122. Development would result in the loss of prime agricultural land, which would not be justified, as the sites are not required to meet the strategic development plan allowance. I agree with the council that allocations of 750 or 1500 homes at this location would potentially inhibit the delivery of the existing strategic allocations at the Ury Estate and Chapelton. I note the supporting information provided in

relation to site KN121 and recognise that it may be possible to mitigate some of the adverse effects identified in the strategic environmental assessment through detailed proposals. However, I agree with the council that the land is disconnected from Stonehaven and has poor connectivity, due mainly to its location to the west of the A90. I do not consider that the ongoing development at Ury Estate sets a precedent to support the extension of Stonehaven in a south westerly direction. No modification is recommended in relation to bid sites KN121 and KN122.

96. Bid site KN120 for 250 homes is located on land immediately to the west and northwest of the Glaslaw interchange and forms the southern part of site KN121. I note that development of this site would not result in the loss of prime agricultural land. However, the strategic environmental assessment identifies a number of negative effects in relation to increased travel, potential flood risk, biodiversity and landscape impact.

97. I consider that development on site KN120 would be remote from the existing settlement, with poor accessibility to existing services. I consider it unlikely that a development of 250 homes could support a range of local facilities and it is not clear whether a direct link over the A90 could be provided from this site. I conclude that there would be a reliance on car based travel which would not be consistent with the principles of sustainable development. Whilst Barratt North Scotland considers that concerns relating to flood risk, biodiversity and landscape impacts could be overcome through detailed proposals, I have insufficient information before me to assess these matters.

98. However, I conclude that the locational disadvantages and resultant increased travel associated with site KN120 would outweigh the benefits in terms of providing additional land for housing. There are other sites available to meet the identified shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area. No modification is required.

Non-allocated New Site N006 – Land near A90(T)/B979 roundabout

99. I can see merit in the suggestion to allocate land close to the A90(T)/B979 roundabout for a “park and choose” facility to encourage travel by bus and reduce car based travel. However, I have insufficient information regarding the availability of potential sites and impact on the capacity of the junction. As I have indicated previously, the strategic development plan indicates that any development, which would result in a negative impact on the Aberdeen Western Peripheral Route, or its junctions, should be avoided. I consider that such a proposal, with the required supporting information, could come forward outwith the local development plan process. No modification is recommended

Non-allocated New Sites N007, N008 and N009 Land at Ury Estate and North Lodge

100. FM Ury Limited has requested that additional sites at Ury Estate, which have been granted planning permission, should be identified as local development plan allocations in Stonehaven. It has suggested that these could be identified as OP8 (retail and hotel), OP9 (North Lodge) and OP10 (Ury House and championship golf course).

101. I note that the council is supportive of allocating these sites and suggests that site N007 could be identified as a new commercial centre. Although these sites have planning permission for various uses, none of them were included in the Main Issues Report. As a

result, they have not been the subject of public consultation or strategic environmental assessment through the local development plan process. I recognise the benefits of the local development plan showing the full range of development proposed at Ury Estate. However, in the absence of information on environmental effects and the views of key agencies, community representatives and other stakeholders, I do not consider it appropriate to include these allocations or identify a new commercial centre at this stage in the plan process. The non-inclusion of these sites within the local development plan would not prevent the implementation of the current planning permissions. No modification is recommended.

Reporter's recommendations:

Modify the local development plan by:

1. Merging the first two flood risk bullet points on page 746 to read:

“• Stonehaven lies within an area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment. Parts of the settlement are also at risk from coastal flooding. Flood Risk Assessments may be required.”

2. Merging the last four flood risk bullet points together on page 746 into the following bullet point:

“• Sites OP1, OP2, OP3 and OP6 lie within or adjacent to SEPA's 1:200 flood risk area or have watercourses flowing through or adjacent to them. Flood Risk Assessments may be required.”

3. Adding the following new bullet point to the Flood Risk section on page 746:

“• Site BUS3 is adjacent to a small watercourse. A buffer strip will be required alongside the watercourse and a Flood Risk Assessment may be required.”

4. Replacing the second bullet point under the services and infrastructure section on page 747 with:

“• Strategic drainage and water supply: Local mains water reinforcement and Water Impact Assessments may be required. There is currently sufficient capacity at Nigg Waste Water Treatment Works. A Drainage Impact Assessment may be required.”

5. Replacing the fourth paragraph of the allocation summary for site OP2 (Ury House, East Lodge) on page 748 with:

“Consideration should also be given to providing active travel linkages with Stonehaven as well as providing safe routes to school. A core path runs along the boundary and through the site and connections should be made to the network. The core path forms part of a key cycle link between the B979 and the A957 and amenity of this link/core path should be retained, despite the requirement for a new link road. Public transport services should be delivered with construction of the link road in accordance with the site-wide Public Transport Strategy.”

6. Adding the following new paragraph at the end of the allocation summary for site OP2 (Ury House, East Lodge) on page 748:

“Development on this site must accord with Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land and the Health and Safety Executive “Land Use Planning Methodology”, owing to the presence of one or more oil or gas pipelines in the vicinity.”

7. Replacing the title of the allocation summary for OP3 - Ury House, Blue Lodge on page 748 with:

“OP3: Ury House, Blue Lodge Allocation: Housing”

8. Replacing the first paragraph in the allocation summary for OP3 - Ury House, Blue Lodge on page 748 with the following two paragraphs:

“Part of this site was allocated for 25 homes as site OP3 in the LDP 2017. The site is located to the north of Stonehaven and is separated from the main development by the A90. The site was allocated in the LDP 2012 to enable the redevelopment of Ury House. The site (including some land outwith the site boundary) has full planning permission for 51 homes. Subject to consultation with the Health and Safety Executive, there is potential to increase this number to improve the density of the site.

Development on this site must accord with Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land and the Health and Safety Executive “Land Use Planning Methodology”, owing to the presence of one or more oil or gas pipelines in the vicinity. The pipeline consultation zones may restrict the developable area and overall capacity of the site. The Health and Safety Executive must be consulted.”

9. Replacing the fifth paragraph in the allocation summary for OP3 - Ury House, Blue Lodge on page 749 with:

“It is also important that consideration is given to possible active travel linkages with the main development of Stonehaven. A core path runs along the boundary of the site and connections should be made to the network. The core path forms part of a key cycle link between the B979 and A957 roads and amenity of this link/core path should be retained.”

10. Replacing the sixth paragraph in the allocation summary for OP3 - Ury House, Blue Lodge on page 749 with:

“Development on this site must avoid direct (i.e. physical) impacts on the scheduled Cowie Line, pill box and anti-tank blocks or affect its setting, and not affect the setting of other historic assets, including Ury House. A sensitive housing design should be promoted, and appropriate landscaping considered, such as leaving undeveloped land, in line with Historic Environment Scotland’s guidance, Managing Change in the Historic Environment - Setting. Any assessment on the potential impact on the setting of the scheduled Cowie Line, pill box and anti-tank blocks should note it is a strategic military site and located at a strategic crossing point of the Cowie Burn.”

11. In the allocation summary for OP3 - Ury House, Blue Lodge on page 749, moving the sentence, ‘A Flood Risk Assessment may be required’ from the eighth paragraph to the start of the seventh paragraph.

12. Deleting the final paragraph in the allocation summary for OP3 - Ury House, Blue Lodge on page 749.

13. Amending the entry for Stonehaven OP3 in the relevant table in Appendix 6 to show that the site does not contribute towards the strategic development plan allowance for the Aberdeen Housing Market Area, delete the figure ‘48’ from the allowances 2020- 2032 column and replace the figure ‘99’ in the final column with the words ‘unspecified’. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

14. Inserting the following new penultimate sentence into the second paragraph in the allocation summary for site OP5 (Land at East Lodge) on page 750:

“Provision for active travel is required.”

15. Deleting the sentence “Strategic landscaping will be required along the northern boundary, the minimum area of this is identified as site P9” from the fourth paragraph of the allocation summary for site OP5 (Land at East Lodge) on page 750.

16. Inserting the following new fifth paragraph to the allocation summary for site OP5 (Land at East Lodge) on page 750.

“Development should avoid significant effects on the designed (non-inventory) landscape of Ury House and not compromise the balance of open to enclosed spaces which typify this historic parkland. To minimise effects on the designed landscape, the siting and massing of housing should seek to focus on the lower slopes, with a landscape structure to reflect the character, scale and species of the existing policy woodlands. Strategic landscaping will be required along the entire northern boundary, and while there is some flexibility on its layout, it must not fall below the minimum area that is identified as site P9. Specification of planting should follow best practice to ensure early and effective establishment of tree stock on this more exposed site. Opportunities to further reinforce the historic character in this locale should be explored.”

17. Amending the boundaries of allocation OP6 (Mackie Village Ury Estate) as shown on the Stonehaven key map (page 752) and map 1 (page 753) to reflect the approved site plans for planning permissions APP/2018/2227 and APP/2018/2228.

<p>Issue 47</p>	<p>Other Settlements in Porthlethen to Stonehaven SGA – Banchory-Devenick, Cammachmore, Chapelton, Downies, Findon, Marywell and Muchalls</p>	
<p>Development plan reference:</p>	<p>Proposed LDP, Appendix 7E Kincardine and Mearns, Page 645-648 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 667-669 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 711-714 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 715-716 Proposed LDP, Appendix 7E Kincardine and Mearns, Other</p>	<p>Reporter: Alison Kirkwood</p>
<p>Body or person(s) submitting a representation raising the issue (including reference number):</p>		
<p>Banchory-Devenick PP0188 Cults Bieldside and Milltimber Community Council PP0196 Carole Gray PP0197 Gael Sangster PP0288 David Stephen PP0307 Gary Emslie PP0328 Trevor Macleod PP0334 Ed Colver PP0338 Anthonius Cornelis Mann PP0339 Loran Joanna Florence Mann PP0340 Nicola Leila Doris Mann PP0354 Ruth Gillies PP0355 Tara Murray PP0358 David Cross PP0359 Graeme Paterson PP0360 Susan Moseley PP0378 Matthew Foster PP0379 Ivor Nicol PP0391 Stephen Coutts PP0432 Graham White PP0433 Philip Allan PP0434 Richard Ward PP0439 Thomas Reeve PP0452 Heather Haig PP0453 Alan Haig PP0461 Peter Townsley PP0475 Eleanor McLean PP0476 Margaret Russell PP0486 Moira Mapley PP0498 Sarah Wingrove PP0517 Brian James Stewart PP0521 John Ness PP0522 Jennifer Cross PP0541 Ian Smith PP0570 Neil Corrigan</p>		

PP0571 Jenny Corrigan
PP0575 Jacqueline Ann Anderson
PP0649 Denise Allan
PP0726 David & Julie Currie
PP0779 Nadir Mahjoub
PP0780 Nadir Mahjoub
PP0789 Leslie Clift
PP0817 Sukjit Pooni
PP0836 Duncan Heddle
PP0839 Niall & Hazel Anderson
PP0849 Kathleen Milne
PP0868 The Comer Group
PP0903 Euan Gillies
PP0922 Matthew Allan
PP0933 Nicola Allan
PP0953 Jeanette MacDougall
PP0974 Frederick Parkinson
PP0979 Matthew Witz
PP0996 Irene Watt
PP1008 Olivia Hennigan
PP1009 Karen Hennigan
PP1011 Chris Hennigan
PP1013 James McFadyen
PP1026 Abigail Reid
PP1029 Tracey Isaac
PP1150 Ademola Isaac
PP1159 Audrey Anderson
PP1162 Neil McKay
PP1163 Nigel McLean
PP1164 Mairi McLean
PP1218 Donnie MacDonald
PP1341 Hulda Sveinsdottir
PP1342 Sally Buchanan Nicol
PP1346 Olga Ferguson
PP1364 Paul Clayton
PP1365 David Philp
PP1366 Ann Beveridge
PP1367 Amy Clark
PP1368 Athol Gray
PP1369 Allan Lloyd
PP1370 David Gordon
PP1371 David Hepburn
PP1372 Deane Schembri
PP1373 David Todd
PP1374 David Young
PP1375 Eric Edgar
PP1376 Ewan McIntyre
PP1377 Gavin Ferguson
PP1378 Gregor Stewart
PP1379 Jordan Anderson
PP1380 Jordanna Bradley

PP1381 James Beveridge
PP1382 Lisa Bradley
PP1383 Phillip Bradley
PP1384 Preta Todd
PP1385 Paul Young
PP1386 Ruby Beveridge
PP1387 Steven Thomas
PP1388 Thomas Clark
PP1389 Thomas Docherty
PP1391 Frances O'Kane
PP1394 Kenny MacAskill
PP1396 Marion Clift
PP1398 Najam Mir
PP1400 Peter JF and Carolyn E Ramsey
PP1404 Sandra Auld
PP1405 Sandra Auld obo J McQueen

Cammachmore

PP0556 Newtonhill, Muchalls and Cammachmore Community Council
PP0880 Linsey Hunter

Chapelton

PP0272 Scottish Water
PP0578 Scottish Government
PP0751 Elsick Development Company (EDC)
PP0775 North Kincardine Rural Community Council
PP0866 The Gypsy-Traveller Community
PP0880 Linsey Hunter
PP1081 c a s e CONSULTING Limited
PP1219 Scottish Environment Protection Agency
PP1241 Nestrans

Downies

PP0124 Andrew Sentance
PP0454 MAK Properties Aberdeen Ltd
PP1226 Portlethen and District Community Council

Findon

PP0026 Mr & Mrs Reid
PP0033 Michelle Pinard
PP0100 Vivian Thorburn
PP0129 Richard Heslop
PP0156 Ailsa Anderson
PP0179 Brenda Young
PP0192 H Graeme Forbes
PP0213 Linda Reid
PP0318 Morag Stevenson
PP0320 David & Margaret Wright
PP0428 Hazel McCutcheon
PP0429 Alexander McCutcheon
PP0481 Frances & Mitchell Davidson

PP0504 Joan Murray
 PP0530 John McCall & Evelyn McCall
 PP0565 Isla Duncan
 PP0724 Karen Stephen
 PP0885 Sandra Wallis
 PP0888 Audrey Anderson
 PP0889 Graham Tait
 PP0890 Victoria Tait
 PP0993 Anne Boyle
 PP1143 Mr Thomas Boyle
 PP1219 Scottish Environment Protection Agency
 PP1226 Portlethen and District Community Council
 PP1362 Patricia Deans
 PP1406 Martin Barker

Marywell

PP0272 Scottish Water
 PP0664 Stewart Milne Homes
 PP1219 Scottish Environment Protection Agency

Muchalls

PP0556 Newtonhill, Muchalls and Cammachmore Community Council
 PP0880 Linsey Hunter
 PP1053 c a s e CONSULTING Limited
 PP1219 Scottish Environment Protection Agency
 PP1250 Gladman Developments Ltd

Provision of the development plan to which the issue relates:

Chapelton Settlement Statement
 Findon Settlement Statement
 Marywell Settlement Statement
 Muchalls Settlement Statement
 Other Kincardine and Mearns settlements

Planning Authority's summary of the representation(s):

Banchory-Devenick

Non-Allocated Sites – Bid Site KN069 – Land at Tollohill Wood (Phase 1), Bid Site KN070 – Land at Tollohill Wood (Phases 1-2), Bid Site KN071 – Land at Tollohill Wood (Phases 1-3), Bid Site KN072 – Land at Tollohill Wood (Phases 1-4)

Representees have welcomed and supported the exclusion of bid sites, KN069 to KN072 for 289 to 1310 homes, commercial, employment land and school. Many representees have referred to Aberdeen City Council's site "1308" (Banchory-Leggart) (PP0188, PP0196, PP0197, PP0307, PP0328, PP0338, PP0339, PP0340, PP0354, PP0355, PP0358, PP0359, PP0360, PP0378, PP0379, PP0391, PP0432, PP0433, PP0434, PP0439, PP0452, PP0453, PP0461, PP0475, PP0476, PP0486, PP0521, PP0541, PP0570, PP0575, PP0649, PP0726, PP0779, PP0780, PP0789, PP0817, PP0836, PP0839, PP0849, PP0903, PP0922, PP0933, PP0979, PP0996, PP1008, PP1009, PP1011, PP1029, PP1150, PP1162, PP1163, PP1164, PP1341, PP1342, PP1346, PP1364, PP1365, PP1366, PP1367, PP1368, PP1369, PP1370, PP1371, PP1372, PP1373, PP1374, PP1375, PP1376, PP1377, PP1378, PP1379, PP1380, PP1381,

PP1382, PP1383, PP1384, PP1385, PP1386, PP1387, PP1388, PP1389, PP1398, PP1404 and PP1405). Concerns raised include:

- Bid sites KN069 to KN072 are not required to meet the requirements of the Aberdeen City and Shire Strategic Development Plan 2020 (SDP) (PP0188);
- They are not needed given the foreseeable state of the North-East economy (PP0188);
- Its scale would adversely affect its unique landscape, local heritage, and natural habitats, and their exclusion should be retained to ensure that paragraph 4.8, “the right development in the right place” in the Proposed Aberdeenshire Local Development Plan 2020 (PLDP) is realised (PP0196, PP0197, PP0307, PP0328, PP0338, PP0339, PP0340, PP0354, PP0355, PP0359, PP0360, PP0378, PP0379, PP0391, PP0432, PP0433, PP0434, PP0439, PP0452, PP0453, PP0475, PP0476, PP0486, PP0521, PP0570, PP0575, PP0649, PP0726, PP0779, PP0780, PP0789, PP0817, PP0836, PP0839, PP0849, PP0903, PP0922, PP0933, PP0979, PP0996, PP1008, PP1009, PP1011, PP1029, PP1150, PP1162, PP1163, PP1164, PP1341, PP1342, PP1346, PP1364, PP1366, PP1367, PP1368, PP1369, PP1370, PP1371, PP1372, PP1373, PP1374, PP1375, PP1376, PP1377, PP1378, PP1379, PP1380, PP1381, PP1382, PP1383, PP1384, PP1385, PP1386, PP1387, PP1388, PP1389, PP1398, PP1404 and PP1405); and
- Loss of green belt, impact on wildlife, increase traffic on already busy roads and produce more pollution (PP0358).

Five representees have included an Appendix (RD0026.A, RD0027.A, RD0184.A, RD0185.A and RD0187.A) in their representation which provides further detail to support their position (PP0196, PP0197, PP1008, PP1009 and PP1011).

Aberdeen City Proposed Local Development Plan 2020 – Site OP46 – Royal Devenick Park

Representees have also objected to the adjacent OP46 Royal Devenick Park, contained within the Aberdeen Proposed Local Development Plan 2020 which is claimed by representees to include land within Aberdeenshire, as shown in a Proposal of Application Notice, and that it has not been identified in the Aberdeenshire PLDP (PP0196, PP0197, PP0307, PP0328, PP0334, PP0338, PP0339, PP0340, PP0354, PP0355, PP0359, PP0360, PP0378, PP0379, PP0391, PP0432, PP0433, PP0434, PP0439, PP0452, PP0453, PP0461, PP0475, PP0476, PP0486, PP0498, PP0517, PP0521, PP0522, PP0541, PP0570, PP0571, PP0575, PP0649, PP0726, PP0779, PP0780, PP0789, PP0817, PP0839, PP0849, PP0903, PP0922, PP0933, PP0953, PP0974, PP0979, PP0996, PP1008, PP1009, PP1011, PP1013, PP1026, PP1029, PP1150, PP1159, PP1162, PP1163, PP1164, PP1218, PP1341, PP1342, PP1346, PP1364, PP1365, PP1366, PP1367, PP1368, PP1369, PP1370, PP1371, PP1372, PP1373, PP1374, PP1375, PP1376, PP1377, PP1378, PP1379, PP1380, PP1381, PP1382, PP1383, PP1384, PP1385, PP1386, PP1387, PP1388, PP1389, PP1391, PP1394, PP1396, PP1398, PP1400, PP1404 and PP1405). Concerns raised include:

- Loss of green belt and woodland, and impact on historic assets, wildlife and recreation users, (PP0196, PP0197, PP0307, PP0328, PP0334, PP0338, PP0339, PP0340, PP0354, PP0355, PP0359, PP0360, PP0378, PP0379, PP0391, PP0432, PP0433, PP0434, PP0439, PP0452, PP0453, PP0461, PP0475, PP0476, PP0486, PP0498, PP0517, PP0521, PP0522, PP0541, PP0570, PP0571, PP0575, PP0649,

PP0726, PP0779, PP0780, PP0789, PP0817, PP0839, PP0849, PP0903, PP0922, PP0933, PP0953, PP0974, PP0979, PP0996, PP1008, PP1009, PP1011, PP1013, PP1026, PP1029, PP1150, PP1159, PP1162, PP1163, PP1164, PP1218, PP1341, PP1342, PP1346, PP1364, PP1365, PP1366, PP1367, PP1368, PP1369, PP1370, PP1371, PP1372, PP1373, PP1374, PP1375, PP1376, PP1377, PP1378, PP1379, PP1380, PP1381, PP1382, PP1383, PP1384, PP1385, PP1386, PP1387, PP1388, PP1389, PP1391, PP1394, PP1396, PP1398, PP1400, PP1404 and PP1405);

- Impact negatively on the existing road network (PP0334 and PP1013);
- Impact on the 12th century Causeymouth Road is inadequate and with the route and impact of the link road (PP0196, PP0197, PP0307, PP0328, PP0334, PP0338, PP0339, PP0340, PP0354, PP0355, PP0359, PP0360, PP0378, PP0379, PP0391, PP0432, PP0433, PP0434, PP0439, PP0452, PP0453, PP0461, PP0475, PP0476, PP0486, PP0498, PP0541, PP0571, PP0575, PP0649, PP0726, PP0779, PP0780, PP0789, PP0817, PP0839, PP0849, PP0903, PP0922, PP0933, PP0953, PP0974, PP0979, PP0996, PP1008, PP1009, PP1011, PP1013, PP1026, PP1150, PP1159, PP1162, PP1163, PP1164, PP1218, PP1341, PP1342, PP1346, PP1364, PP1365, PP1366, PP1367, PP1368, PP1369, PP1370, PP1371, PP1372, PP1373, PP1374, PP1375, PP1376, PP1377, PP1378, PP1379, PP1380, PP1381, PP1382, PP1383, PP1384, PP1385, PP1386, PP1387, PP1388, PP1389, PP1391, PP1394, PP1396, PP1398, PP1400, PP1404 and PP1405);
- There is an oversupply of land for new homes (PP0334, PP0391 and PP0953);
- Lack of demand for new homes (PP0334, PP0486, PP0541, PP0789, PP0974, PP1029, PP1159 and PP1396);
- Adverse visual impact (PP0334, PP0461 and PP0522);
- It will set a precedent for further development in the area (PP0196, PP0197, PP0307, PP0328, PP0334, PP0338, PP0340, PP0354, PP0355, PP0359, PP0360, PP0378, PP0379, PP0432, PP0433, PP0434, PP0439, PP0452, PP0453, PP0461, PP0475, PP0476, PP0521, PP0571, PP0575, PP0649, PP0726, PP0779, PP0780, PP0817, PP0839, PP0849, PP0903, PP0922, PP0933, PP0979, PP0996, PP1008, PP1009, PP1011, PP1013, PP1029, PP1150, PP1162, PP1163, PP1164, PP1341, PP1342, PP1346, PP1364, PP1366, PP1367, PP1368, PP1369, PP1370, PP1371, PP1372, PP1373, PP1374, PP1375, PP1376, PP1377, PP1378, PP1379, PP1380, PP1381, PP1382, PP1383, PP1384, PP1385, PP1386, PP1387, PP1388, PP1389, PP1398, PP1404 and PP1405);
- It is poorly served by public transport and active travel infrastructure (PP0391 and PP1013);
- It is inconsistent with the SDP (PP0196, PP0197, PP0307, PP0328, PP0338, PP0339, PP0340, PP0354, PP0355, PP0359, PP0360, PP0378, PP0379, PP0391, PP0432, PP0433, PP0434, PP0439, PP0452, PP0453, PP0475, PP0476, PP0521, PP0570, PP0575, PP0649, PP0726, PP0779, PP0780, PP0817, PP0839, PP0849, PP0903, PP0922, PP0933, PP0953, PP0974, PP0979, PP0996, PP1008, PP1009, PP1011, PP1029, PP1150, PP1162, PP1163, PP1164, PP1341, PP1342, PP1346, PP1364, PP1366, PP1367, PP1368, PP1369, PP1370, PP1371, PP1372, PP1373, PP1374, PP1375, PP1376, PP1377, PP1378, PP1379, PP1380, PP1381, PP1382, PP1383, PP1384, PP1385, PP1386, PP1387, PP1388, PP1389, PP1398, PP1404 and PP1405);
- It site was not supported in Aberdeen City Council's Main Issues Report 2019 (PP0196, PP0197, PP0307, PP0328, PP0338, PP0339, PP0340, PP0354, PP0355, PP0359, PP0360, PP0378, PP0379, PP0391, PP0432, PP0433, PP0434, PP0439, PP0452, PP0453, PP0475, PP0476, PP0486, PP0517, PP0521, PP0522, PP0570, PP0571, PP0575, PP0649, PP0726, PP0779, PP0780, PP0817, PP0839, PP0849,

PP0903, PP0922, PP0933, PP0979, PP0996, PP1008, PP1009, PP1011, PP1029, PP1150, PP1162, PP1163, PP1164, PP1341, PP1342, PP1346, PP1364, PP1366, PP1367, PP1368, PP1369, PP1370, PP1371, PP1372, PP1373, PP1374, PP1375, PP1376, PP1377, PP1378, PP1379, PP1380, PP1381, PP1382, PP1383, PP1384, PP1385, PP1386, PP1387, PP1388, PP1389, PP1398, PP1404 and PP1405);

- There is a sufficient supply of new homes in Blairs and Chapelton, brownfield sites in Aberdeen (PP0334).

Five representees have included an Appendix (RD0026.A, RD0027.A, RD0184.A, RD0185.A and RD0187.A) in their representation which provides further detail to support their position (PP0196, PP0197, PP1008, PP1009 and PP1011).

A representee has suggested that road access of site OP46 in the Aberdeen City PLDP 2020 should be taken from the A92 than the B9077 (PP0288).

Non-Allocated Site – New Site N011 – Land at Leggart Brae

A representee has requested the allocation of new site N011 for 100 homes. They have stated there are no technical constraints that would preclude the delivery of this proposal (green belt, visual and landscape impact, flooding, sewage (it would go to Nigg), historic and natural environment, road access, education), would provide amenity greenspace and provide access to high quality natural heritage amenity. They have also suggested that the site will have localised and minimal effects on the Causey Mounth to upgrade a small section of it, rather than developing over the top of it. It is reported that this site does not correspond with bid sites KN069 to KN072, but instead links with site OP46 in the Aberdeen PLDP, and extends an established urban development, which is recognised as a logical development strategy principle in Scottish Planning Policy (SPP). They have stated that this site is deliverable, while development at Blairs and Chapelton have made little progress and there is a need for more housing in the Aberdeen Housing Market Area (AHMA). The representee has provided a Strategic Environmental Appraisal (SEA) of this site and concludes it will have either neutral or positive post mitigation impacts. The representee has also included a number of Appendices (RD0158.A and RD0158.B) in their representation which provides further detail to support their position (PP0868).

Cammachmore

No more homes should be built in Cammachmore to prevent coalescence (PP0880).

Non-Allocated Sites – Bid Site KN132 – Land at Cammachmore

Newtonhill, Muchalls and Cammachmore Community Council has expressed their support to not allocate bid site KN132 for 10 homes and create a settlement boundary, as it would make Cammachmore unsustainable and result in coalescence with Newtonhill. They also add, the LDP has the responsibility to ensure that Chapelton is allowed and encouraged to thrive without undue competition from other allocated sites (PP0556).

Chapelton

Vision

North Kincardine Rural Community Council has sought an additional sentence at the end of

paragraph two to include a sentence stating that Chapelton and Blairs will be the focus for significant development in the rural area of North Kincardine for the duration of the Plan. They have suggested that this will retain the rural character by limiting large scale development whilst helping to support timely delivery at Blairs and Chapelton, and small-scale unallocated development. They are also concerned that adding more large sites could affect delivery of infrastructure and other services, which would negatively impact on residents, and place significant pressure on the limited infrastructure (roads etc.) and services (primary school provision) in this rural ward and have a negative impact overall (PP0775).

It is suggested that development in this area should be prioritised at Chapelton (PP0880).

Services and Infrastructure

Scottish Water has requested amending the 'Strategic drainage and water supply' bullet point to include "Drainage Impact Assessment is required." (PP0272).

The Scottish Government has requested clarification on the nature and scale of the contributions required under the 'Strategic transportation' bullet point. They are not clear if it is referring to the previous Strategic Transport Fund that is no longer applicable or another study/appraisal. They have also stated that the phased development of Chapelton has been dealt with through conditions applied to the planning consent granted and the associated Section 75 Agreement from 2013 (PP0578).

Nestrans has requested amending the 'Local transport infrastructure' bullet point to include "active travel links". Nestrans are considering options for a new rail station at Newtonhill, and small-scale improvements would improve the amenity and functionality of the Park and Choose facility, which is maintained by the developer of Chapelton (RD0227.A) (PP1241).

Site P1 – To protect the proposed Community Wood as an amenity for the settlement

Objection has been made to site P1 (the representee refers to Policy P1 and paragraph PR1.6), as it is inappropriate, and this area can be protected under the terms of the green belt policy. The representee has suggested the Council consults with Elsick Development Company to identify the full extent of any community areas it is seeking to protect. The representee has included an Appendix (RD0128.A) in their representation which provides further detail to support their position (PP0751).

Site R1 – Safeguarded for future public open space as part of the development of Chapelton

The representee seeks the removal of site R1 from the green belt unless Policy R1 Special Rural Areas allows exemptions to enable its development. Adds, Policy R1 reads like a strategic landscape-based policy and it is not clear why this area requires this additional protection. The representee has included an Appendix (RD0128.A) in their representation which provides further detail to support their position (PP0751).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (see RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (see RD0214.B). No modification sought (PP1219).

Site OP1 – Chapelton

Objection has been made to the reduction in scale of site OP1. They have noted that the area of OP1 has been reduced from that shown in the LDP 2017 and excludes the full area for the long-term development of Chapelton, which has been masterplanned. Also notes that this area would come forward beyond the Plan period, but states it is in the interests of positive planning that the LDP recognises this area as providing long-term strategic growth. They have also argued that this is contrary to SPP Paragraph 120 "Beyond year 10 and up to year 20, the Local Development Plan should provide an indication of the possible scale and location of the housing land requirement." The representee has included an Appendix (RD0128.A) in their representation which provides further detail to support their position (PP0751).

It is requested that the allocation is reduced from 4045 homes to 1420 homes to reflect the Housing Land Audit (HLA) 2019 position that shows only 1442 homes are expected to be effective by 31 December 2032. Table 2 in Appendix 6 should be amended from 3881 to 1420 effective sites (PP1081).

A representee is concerned as to when a Gypsy/Travellers site will be delivered on site OP1, as no timescale has been set. They have stated that a halting site for Gypsy/Travellers should be provided within the employment land (PP0866).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (see RD0214.B). No modification sought (PP1219).

Downies

It is queried why there is no mention of Downies in the Settlement Statements in Appendix 7 (PP0124 and PP1226).

The Portlethen and District Community Council has raised the need to upgrade the coastal path around Downies, Findon, Portlethen Village and Portlethen, and that the installation of viewing shelters would be beneficial to watch the dolphins etc. (PP1226).

Non-Allocated Site – New Site N013 – Land at Burn of Daff

A representee has requested the allocation of new site N013 for 10 homes and to identify Downies as a settlement within Kincardine and Mearns. They have stated there is a need for smaller allocations, as promoted in Scottish Planning Policy (SPP) para 19, as the housing land supply in Aberdeen to Laurencekirk SGA is constrained due to heavy reliance upon Chapelton, which the Housing Land Audit (HLA) 2019 shows is delivering homes at a

much slower rate than expected. The site would not result in coalescence with the adjoining settlements and would comply with the Coastal Zone policy. The landscape impact can be mitigated as the site is a natural expansion to the settlement and with strategic planting on the boundaries. The site is suitable for development as there are no technical or infrastructure reasons, as it has two points of road access, it is not at risk from flooding, is not affect coastal processes or habitats, and the schools have capacity (PP0454). The representee has included an Appendix (RD0071.A) in their representation which provides further detail to support their position (PP0454).

Findon

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (see RD0214.B). No modification sought (PP1219).

Services and Infrastructure

The Scottish Environment Protection Agency (SEPA) have requested, for consistency and because all new development in Findon will be required to connect to the waste water network, that a new 'Strategic drainage and water supply' bullet point is added to confirm that the proposed population growth is within the design criteria for the existing waste water infrastructure at Nigg and, if not, the need for an upgrade is highlighted (see RD0214.B) (PP1219).

Site OP1 – Land South of Earnsheugh Terrace

A number of representees have objected to the allocation of site OP1 for 11 homes (PP0026, PP0033, PP0100, PP0129, PP0156, PP0179, PP0192, PP0213, PP0318, PP0320, PP0428, PP0429, PP0481, PP0504, PP0530, PP0565, PP0724, PP0885, PP0888, PP0889, PP0890, PP0993, PP1143, PP1226, PP1362 and PP1406). Concerns raised include:

- Road and pedestrian safety issues as the local roads are narrow and unsuitable, with poor visibility, no pavements or streetlights, no safe route to school, roads cannot be widened to an adoptable standard and/or is already impacted by existing heavy traffic usage (PP0026, PP0033, PP0100, PP0129, PP0156, PP0179, PP0192, PP0213, PP0318, PP0320, PP0428, PP0429, PP0481, PP0504, PP0530, PP0565, PP0724, PP0885, PP0888, PP0889, PP0890, PP0993, PP1143, PP1226 and PP1362)
- The Council's traffic assessment has not taken account of traffic from the Lifeboat factory that use Old Inn Road (west) (PP0504).
- There is no public transport available in Findon (PP0026, PP0179, PP0318, PP0428, PP0429, PP0481, PP0724, PP0885, PP0889, PP0890 and PP1362).
- It will increase the use of private cars (PP0481).
- The gradient of the site means that it would not be possible for pedestrian access to be taken for those with additional needs, wheelchair users or pushchairs (PP0026, PP0192, PP0889, PP0890 and PP0993)
- There is a lack of infrastructure, local amenities, and services to support the development (PP0100, PP0129, PP0213, PP0481, PP0885, PP0888, PP0889, PP0890 and PP1406).

- There is no justification for this site, brownfield sites should be utilised and there are other housing sites nearby (e.g., Chapelton, Newtonhill, Portlethen and Marywell) (PP0100, PP0213, PP0885, PP0889, PP0890, PP0993, PP1143 and PP1406).
- It is a modern housing development that will erode the unique character and historic identity of Findon, alter the density and distribution of houses, and/or bring adverse visual impact (PP0026, PP0033, PP0100, PP0129, PP0213, PP0428, PP0429, PP0481, PP0888, PP0890, PP0993, PP1143, PP1362 and PP1406).
- It would introduce unwanted streetlights, which would change Findon's character (PP0026, PP0129, PP0428, PP0885, PP0889, PP0890, PP993, PP1143 and PP1406).
- It would result in overdevelopment (PP0129, PP0428, PP0429, PP0481, PP0888 and PP1143), and planning permission for 5 homes to the north was refused (APP/2014/1850) for this reason (PP0129).
- The development would have a negative impact on natural heritage, landscape and/or recreational green space. Some representees also note Findon is surrounded by the coastal strip and adjacent to Findon Moor Site of Special Scientific Interest (SSSI) (PP0026, PP0033, PP0100, PP0213, PP0504, PP0889, PP0890, PP0993 and PP1143).
- It is not the right development in the right place (PP0026, PP0033, PP0179, PP0889, PP0890, PP1362 and PP1406).
- It will result in the unnecessary loss of agricultural land, (PP0026, PP0428, PP0429, PP0889, PP0890, PP1362 and PP1406).
- It would remove a green space that is embedded in the village that allows views of the South East Aberdeenshire Coast Special Landscape Area (SLA) from Earnsheugh Terrace and Old Inn Road (PP0033).
- The inclusion of green space within the plan will not enhance the green network (PP0033 and PP0100).
- Development may impact on access to the coastal path used by residents and visitors (PP0192).
- There is limited energy infrastructure, and the waste water system would require a significant upgrade (PP0100, PP0213 and PP0885).
- The field has poor drainage (PP0213).
- Building to the north of Findon would be more appropriate to avoid the narrow streets (PP0481).

Three representees have included a number of Appendices (RD0078.A, RD0078.B and RD0082.A) in their representation which provides further detail to support their position (PP0481 and PP0530).

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation/designation summary for site OP1. No modification sought (RD0214.B) (PP1219).

Non-Allocated Site – Bid Site KN085 – Land at West of Findon Place

A representee has raised concern regarding the impact 30 homes would have on the road network (PP0504).

Marywell

Site BUS1 – Safeguarded for business and class 11 leisure uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation/designation summary for site BUS1 (RD0214.B). No modification sought (PP1219).

Site BUS2 – Safeguarded for business uses

SEPA has requested for site BUS2 that the allocation text states a Peat Survey, and a Phase 1 Habitat Survey is required (see RD0214.B) (PP1219).

Flood Risk

SEPA has questioned the need for the second 'Flood Risk' bullet point as they are not aware of any flood risk issues on site OP1. They have suggested if the Council's Flood Prevention Unit (FPU) confirm there is a surface water issue it should be confirmed if this can be addressed through appropriate SuDS, and if not, they confirm a Flood Risk Assessment is required. They have requested additional wording to the second bullet point to state site OP1 is vulnerable to surface water flooding (RD0214.B) (PP1219).

Services and Infrastructure

Scottish Water has requested that under 'Strategic drainage and water supply' a new comment is added to state there is sufficient capacity at Nigg Waste Water Treatment Works and that a Drainage Impact Assessment may be required (PP0272).

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (see RD0214.B). No modification sought (PP1219).

Site OP1 – Land East of Old Stonehaven Road

It is requested that site OP1 for 52 homes is removed from the PLDP and reallocated to Stonehaven or Portlethen where there are existing facilities and services. It is argued that the vision for Marywell is to provide employment land and this site is next to employment land. Marywell lacks amenities and services, making this site contrary to the aims of the PLDP in line with paragraph 3.13 (sustainable development that reduces the need to travel). They also report that the Community Council rejects any further development in Marywell (PP0664).

SEPA have stated that they are not aware of any flood risk issues affecting site OP1 and have suggested this is confirmed with the Council's FPU. They note that if a Flood Risk Assessment is required or if surface water flooding needs to be addressed through SuDS, that this should be highlighted in the allocation summary (RD0214.B) (PP1219).

Muchalls

Services and Infrastructure

It is requested that this entire section is removed as it is unnecessary as no residential allocations have been identified and so no development impacts require to be mitigated by developer obligations (PP1053).

SEPA have requested that a new ‘Strategic drainage and water supply’ bullet point should be added for consistency, as any development in Muchalls will be required to connect to the existing waste water network (see RD0214.B) (PP1219).

Non-Allocated Sites – Bid Site KN059 – Land at Dunnyfell Road

A representee has requested the allocation of new site KN059 for 50 homes in Muchalls. They have stated there is insufficient housing land to meet its Housing Land Requirement HLR. The PLDP relies on historic housing sites that were considered constrained in the 2019 HLA and many of the sites in the existing land supply have been continually delayed in development while still contributing to the effective housing land supply. There have been no allocations of housing land at Muchalls in recent LDPs and one is needed to increase the range of housing and sustain services in the settlement. The site can fit within the conservation area and special landscape setting and its scale is compatible with Muchalls. It could improve the public access network. A Flood Risk Assessment has been carried out. The representee has included a number of Appendices (RD0230.A and RD0230.B) in their representation which provides further detail to support their position (PP1250).

Newtonhill, Muchalls and Cammachmore Community Council has expressed their support to not allocate bid site KN059 for 50 homes, as it would have made the community of Muchalls unsustainable and result in coalescence with Newtonhill. They also highlight it is important to protect the coastal environment of Muchalls as a tourist destination, which will enhance the local economy in the long-term (PP0556).

Another representee also expressed their support to not allocate bid site KN059 as it would increase coalescence with Newtonhill, result in the loss of green belt land, increase pressure on local amenities, includes no employment land, adversely affect Muchalls Conservation Area and result in overdevelopment (PP0880).

Modifications sought by those submitting representations:

Banchory-Devenick

Aberdeen City Proposed Local Development Plan 2020 – Site OP46 – Royal Devenick Park

Modify the PLDP to clarify if any part of the Aberdeen City PLDP site, OP46 Royal Devenick Park for 150 homes is within Aberdeenshire and if so, remove it (PP0196, PP0197, PP0307, PP0328, PP0334, PP0338, PP0339, PP0340, PP0354, PP0355, PP0359, PP0360, PP0378, PP0379, PP0391, PP0432, PP0433, PP0434, PP0439, PP0452, PP0453, PP0461, PP0475, PP0476, PP0486, PP0498, PP0521, PP0541, PP0570, PP0575, PP0649, PP0726, PP0779, PP0780, PP0789, PP0817, PP0839, PP0849, PP0903, PP0922, PP0933, PP0953, PP0979, PP0996, PP1008, PP1009, PP1011, PP1029, PP1150, PP1159, PP1162, PP1163, PP1164, PP1341, PP1342, PP1346, PP1364, PP1365, PP1366, PP1367, PP1368, PP1369, PP1370, PP1371, PP1372, PP1373, PP1374, PP1375, PP1376, PP1377, PP1378, PP1379, PP1380, PP1381, PP1382, PP1383, PP1384, PP1385, PP1386, PP1387, PP1388, PP1389, PP1391, PP1396, PP1398, PP1404 and PP1405).

Modify the PLDP to clarify the location of the new access road in Aberdeenshire to

Aberdeen City site, OP46 Royal Devenick Park for 150 homes (PP0196, PP0197, PP0307, PP0328, PP0338, PP0339, PP0340, PP0354, PP0355, PP0359, PP0360, PP0378, PP0379, PP0391, PP0432, PP0433, PP0434, PP0439, PP0452, PP0453, PP0461, PP0475, PP0476, PP0486, PP0498, PP0521, PP0541, PP0570, PP0575, PP0649, PP0726, PP0779, PP0780, PP0789, PP0817, PP0839, PP0849, PP0903, PP0922, PP0933, PP0979, PP0996, PP1008, PP1009, PP1011, PP1029, PP1150, PP1162, PP1163, PP1164, PP1341, PP1342, PP1346, PP1364, PP1366, PP1367, PP1368, PP1369, PP1370, PP1371, PP1372, PP1373, PP1374, PP1375, PP1376, PP1377, PP1378, PP1379, PP1380, PP1381, PP1382, PP1383, PP1384, PP1385, PP1386, PP1387, PP1388, PP1389, PP1391, PP1398, PP1404 and PP1405).

Modify the PLDP to ensure road access of the proposal adjoining Deeside Brae and running parallel to the A92 [OP46 in the Aberdeen City PLDP 2020] is taken from the A92 rather than the B9077 (PP0288).

Non-Allocated Site – New Site N011 – Land at Leggart Brae

Modify the PLDP to include new site N011 for 100 homes that will be subject to a full masterplan, be accompanied by detailed technical assessment of flood risk, drainage, ecology and transport (road traffic generation), and provide for landscaping to frame the southern settlement edge (PP0868).

Cammachmore

None.

Chapelton

Vision

Modify the PLDP to amend the Vision to include a sentence at the end of paragraph two stating that Chapelton and Blairs will be the focus for significant development within the rural area of the North Kincardine administrative ward for the duration of the Plan (PP0775).

Services and Infrastructure

Modify the PLDP to amend the ‘Strategic drainage and water supply’ bullet point to include at the end, “Drainage Impact Assessment is required.” (PP0272).

Modify the PLDP to clarify what mechanism the “Strategic transportation” bullet point refers to regarding the gathering of contributions, and the nature and scale of such contributions (PP0578).

Modify the PLDP to amend the last sentence in the ‘Local transport infrastructure’ bullet point from, “There is a need to provide excellent public transport links to and from the site.” to “There is a need to provide excellent public transport and active travel links to and from the site.” (PP1241).

Site P1 – To protect the proposed Community Wood as an amenity for the settlement.

Modify the PLDP to remove site P1 (PP0751).

Site R1 – Safeguarded for future public open space as part of the development of Chapelton

Modify the PLDP to remove site R1 unless its uses are allowed as exceptions under Policy R1 Special Rural Areas (i.e., infrastructure, landscape, drainage and other ancillary works essential to the delivery of Chapelton) (PP0751).

Site OP1 – Chapelton

Modify the PLDP to reintroduce the full extent of Chapelton, as set out in the LDP 2017 allocation (OP1) and if necessary, add a caveat that this is separate from the 4,045 units with Planning Permission in Principle (PP0751).

Modify the PLDP to amend site OP1 to reduce the allocation from 4,045 homes to 1,420 homes and amend Appendix 6 accordingly (PP1081).

Modify the PLDP to clarify if the provision of a Gypsy/Traveller site on OP1 in Chapelton, depends on the development of the area/land and provide a timescale for the provision of a Gypsy/Travellers site on OP1 (PP0866).

Downies

Modify the PLDP to include Downies to the Settlement Statements in Appendix 7 (PP0124 and PP1226).

Non-Allocated Site – New Site N013 – Land at Burn of Daff

Modify the PLDP to include new site N013 for 10 homes and identify the village as a settlement (PP0454).

Findon

Services and Infrastructure

Modify the PLDP to amend the 'Services and Infrastructure' section to add a new 'Strategic drainage and water supply' bullet point on waste water drainage after consulting with Scottish Water to confirm that the proposed population growth is within the design criteria for the existing waste water infrastructure at Nigg and if not, the need for an upgrade is highlighted (PP1219).

Site OP1 – Land South of Earnsheugh Terrace

Modify the PLDP to remove site OP1 (PP0026, PP0033, PP0100, PP0129, PP0156, PP0179, PP0192, PP0213, PP0318, PP0320, PP0428, PP0429, PP0481, PP0504, PP0530, PP0565, PP0724, PP0885, PP0888, PP0889, PP0890, PP0993, PP1143, PP1226, PP1362 and PP1406).

Marywell

Site BUS2 – Safeguarded for business uses

Modify the PLDP to amend site BUS2 to add the following text to the allocation text to read, “A Peat Survey is required for the area of possible basin peat and peaty gleys to the southwest part of the site. A Phase 1 Habitat Survey will also be required.” (PP1219).

Flood risk

Modify the PLDP to review the need for the second flood risk bullet point in consultation with the Council’s Flood Prevention Unit, and if they confirm there is an issue, modify the PLDP to change the second bullet point from, “Part of site OP1 ... vulnerable to flooding. A ...” to read, “Part of site OP1 ... vulnerable to surface water flooding. A ...” (PP1219).

Services and Infrastructure

Modify the PLDP to include in the ‘Strategic drainage and water supply’ bullet point additional text, “There is currently sufficient capacity at Nigg Waste Water Treatment Works. A Drainage Impact Assessment may be required.” (PP0272).

Site OP1 – Land East of Old Stonehaven Road

Modify the PLDP to remove site OP1 and reallocate 52 homes in Stonehaven or Portlethen (PP0664).

Modify the PLDP to review if there is a surface water flooding issue and if a Flood Risk Assessment may be required, and if so, modify the PLDP to amend site OP1 to add in the allocation summary, “A Flood Risk Assessment may be required, and any surface water flooding should be addressed with appropriate SuDS measures.” (PP1219).

Muchalls

Services and Infrastructure

Modify the PLDP to remove this section from Muchalls Settlement Statement (PP1053).

Modify the PLDP to insert a new ‘Strategic drainage and water supply’ bullet point, in consultation with Scottish Water, to confirm the capacity of its waste water infrastructure in Muchalls (PP1219).

Non-Allocated Sites – Bid Site KN059 – Land at Dunnyfell Road

Modify the PLDP to include bid site KN059 for 50 homes in Muchalls (PP1250).

Summary of responses (including reasons) by planning authority:

Banchory-Devenick

Non-Allocated Sites – Bid Site KN069 – Land at Tollohill Wood (Phase 1), Bid Site KN070 – Land at Tollohill Wood (Phases 1-2), Bid Site KN071 – Land at Tollohill Wood (Phases 1-3), Bid Site KN072 – Land at Tollohill Wood (Phases 1-4)

The Council does not support allocating bid sites KN069, KN070, KN071 and KN072. Comments on bid sites KN069 to KN072 289 to 1,310 homes, commercial, employment land and school are noted. No change is required.

Aberdeen City Proposed Local Development Plan – Site OP46 – Royal Devenick Park

Comments objecting to Aberdeen City Council's PLDP site OP46 Royal Devenick Park and the road access are noted. However, this site is not within Aberdeenshire and as such, this matter will be subject to a separate LDP examination process if objections have been raised to Aberdeen City Council. It is noted that a planning application has been submitted to Aberdeenshire Council for a residential development and road access next to site OP46 at Banchory-Leggart (APP/2020/2492) (New Site N011). However, this is a matter for the development management process and further comments on this development are discussed below. No change is required.

Non-Allocated Site – New Site N011 – Land at Leggart Brae

The Council does not support allocating new site N011 for 100 homes. This site is within bid sites KN069 to KN072, which were not identified as preferred options in the Main Issues Report 2019 (MIR), see AD0038.F, pages 115-117. This new site was not put forward as a development bid and so was not considered as such at the MIR stage, nor subject to site assessment and public consultation. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. The scale of this proposal could also affect the delivery of developments at Chapelton, and the SDP states, "Allocations should be of a scale which would not inhibit the delivery of current strategic allocations", see AD0016, paragraph 4.19. While the development of Chapelton has been slow, identifying other sites to remedy the shortfall would divert the market demand to other sites and thereby threaten the viability and further delay the implementation of development at Chapelton.

With regards to the site itself, it is situated in the countryside, on the edge of Aberdeen City, and is constrained for a variety of reasons. This area is important in terms of the landscape setting of the City, and the site would have a negative impact on the Aberdeen green belt and the City. There is concern regarding access to the site, as the Causeymouth is a single-track road, and the new access would cut through the green belt and ancient woodland. There will be insufficient capacity at Portlethen Academy for new homes in this location without immediate upgrades, as the School Roll Forecasts 2019 state the academy will be at 103% capacity by 2024, see AD0110, Appendix 1, page 5. With the exception of Banchory Devenick Primary School, over 1km away, there are no other Aberdeenshire based services in the vicinity of the proposal and co-ordination with Aberdeen City would be required. While the site is close to the many facilities offered by Aberdeen City this does not outweigh the significant constraints. No change is required.

Cammachmore

Comments from the representees are noted. No change is required.

Chapelton

Vision

The Council notes the concerns regarding adding larger allocations in the SGA between Stonehaven and Aberdeen but disagrees with adding additional text. The Vision should only relate to Chapelton and it already states Chapelton “will have a major role in delivering development for the strategic housing and employment allowances over the next 20 years” in this SGA. The overall strategy for this SGA, which also mentions Blairs, is set out in para 5.13. No change is required.

Services and Infrastructure

The Council confirms that it intends to address Scottish Water’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address Scottish Government’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications. The Strategic Transport Fund (STF) is no longer referred to in the Aberdeen City and Shire SDP.

The Council confirms that it intends to address Nestran’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site P1 – To protect the proposed Community Wood as an amenity for the settlement

The representee refers to Policy P1 Layout, siting and design and paragraph PR1.6, but this policy does not apply to the proposals maps. The Council does not support the removal of site P1 and notes on page 6 of the representee’s submission that they support site P1 in principle as it is in line with the masterplan, see AD0078, which was agreed in 2012. Site P1 also reflects the planning permission that was approved for a community woodland (see location plan of planning application APP/2015/2078, AD0067), which was submitted by the Elsick Development Company. Part of site P1 is within the green belt, and the Council will be reviewing the green belt as part of its review of the next LDP to take account of the now completed Aberdeen Western Peripheral Route (AWPR). The Council also notes NatureScot’s submission to the Main Issues Report 2019 where they highlighted the importance to retain the open agricultural landscape between Chapelton and Newtonhill and Portlethen to avoid coalescence. No change is required.

Site R1 – Safeguarded for future public open space as part of the development of Chapelton

The Council disagrees with removing site R1. Although the representee refers to Policy R1 Special Rural Areas, it is assumed they are referring to site R1 as they state, “it appears to overlap with the objectives of the Green Belt policy” and they request the removal of “the R1 designation north of Greenlaw Road”. Furthermore, Policy R1 is the Council’s policy on proposals affecting the green belt and the representee comments on the green belt and Policy R1 on page 6 of their representation. It is also noted that on page 6 of the representee’s submission that they support site R1 in principle as it is in line with the masterplan, see AD0078, which was agreed in 2012. With regard to the concerns that this site may prevent future infrastructure or other works associated with Chapelton, this should not be an issue providing they do not prohibit the future use of this site (open space).

Part of site R1 is within the green belt, and the Council will be reviewing the green belt as

part of its review of the next LDP to take account of the now completed Aberdeen Western Peripheral Route (AWPR). The Council also notes NatureScot's submission to the Main Issues Report 2019 where they highlighted the importance to retain the open agricultural landscape between Chapelton and Newtonhill and Portlethen to avoid coalescence, see AD0171 page 29.

In conclusion, no change is required.

Comments from SEPA are noted. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Chapelton

The Council does not support enlarging site OP1 to the area set out in the LDP 2017, see AD0034.H, which reflects the agreed development framework, see AD0074 and wider masterplan, see AD0078. Site OP1 in the PLDP reflects the approved Planning Permission in Principle, APP/2011/3100, which proposes a mix of uses including 4045 homes, up to 11.5ha employment land and 11ha as strategic reserve. It would be inaccurate and premature to include the whole masterplan area, which proposes around 8,000 homes (see also MIR 2019 Issues and Action Papers – Kincardine and Mearns, Bid KN055, (AD0040.F) pages 7 and 8). The Housing Land Audit (2019) does not show this allocation being completed before the next review of the LDP, see AD0022, Aberdeen Housing Market Area, page 20. No change is required.

The Council does not agree with reducing the allocation from 4,045 homes to 1,420 homes. The allocation total of 4,045 homes reflects the approved Planning Permission in Principle, APP/2011/3100. The site boundaries have not been adjusted with the site being carried forward and thereby totals are also representative of completed units within the allocated area. Housing completions are set out within Appendix 6 Housing Land Allocations. Details on the calculation of the housing land supply and contributions to the allowances is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations. No change is required.

Concerns regarding the delivery of the Gypsy/Travellers site on site OP1 are noted, but the Council is unable to provide a timescale on when this will be delivered. The development framework states that the "Newtonhill Employment District will sit outside the phasing sequence and will be delivered as demand requires.", see AD0074, paragraph 6.4. While no reference to a Gypsy/Travellers site is in the development framework or masterplan, it is a requirement in the allocation summary for site OP1. No change is required.

Comments from SEPA are noted. No change is required.

Downies

The Council does not agree to preparing a Settlement Statement for Downies in Appendix 7 as there are no land use allocations or other designations proposed for this settlement. Development in this area would be considered under the relevant policies in the PLDP. No change is required.

In relation to the need to upgrade the coastal path, where relevant the PLDP has referred to the community's desire for new paths (e.g., Muchalls vision statement, paragraph two, Newtonhill vision statement, paragraph two, and Portlethen Village vision statement, paragraph one). No change is required.

Non-Allocated Site – New Site N013 – Land at Burn of Daff

The Council does not support allocating new site N013 for 10 homes. The site was not put forward as a development bid so was not considered as such at the MIR stage, nor subject to site assessment and public consultation. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. It is considered that this site will have an adverse landscape and visual impact, as the site is outwith the village envelope and would change the linear character of Downies, and it is within the South East Coast Special Landscape Area as well as in the Coastal Zone. There will also be insufficient capacity at Portlethen Academy for new homes in this location, as the School Roll Forecasts 2019 state the academy will be at 103% capacity by 2024, AD0110, Appendix 1, page 5. No change is required.

Findon

Services and Infrastructure

Information received from Scottish Water during the PLDP process confirms there is sufficient capacity for site OP1 for 11 homes. The purpose of this section is to highlight where there is a potential shortfall or an LDP requirement for services and infrastructure. The Council is not aware of any strategic drainage and water supply issues affecting Findon. Furthermore, paragraph RD1.11 in the PLDP requires developments to connect to public sewers in the first instance. No change is required.

Site OP1 – Land South of Earnsheugh Terrace

The Council does not support the removal of this site. The allocation summary states any new development must comply with the Council's Roads Standards for road adoption. The site relates well within the settlement and while large in scale, this is the most appropriate way to allow the settlement to grow and not stagnate. It is also an opportunity for planned expansion to the settlement. Findon has a mix of house types, from all periods. The most recent completed development was approved in 2006 for four homes, which is adjacent to site OP1 (reference APP/2005/3017). Issues on design would be considered as part of any planning application to ensure that the development proposed was appropriate for the area. This site is enclosed by single track roads and a track and development on two sides. With regards to planning application APP/2014/1850 for 5 homes, it was allowed at appeal. The Reporter stated this site is within the developed envelope of Findon, is of a similar density, is not overdevelopment as it would not affect the character, environment and amenity of Findon, and would have no adverse landscape impact (see appeal decision for PPA-110-

2244, AD0070). No change is required.

Non-Allocated Site – Bid Site KN085 – Land at West of Findon Place

The comment on this site is noted. This bid site was not included as an opportunity site in the PLDP. No change is required.

Marywell

Site BUS1 – Safeguarded for business and class 11 leisure uses

Comments from SEPA are noted. No change is required.

Site BUS2 – Safeguarded for business uses

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Flood Risk

SEPA's online Flood Maps shows that part of site OP1 is at risk from surface water flooding. As such, a consistent approach should be applied where flooding has been identified on SEPA's flood maps and the possible need for a Flood Risk Assessment should be highlighted. The Council agrees with SEPA's modification. If the Reporter is minded, to make an amendment, then the Council recommend that the second flood risk bullet point is changed to read, "Part of site OP1... vulnerable to surface water flooding. A...".

Services and Infrastructure

The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Comments from SEPA are noted. No change is required.

Site OP1 – Land East of Old Stonehaven Road

The Council does not agree with removing site OP1. While Marywell lacks local facilities and services, it is on a bus route and it is adjacent to significant areas of employment. As such, it is appropriate to allocate land for housing in this area. In terms of potential impact, the new homes could have on businesses in site BUS2, there are houses next to site OP1 that are adjacent to sites BUS1 and BUS2, which have not prejudiced operations, land next to site OP1 is currently undeveloped and the allocation summary requires the developer to ensure it will not constrain developments on site BUS2. No change is required.

SEPA's online flood risk map shows part of this site is at risk from surface water flooding. Therefore, a consistent approach should be applied and the possible need for a Flood Risk Assessment should be inserted into the allocation summary. If the Reporter is minded, to make an amendment, then the Council recommend that the allocation summary could be modified to add at the end of paragraph four, "A Flood Risk Assessment may be required and any surface water flooding should be addressed with appropriate SuDS measures."

Muchalls

Services and Infrastructure

A pumping station takes foul water from Muchalls on to the water treatment plant at Nigg Bay in Aberdeen, which has capacity. The Council confirms that it intends to address SEPA's comment through non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Sites – Bid Site KN059 – Land at Dunnyfell Road

The Council does not support allocating bid site KN059 for 50 homes. Bid site KN059 was not identified as a preferred option in the MIR 2019, see AD0038.F, page 72). Muchalls contains very few services within walking distance, its landscape is of historic and local importance as this site is within the Muchalls Conservation Area and the South East Aberdeenshire Coast Special Landscape Area. It is considered as overdevelopment as it would affect the character/sense of place of Muchalls. There are accessibility concerns onto the A92, and vehicles would have to cross a dual carriageway.

As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. The scale of this proposal could also affect the delivery of developments at Chapelton, and the SDP 2020 states, "Allocations should be of a scale which would not inhibit the delivery of current strategic allocations", AD0016, paragraph 4.19. While the development of Chapelton has been slow, identifying other sites to remedy the shortfall would divert the market demand to other sites and thereby threaten the viability and further delay the implementation of development at Chapelton. Support for the exclusion of this site in the PLDP is noted. However, this site is not within the green belt.

In conclusion, no change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to the settlement statement matters covered in Issue 47. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Banchory Devenick

Non-Allocated New Site N011

3. Proposal site OP46 – Royal Devenick Park is located within the Aberdeen City boundary. However, land for the formation of an access road, cycle paths and footpath and junction related to proposal OP46 lies within Aberdeenshire. Whilst an application (APP/2020/2492) covering these elements was submitted to Aberdeenshire Council in December 2020, this in itself is not a proposal in the proposed plan. I agree with the council that the determination of this application is a development management matter. It would not be appropriate for this plan to state where road access to proposal site OP46 should be taken. No modification is required.
4. There are no representations promoting the development of non-allocated bid sites KN069 – KN072. No modifications are required in response to the representations which support the exclusion of these sites in the proposed plan. Non-allocated new site N011 covers the eastern part of the much larger bid sites KN070 – KN072. It comprises land on either side of Causey Month; the area to the east of the road is predominantly in agricultural use and the land to the west is grassland with some pockets of trees and shrubs. I note that site N011 was not submitted as a development bid and has not been subject to a separate site assessment or consultation with key agencies or the public. A master plan submitted by The Comer Group shows how site N011 could be developed, in conjunction with the proposals for site OP46.
5. I acknowledge the challenges faced by The Comer Group in seeking to promote a housing allocation which straddles two council areas. However, the scope of this examination only allows me to address matters within the Aberdeenshire Local Development Plan area. As proposal OP46 is identified as a housing allocation in the proposed City of Aberdeen Local Development Plan, representations on this proposal, which were submitted to Aberdeen City Council, would be considered through its examination.
6. The strategic environmental assessment of bid sites KN069 – KN072 identifies some negative effects, which may also apply to site N011. These include water quality, flood risk, biodiversity and landscape setting. The council has also raised concerns regarding the impact of upgrading the existing single-track road on the green belt and ancient woodland. I note that The Comer Group has submitted its own strategic environmental assessment of site N011, which suggests any negative effects can be mitigated. However, this has not been subject to consultation and therefore it is not known whether the key agencies and other relevant parties agree with the assessment.
7. Matters relating to the overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area.
8. In addition to the identified environmental concerns, the delivery of homes on this site is linked to the development of allocation OP46 located within Aberdeen City. At this time, it is not known whether this allocation will be included in the adopted City of Aberdeen Local Development Plan, which may have implications for the deliverability of site N011. Given the availability of other sites to meet the strategic development plan allowance for the Aberdeen Housing Market Area (see Issue 5), there is no requirement to allocate this site. For the reasons outlined above, I conclude that site N011 should not be identified as a

housing allocation. No modification is required.

Chapelton

Vision

9. I agree with the council that it would not be appropriate to use the vision section of the Chapelton settlement statement to limit development in the rural part of North Kincardine. No modification is required.

Site P1 – To protect the proposed Community Wood

10. The representation to protected land designation P1 would appear to be based on a misunderstanding. The P1 on the Chapelton settlement map refers to the table on page 645 in the proposed plan, which states that the purpose of the designation is “to protect the proposed Community Wood as an amenity for the settlement. It does not refer to policy P1 (Layout, Siting and Design). No modification is required.

Site R1 – Safeguard for future public open space

11. The representation to the reserved land designation R1 would also appear to be based on a misunderstanding. The R1 on the Chapelton settlement map refers to the table on page 645 in the proposed plan, which states that site R1 is “safeguarded for future public open space as part of the development of Chapelton”. It does not refer to policy R1 (Special Rural Areas). The representation seeking changes to the green belt boundary at Chapelton is addressed under issue 4. No modification is required.

Services and Infrastructure

12. The strategic transportation bullet point in the proposed plan states that “contributions will be required for cumulative strategic transport improvements including interventions on the A90(T)”. The council has confirmed, in response to Transport Scotland’s representation, that this text refers to the previous strategic transport fund which is no longer being used. It has suggested that this bullet point be removed. I consider that deleting this bullet point may be misleading, as it would suggest that there are no strategic transport matters relevant to Chapelton. Instead the wording should be amended to indicate that strategic transport improvements associated with the phased development at Chapelton have been addressed through conditions attached to the planning permission and its associated legal agreement. A modification to this effect is recommended.

13. The inclusion of a reference to the need for a drainage impact assessment and active travel links to and from the site would provide clarification for developers. Modifications on these matters are recommended.

Allocation OP1 – Chapelton

14. Paragraph 120 in Scottish Planning Policy relates to local development plans outwith city regions. As Aberdeenshire is located within the Aberdeen City Region, it is the strategic development plan which is required to provide an indication of the possible scale and location of housing land beyond year 12 and up to year 20. Paragraph 119 of Scottish Planning Policy states that local development plans in city regions should allocate a range

of sites to meet the housing land requirement of the strategic development plan up to year 10 from the expected year of adoption.

15. The council has explained that the extent of allocation OP1 reflects the approved planning permission in principle. The site is expected to deliver 4045 homes in total. Based on a predicted annual build rate of 60 – 80 (as set out in the 2020 housing land audit), the site will continue to be developed well beyond the plan period. There is no requirement in Scottish Planning Policy or the strategic development plan for further land to be allocated at Chapelton at this time. However, I consider that the allocation summary should explained that the agreed development framework also includes additional land to the north and west of site OP1. A modification to this effect is recommended.

16. As indicated above, the boundaries of allocation OP1 reflect the outline planning permission. It would be misleading to suggest that the capacity of this site is only 1442 homes. The approach taken by the council in appendix 6 of the proposed plan is to refer to the total capacity of each housing allocation not the number of homes expected to be built by 2032. No modification is required.

17. The allocation summary for site OP1 states that a halting site for gypsy/travellers is to be provided within the employment land. In order to address the matters raised in relation to the delivery of this facility, I sought further information from the council (FIR002). It indicates that the legal agreement associated with the planning permission in principle requires the provision of a gypsy/traveller site or contributions in lieu of a site prior to the occupation of the 1745th housing unit. Whilst it is not possible to indicate exactly when this facility will be provided, the council states that the 1745th housing unit is estimated to be delivered during 2039. No modification is required.

Downies

18. The council has explained that settlement statements are only included for those settlements which have a land use allocation or other designation. In this context and given my conclusions below regarding new site N013, I agree that there is no need to provide a settlement statement for Downies. No modification is required.

19. The council has explained that reference to the community's desire for new paths is included in the vision statement for some settlements. However, this doesn't specifically address the request to upgrade the coastal path around Downies, Findon and Old Portlethen and provide viewing shelters.

20. Matters relating to footpath links outwith settlements are also covered in issues 07 and 14. I agree with the council that the request to upgrade the coastal path around Downies, Findon and Old Portlethen and provide viewing shelters is not a matter for the local development plan. I note that there are other council documents, such as the Core Path Plan and the Outdoor Access Strategy which could fulfil this role. No modification is required.

Non-Allocated New Site N013 – Land at Burn of Daff

21. MAK Properties Aberdeen Limited is seeking an allocation of 10 homes on agricultural land to the south of the settlement. Downies is a small village with no local facilities, located in close proximity to both Newtonhill and Portlethen.

22. As the site was not promoted through the early stages of plan preparation, it has not been the subject of a strategic environmental assessment, nor has it been subject to any form of key agency or public consultation. I am therefore unable to fully assess the merits or otherwise of the site at this time. However, I consider that development at this location would potentially have an adverse impact on the coastal zone, South East Aberdeenshire Coast Special Landscape Area and the character of the settlement. No details have been provided to demonstrate whether any negative effects could be mitigated.

23. Matters relating to the overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area.

24. I acknowledge that this site could potentially contribute to meeting this shortfall. However, given the potential adverse environmental impacts, the distance from local facilities and the availability of other suitable sites, I do not consider that site N013 should be identified as a housing allocation. No modification is required.

Findon

25. In response to the representation from the Scottish Environment Protection Agency (SEPA), the council has confirmed that there are no strategic drainage and water supply constraints affecting Findon. I therefore agree that there is no need to add a bullet point on this matter. No modification is required.

26. The proposed plan identifies a new housing allocation (OP1) for 11 homes on an area of open land to the north, east and west of Old Inn Road and within the South East Aberdeenshire Coast Special Landscape Area. Findon is a small village with no local facilities, but located close to Portlethen. Representations objecting to the allocation have raised a number of concerns including transport and access, infrastructure, landscape and visual impact, natural heritage and loss of open space.

27. The strategic environmental assessment of the site identifies no negative environmental effects. The site is not prime agricultural land and is not covered by any natural heritage designations. Whilst existing development borders the site to the east and north, the outlook to the west and south is more open. However, subject to detailed layout and design considerations, development would be unlikely to have a significant effect on the character of the village as a whole or the special landscape area. The site is not designated open space and I note that there is site within the village (P1) which is protected for environmental improvements and in recognition of its contribution to the character of the area.

28. Matters relating to road access are addressed in the allocation summary of the proposed plan and require the capacity of the site to be restricted to 11 homes. I observed from my site visit that the western section of Old Inn Road is narrow with no pavements, and also provides access to the business premises to the south. However, the geometry and character of the road network would discourage speeding traffic and, additional safety measures could be secured at planning application stage, if necessary. I note that there are no local facilities in Findon. However, the site is located close to existing business uses and would contribute to the range of allocations identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area.

29. I conclude, on balance, that the benefits in terms of helping to meet housing need, would outweigh the concerns raised in representations. I therefore consider that the allocation should be retained in the plan. No modification is required.

Marywell

30. I agree that the additional text requested by SEPA should be added to the description for BUS2 to highlight the need for a peat survey and phase 1 habitat survey.

31. The council has confirmed that part of site OP1 is shown as being at risk from surface water flooding on SEPA's online flood maps. I consider that it would be helpful to clarify the nature of the flood risk in the flood risk section and agree that reference to the need to address any flooding issues should be added to the allocation summary for site OP1 (Land East of Old Stonehaven Road). Modifications are recommended to this effect

32. The changes requested by Scottish Water in relation to strategic drainage and water supply would provide clarification on these matters. I agree that a modification is required.

33. The proposed plan includes a new housing site (OP1) on land which currently forms part of a larger business allocation in the existing local development plan. The site is identified as contributing 52 homes towards the strategic development plan allowance for the Aberdeen Housing Market Area.

34. Stewart Milne Homes consider that this allocation should be deleted and sites in Stonehaven or Portlethen allocated instead. Whilst Marywell contains existing and proposed businesses uses, there are existing housing areas, including to the north-east, south-west and north-west of allocation OP1. Notwithstanding the absence of local facilities, the allocation provides the opportunity to provide a more balanced mix of uses in Marywell. Buses run along Old Stonehaven Road and the requirement for a new bus stop is mentioned in the allocation summary. I do not consider there is any justification to delete this allocation. Housing bid proposals for sites in Stonehaven and Portlethen are addressed in Issues 45 and 46. No modification is required.

Muchalls

35. The council has not specifically addressed the representation seeking the removal of the services and infrastructure section in the Muchalls settlement statement. However, it has provided a response to the same matter in relation to the other settlements. I consider that this section is required, as planning applications may be submitted in and adjacent to Muchalls. It is appropriate for the settlement statement to highlight the circumstances in which developer contributions may be required. No modification is recommended.

36. The council has indicated that a pumping station takes foul water from Muchalls to a water treatment plant at Nigg Bay. As this treatment plant has capacity, no contributions would be required to mitigate the impact of development. Consistent with the approach taken in other settlements statements, there is no need to include a bullet point on strategic drainage and water supply in the Muchalls settlement statement. No modification is recommended.

Reporter's recommendations:

Modify the local development plan by:

Chapelton

1. Replacing the strategic transportation bullet point in the Chapelton settlement statement on page 646 with:

“• Strategic transportation: Strategic transport improvements associated with the phased development at Chapelton have been addressed through conditions attached to the planning permission and its associated legal agreement.”

2. Replacing the last sentence of the local transport infrastructure bullet point in the Chapelton settlement statement on page 646 with:

“There is a need to provide excellent public transport and active travel links to and from the site.”

3. Adding the following sentence to the end of the strategic drainage and water supply bullet point in the Chapelton settlement statement on page 646:

“A Drainage Impact Assessment will also be required.”

4. Inserting a new third sentence into the first paragraph of the allocation summary for OP1: Chapelton in the Chapelton settlement statement on page 647:

“The agreed development framework also includes land to the north and west of allocation OP1”.

Marywell

5. Adding the following sentence to the end of the description for BUS2 in the Marywell settlement statement on page 711:

“A Peat Survey is required for the area of possible basin peat and peaty gleys to the southwest part of the site. A Phase 1 Habitat Survey will also be required.”

6. Replacing the second bullet point in the flood risk section of the Marywell settlement statement on page 712 with:

“• Part of site OP1 is in an area potentially vulnerable to surface water flooding. A Flood Risk Assessment may be required.”

7. Inserting the following two sentences at the beginning of the strategic drainage and water supply section of the Marywell settlement statement on page 712:

“There is currently sufficient capacity at Nigg Waste Water Treatment Works. A Drainage Impact Assessment may be required.”

8. Adding the following sentence to the end of the fourth paragraph in the allocation summary for OP1 (Land east of Old Stonehaven Road) in the Marywell settlement statement on page 713:

“A Flood Risk Assessment may be required and any surface water flooding should be addressed with appropriate SuDS measures.”

Issue 48	Other Settlements AHMA (Kincardine and Mearns) South – Catterline, Drumlithie and Mill of Uras	
Development plan reference:	Proposed LDP, Appendix 7E Kincardine and Mearns, Page 643-644 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 651-653 Proposed LDP, Appendix 7E Kincardine and Mearns, Other	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Catterline PP1091 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Drumlithie PP0088 Kim Lees PP1219 Scottish Environment Protection Agency</p> <p>Mill of Uras PP0184 Gordon Duncan</p>		
Provision of the development plan to which the issue relates:	Drumlithie Settlement Statement Catterline Settlement Statement Other Kincardine and Mearns Settlements	
Planning authority's summary of the representation(s):		
<p>Catterline</p> <p><u>Flood Risk</u></p> <p>The Scottish Environment Protection Agency (SEPA) has confirmed that they have no comment on the 'Flood Risk' section of the Settlement Statement. No modification sought (PP1219).</p> <p><u>Services and Infrastructure</u></p> <p>SEPA has requested that a new 'Strategic drainage and water supply' bullet point is added. It should be confirmed with Scottish Water that the proposed population growth is within the design criteria for the existing waste water infrastructure and if not, the need for an upgrade is highlighted, as all development in Catterline will be required to connect to the waste water network (RD0214.B) (PP1219).</p> <p>A representee has stated that as no residential allocations have been identified there will be no development impacts required to be mitigated by developer obligations and therefore this section is unnecessary (RD0214.B) (PP1091).</p> <p>Drumlithie</p>		

Flood Risk

SEPA has confirmed that they have no comment on the 'Flood Risk' section of the Settlement Statement (see RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no comment to the 'Strategic drainage and water supply' bullet point (see RD0214.B). No modification sought (PP1219).

Site OP1 – Adjacent to Bowling Green

SEPA has confirmed that they have no issues with the allocation text for site OP1 (RD0214.B) (PP1219).

Non-Allocated Site – Bid Site KN001 – Land at Burnside Croft

A representee has requested that bid site KN001 be allocated for 3 homes. They reported that the site was previously considered through the Examination process of the Local Development Plan (LDP) 2017, and although the Reporter believed the site to have some planning merit, they did not support it as no environmental assessment or public engagement had been undertaken. The representee has stated that the site relates well to Drumlithie, it is a modest development that will retain the trees adjacent to the burn, together with the two mature trees on the western boundary of the site and would not compromise the integrity of the P1 designation. It is considered that the site would meet local housing need and that development would improve the character and environment of the settlement and complement the OP1 allocation. They have noted that neither SEPA nor NatureScot object to this site. It is a logical direction for growth of the settlement. The representee has suggested that the allocation summary for KN001 should require the developer to undertake a Flood Risk Assessment, retain a buffer strip along the side of burn and enhance the strip with supplementary tree planting, extend the Tree Preservation Order (TPO), create a cycle/footpath that links to the footpaths in the adjacent OP1 site and the Millennium Path (PP0088).

Mill of Uras

Non-Allocated Site – Site OP1 as identified in the current LDP 2017

One representee has requested the continued allocation of OP1 for 5 homes, as identified in the LDP 2017, which has been removed from the Proposed Aberdeenshire Local Development Plan 2020 (PLDP). They suggested the existing wording for site OP1 in the LDP 2017 should be updated to reflect the planning application that was approved on 1 July 2020 on this site (APP/2019/1703). The short timescale between adoption of the LDP 2017 and the proposed removal of the site is unreasonable and could lead to uncertainty. The Settlement Statement should highlight the need to deliver a small housing development to meet local needs and support the falling school roll at Catterline Primary School as per the current LDP 2017 wording. The Council's Road Service raised no road safety concerns in respect of the junction with the A92 when considering the planning application, nor requested any mitigation. They also noted that the site will be delivered on a plot-by-plot basis and is due to commence in 2020. The representee has included a

number of Appendices (RD0021.A, RD0021.B, RD0021.C and RD0021.D) in their submission which provides further detail to support their position (PP0184).

Settlement Status

One representee has stated that Mill of Uras should be recognised as a settlement and have a Settlement Statement (PP0184).

Modifications sought by those submitting representations:

Catterline

Services and Infrastructure

Modify the PLDP to add a new bullet point for ‘Strategic drainage and water supply’ on waste water drainage after consulting with Scottish Water to confirm that the proposed population growth is within the design criteria for the existing waste water infrastructure and if not, the need for an upgrade is highlighted as all new development in Catterline will be required to connect to the waste water infrastructure (PP1219).

Modify the PLDP to remove the ‘Services and Infrastructure’ section in relation to developer obligations (PP1091).

Drumlithie

Non-Allocated Site – Bid Site KN001 – Land at Burnside Croft

Modify the PLDP to include bid site KN001 for 3 homes (PP0088).

Mill of Uras

Non-Allocated Site – Site OP1 as identified in the current LDP 2017

Modify the PLDP to continue the allocation of OP1 as in the current LDP (PP0184).

Settlement Status

Modify the PLDP to recognise Mill of Uras as a settlement (PP0184).

Summary of responses (including reasons) by planning authority:

Catterline

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the list of Non-Notifiable Modifications.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement, which will require to be appropriately assessed by the Council in accordance with the relevant policies of the LDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Drumlithie

Flood Risk, Service and Infrastructure and Site OP1 – Adjacent to the Bowling Green

Comments from SEPA in respect to sections on Flood Risk, Services and Infrastructure and site OP1 are noted. No change is required.

Non-Allocated Site – Bid Site KN001 – Land at Burnside Croft

The Council does not support allocating bid site KN001 for 3 homes. Bid site KN001 was not identified as a preferred option in the Main Issues Report (MIR), see AD0038.F, pages 16-17). The site is not of sufficient scale to be allocated within the PLDP. Nonetheless, it is worth noting that the site was previously a waste water treatment plant of which some structure remains, but the area has naturalised and would not be considered brownfield land. Trees cover part of the site, some of which are protected by a TPO. Currently, there are trees on both sides of the road that form part of the woodland setting to Drumlithie and the clearance of trees, that are not protected on the site, would have a significant impact on the setting of the village. Furthermore, given the constraints relating to potential contamination and surface water flooding there are concerns as to whether this is a deliverable site and site OP1 opposite, which is allocated for 30 homes, has yet to be developed. In addition, there is no strategic need for further housing in this settlement and it is undesirable to allow development that would result in the loss of trees. The site is located on protected land P1 and it is preferred that this site continues to be safeguarded to protect the setting of the village. No change is required.

Mill of Uras

Non-Allocated Site – Site OP1 as identified in the current LDP 2017

The Council does not support allocating site OP1, as identified in the LDP 2017 for 5 homes. The continued allocation of OP1 was not a preferred option in the MIR, AD0038.F, pages 69-70). There are local concerns that the road junction onto the A92 is unsafe after several incidences in the area and at the time of preparing the PLDP, no planning application had been granted and the Housing Land Audit (HLA) 2019 identified the site as constrained, see AD0022, Aberdeen Housing Market Area, page 22). However, it is noted that planning consent has since been granted on this site (APP/2019/1703), and if implemented, it can be developed regardless of whether the site is allocated in the PLDP. Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Settlement Status

The Council does not support adding Mill of Uras to the PLDP. Planning consent on the

LDP 2017 allocation (site OP1) has been granted with development expected to start in 2021. In addition, it is preferred that further housing at this location is restricted to limit the number of cars using the junction with A92, which is considered unsafe. As such, it is not deemed appropriate or necessary to retain the settlement status of Mill of Uras. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 48. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Catterline

3. I note that the Catterline settlement statement in the proposed plan does not include any information on strategic drainage and water supply. I agree that the additional text requested by the Scottish Environment Protection Agency (SEPA) be included to address this omission. A modification to this effect is required.
4. Case Consulting Limited considers that the services and infrastructure section in the settlement statement should be deleted because there are no development allocations identified in Catterline. The absence of any allocated sites in the plan would not preclude the submission of planning applications for development on sites in or adjacent to Catterline. The potential need for relevant developer contributions towards services and infrastructure is as applicable to proposals on non-allocated sites as it is for those identified in the plan. I therefore consider the inclusion of this information in the settlement statement to be appropriate. No modification is required.

Drumlithie

Non-Allocated Bid Site KN001 – Land at Burnside Croft

5. This is a small triangular shaped site at the north eastern end of the settlement on the north side of Glenbervie Road. It is located opposite allocation OP1 (for 30 homes and 0.5 hectares of employment land) which lies on the south side of road. The site lies outwith the settlement boundary as shown in in the proposed plan and is included within protected land designation P1.
6. The council has explained that an allocation of three houses is too small to be identified in the local development plan. I note that there are no allocations smaller than five units in appendix 6 of the proposed plan. The 2019 housing land audit only lists sites of

five units or above, with completions on smaller sites recorded collectively. Within this context, I do not consider that the site would make a meaningful contribution to meeting the strategic development plan allowance for the Aberdeen Housing Market Area. I agree with the council that it would not be appropriate to identify an allocation for three homes.

7. The representee also seeks a modification to include the site within the settlement boundary. I observed on my site inspection that the main part of the site is overgrown grassland, with some trees close to its edges. I note from the evidence provided that development would not result in the loss of any trees.

8. I consider the site to be of rural character, which in visual terms blends into the open countryside to the east. I did not find the site to be unkempt or unsightly. The existing properties at Burnside Croft and the straight hedge on the east side of the bowling green, together with the settlement and 30 miles per hour signage, currently create a strong edge to the settlement. I acknowledge that the approach to the village from the east is likely to change once allocation OP1 is developed. However, at this time I do not consider there is any justification to amend the settlement boundary to incorporate site KN001. No modification is required.

Mill of Uras

Non-allocated Bid Site OP1 and Settlement Status

9. Site OP1 is located to the north and west of existing residential properties at Mill of Uras. Some farm buildings lie to the north of the site. The current local development plan allocates the site for five homes and includes a settlement statement for Mill of Uras. As there are no other allocations or designations affecting the settlement, the decision by the council not to carry forward allocation OP1, means that there is no settlement statement in the proposed plan.

10. The reasons given by the council for not carrying the allocation forward relate to concerns regarding the road junction and the effectiveness of the site. However, I note that these concerns would appear to have been resolved as planning permission has since been granted for five homes on the site.

11. I do not consider that Mill of Uras meets the definition of a “settlement” provided in the glossary of the proposed plan. Whilst allocation OP1 may bring the total number of residential addresses to at least 15, there is not a recognised boundary or built up area and it is not urban in character. However, a settlement statement would be required if OP1 was to be identified as a housing allocation.

12. In the absence of up to date information on service and infrastructure matters, it would be difficult to prepare a settlement statement for Mill of Uras through the examination process. I am also conscious that there would be no opportunity for input from local residents and other stakeholders. On the basis that the implementation of the current planning permission would not be prejudiced by the non-allocation of site OP1, I recommend no modifications.

Reporter’s recommendations:

Modify the local development plan by:

Catterline

1. Adding the following new first bullet point under the Services and Infrastructure heading in the Catterline settlement statement on page 643:

“• Strategic drainage and water supply: All development will be required to connect to the waste water treatment works. If there is insufficient capacity, a growth project will be initiated once development meets Scottish Water’s five growth criteria.”

<p>Issue 49</p>	<p>Other Settlements AHMA (Kincardine and Mearns) North – Ardoe, Blairs, Cookney, Durris Forest, Kirkton of Durris, Kirkton of Maryculter, Netherley, Park and Woodlands of Durris</p>	
<p>Development plan reference:</p>	<p>Proposed LDP, Appendix 7E Kincardine and Mearns, Page 640-642 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 649-650 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 657-658 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 686-687 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 688-690 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 722-723 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 759-761 Proposed LDP, Appendix 7E Kincardine and Mearns, Other</p>	<p>Reporter: Alison Kirkwood</p>
<p>Body or person(s) submitting a representation raising the issue (including reference number):</p>		
<p>Ardoe PP0956 David Lawtie</p> <p>Blairs PP0272 Scottish Water PP0445 Hermiston Securities Limited PP0774 North Kincardine Rural Community Council PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage) PP1343 Historic Environment Scotland</p> <p>Cookney PP1049 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Durris Forest PP0118 Gravitate North East PP0276 Mr and Mrs Derek Bond PP0337 Crathes, Drumoak and Durris Community Council PP0457 David O'Donnell PP1219 Scottish Environment Protection Agency</p> <p>Kirkton of Durris PP0337 Crathes, Drumoak and Durris Community Council PP0347 Crathes, Drumoak and Durris Community Council PP0908 Cabardunn Development Company Limited and Dunecht Estates</p>		

PP1114 c a s e CONSULTING Limited
 PP1219 Scottish Environment Protection Agency
 PP1309 The Church of Scotland General Trustees

Kirkton of Maryculter

PP0310 The Maryculter Woodlands Trust
 PP0747 Drum Property Group
 PP1219 Scottish Environment Protection Agency

Netherley

PP0189 Balgranach Properties

Park

PP0040 Tom Hasler
 PP0059 Angus Donaldson
 PP0957 William Foster
 PP1219 Scottish Environment Protection Agency
 PP1300 NatureScot (Scottish Natural Heritage)

Woodlands of Durriss

PP0004 Deborah Law
 PP0077 Martin Gilbert
 PP0337 Crathes, Drumoak and Durriss Community Council
 PP0348 Crathes, Drumoak and Durriss Community Council
 PP0901 Cabardunn Development Company Limited and Dunecht Estates
 PP1219 Scottish Environment Protection Agency
 PP1300 NatureScot (Scottish Natural Heritage)

Provision of the development plan to which the issue relates:

Blairs Settlement Statement
 Cookney Settlement Statement
 Durriss Forest Settlement Statement
 Kirkton of Durriss Settlement Statement
 Kirkton of Maryculter Settlement Statement
 Park Settlement Statement
 Woodlands of Durriss Settlement Statement
 Other Kincardine and Mearns settlements

Planning Authority's summary of the representation(s):

Ardoe

Non-Allocated Site – Bid Site KN124 – Land North of Thurcroft House

A representee has requested the allocation of bid site KN124, land at Ardoe, for one house. Small-scale residential developments in the area have been supported and it is requested to allocate this land in the PLDP (PP0956).

Blairs

General

Objection has been made that Blairs is not identified as a settlement, but only a residential

allocation. Therefore, they have requested that a settlement boundary is introduced to reflect the approved planning consents for Blairs. They also noted that in terms of the assessment criteria used to define a settlement in the LDP, it is based on the settlement serving a residential function, having street lighting, reduced road speed and at least 15 homes. They argue all these criteria apply to Blairs, which can be found in the comments in the Main Issues Report for Ladysbridge in Banff and Buchan. They report that a new masterplan is under discussion with Development Management, with no major changes proposed, although a small area of land adjoining the existing proposed housing is likely to be promoted for residential use. In addition, the proposed uses at Blairs College include a hotel, conference centre, holiday accommodation, leisure and retail uses, a community hall, and office/commercial use are all compatible with Blairs as a settlement. Locating the hotel within a settlement boundary improves the possibility of it being delivered. The representee has included a number of Appendices (RD0067.A and RD0067.B) to support their position (PP0445).

Vision

North Kincardine Rural Community Council has requested an additional sentence is added at the end of paragraph two stating that Blairs and Chapelton will be the focus for significant development in the rural area of the North Kincardine administrative ward for the duration of the Local Development Plan (LDP). They suggested this would help to retain the rural character by limiting large scale development whilst helping to support timely delivery at Blairs and Chapelton (which have been impacted by economic downturn), along with small scale unallocated development. They are concerned that adding more large sites could affect delivery of infrastructure and other services, which would negatively impact on residents, and place significant pressure on the limited infrastructure (roads etc.) and services (primary school provision) in this rural ward and have a negative impact overall (PP0774).

Flood Risk

Scottish Environment Protection Agency (SEPA) has requested rewording the first 'Flood Risk' bullet point to remove "Parts of" so that it refers to the whole of the Blairs College Estate (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has requested a new 'Strategic drainage and water supply' bullet point is added to make reference to waste water drainage. They argue that as all development in this settlement will be required to connect to a waste water network, the status of the waste water capacity (network and treatment plant) must be confirmed and the need for any upgrade highlighted (RD0214.B) (PP1219).

Site OP1 – Blairs College Estate

SEPA has confirmed that they have no issues with the allocation summary for site OP1 (RD0214.B) (PP1219).

Scottish Water has requested a new comment to state, "There is currently sufficient capacity at Nigg Waste Water Treatment Works. A Drainage Impact Assessment will be required, may be possible to add to the ongoing Aberdeen Strategic Drainage Impact

Assessment (DIA).” (PP0272).

A representee has expressed their support for this site, but have raised several concerns:

- The current layout omits the house (plot 22) lying immediately to the west of Burnside Cottages.
- The Settlement Statement should state the need for development at Blairs to be in accordance with an updated masterplan being prepared for Blairs in consultation with the Planning Authority. This would also bring this in line with the Housing Land Audit.
- Reference should be made in the Settlement Statement for Blairs for children having the option to attend for secondary education either Mackie Academy or Cults Academy. The school was not designated; therefore, school pupils were unaware to which school they would be going to. This would create a classification system for pupils living in the area.
- The reference made for contributions being required for community facilities in the wider catchment area at Portlethen should be replaced with their commitment to provide a new community hall at Blairs as part of the development.
- The reference made to healthcare contributions being required for Blairs should be removed. An Appendix outlining the approved masterplan has been submitted (RD0067.B) to support their position (PP0445).

Historic Environment Scotland (HES) has requested the Council seeks additional measures to keep the listed Blairs College buildings, most of which have been on the national Buildings at Risk register since 1990, wind and watertight and stem further decay, while the feasibility of restoration and reuse is further explored. They are concerned with the extended timeframe for the enabling development at OP1 and continued lack of a detailed Restoration Scheme for these historic buildings. They have also noted that the site boundary for site OP1 now excludes the listed Blairs College complex (RD0266.A) (PP1343).

NatureScot has requested that the allocation summary for site OP1 includes a requirement for the provision for active travel facilities. They have also noted a potential for routes to link northwards beyond the site and over the proposed footbridge over the River Dee, as this would promote safe and convenient opportunities for active travel in accordance with the Proposed Local Development Plan’s (PLDP) aims (RD0255.B) (PP1300).

NatureScot has requested that the allocation summary for site OP1 clarifies that future planning applications will be subject to a Habitats Regulations Appraisal (HRA), which will allow the Council to consider whether individual proposals are likely to have a significant effect and whether an adequate Construction Method Statement (or Construction Environmental Management Plan) may be required to avoid adverse effects on the integrity of the River Dee Special Area of Conservation (SAC) (RD0255.B) (PP1300).

Non-Allocated Site – Bid Site KN110 – Land at Blairs College Estate, South Deeside Road

A representee has requested extending site OP1 to include bid site KN110 for residential, commercial and leisure developments to reflect the approved planning consents for Blairs, which includes the former Blairs College and associated buildings of historic importance. This would allow some flexibility in terms of appropriate alternative uses and design of the development. They added, this should be considered appropriate for the reasons: 1. The

wider site, including enabling housing development at the hamlet sitting between the B9077 and the River Dee is to create an integrated community with supporting local service; 2. The landscape setting allowed to keep the natural topography and previously built environment and heritage of the former college buildings, along with the continued use of the New Chapel, a category A listed building by the community. They also stated that if the development and existing buildings at Blairs are included within site OP1, it would strengthen the green belt. They argue, applying green belt policies and restrictions to the existing historic buildings at Blairs removes the flexibility required to bring forward timeously, alternative uses for the buildings, which will ensure their retention and beneficial use for the future. The representee has included a number of Appendices (RD0067.A and RD0067.B) to support their position (PP0445).

Cookney

Services and Infrastructure

SEPA has requested that for consistency, a new 'Strategic drainage and water supply' bullet point is added to state that there is no public waste water infrastructure in Cookney (see RD0214.B) (PP1219).

A representee has stated that no residential allocations have been identified so there will be no development impacts required to be mitigated by developer obligations and therefore this section is unnecessary (PP1049).

Durris Forest

Site R1 – Safeguarded for outdoor recreation facilities associated with a sport/adventure centre

Crathes, Drumoak and Durris Community Council support the site as the area needs a sensitive approach to better develop it to become a tourist destination (PP0337).

SEPA has requested text is added to site R1 requiring a Peat Survey and to encourage the restoration of peatland (RD0214.B) (PP1219).

A representee has requested changing the R1 designation to an opportunity site for outdoor recreation facilities associated with a sports/adventure centre. They argue the reserved land designation does not provide the presumption in favour of development as an allocation would. No justification has been provided on why it was not considered appropriate to allocate the site within the Main Issues Report Issues and Actions Papers. The Proposed Aberdeen City and Shire Strategic Development Plan 2020 requires LDPs to consider opportunities to ensure the importance of sustainable tourism to the regional economy are recognised and safeguarded. The representee has included a number of Appendices (RD0011.A and RD0011.B) to support their position (PP0118).

Two representees (PP0276) and (PP0457) have objected to the R1 designation for the following reasons:

- Development would have a serious adverse impact on private water supply affecting health due to the potential for contamination and sustainability of the water supply.
- Concern regarding servitude rights.

- Loss of privacy/being overlooked, noise, disturbance, lack of public transport resulting in traffic issues, impact on wildlife, loss of trees, the layout, design and visual appearance of the development, flood risk and drainage, impact on the River Dee SAC and natural and cultural assets.
- There are a number of similar facilities nearby.
- Other alternative locations have not been given due consideration.
- No assessments have been carried out for site access, traffic impact on local roads, carbon impact assessment or the need for this asset.

A representee has included a drawing (RD0040.A) to support their position (PP0276).

Flood Risk

SEPA has no comment on the 'Flood Risk' bullet point (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has requested for consistency, a new 'Strategic drainage and water supply' bullet point is added to state that there is no public waste water treatment available in Durris Forest and any private waste water treatment will require full authorisation from SEPA (RD0214.B) (PP1219).

Kirkton of Durris

General

Crathes, Drumoak and Durris Community Council support the agreed sites in the PLDP and those not preferred in the Main Issues Report 2019 (PP0337). They state there is no requirement for further development at this stage in this settlement (PP0347). They also note development south of the River Dee does not comply with local and national policies due to the lack of public transport and any development would not provide sufficient demand for a viable service. The community have an interest to protect the sensitive nature of the River Dee and its habitats. Local infrastructure does not support such developments in particular the limited access to Drumoak via Park Bridge. (PP0337).

Site P1 – To protect the area as a significant contribution to the character of the place and forming part of the green-blue network and Site P2 – To protect the cemetery as an amenity for the settlement, for contribution to the character of the place and forming part of the green-blue network

Crathes, Drumoak and Durris Community Council support sites P1 and P2 (PP0347).

Crathes, Drumoak and Durris Community Council has requested a reduction of the current speed limit on the B9077 and the siting of glass recycling adjacent to Kirkton Durris Hall, which would aid strategic recycling and waste infrastructure (PP0347).

Flood Risk

SEPA has requested adding a new 'Flood Risk' section and bullet point to state that parts of Kirkton of Durris are at risk from flooding from the River Dee (not River Don as stated on

the representation) and the Burn of Sheeoch and Flood Risk Assessments may be required (RD0214.B) (PP1219).

Services and Infrastructure

A representee has requested removing this section as no allocations have been identified and there are no development impacts that require to be mitigated (PP1114).

SEPA has requested for consistency, removing reference to SEPA in the 'Strategic drainage' bullet point and to only note there is no public waste water infrastructure in Kirkton of Durris (RD0214.B) (PP1219).

Settlement Map

A representee has expressed their support to extend the settlement boundary to include planning permission APP2014/2859 for two homes and creating a gap site for future housing. However, to prevent multiple points of access off the B9077 and improve road safety, it is suggested extending the settlement boundary northwards to allow any future homes to connect to the new road access that was built as part of planning permission APP/2014/2859. The representee has included a number of Appendices (RD0172.A, RD0172.B, RD0172.C and RD0172.D) to support their position (PP0908).

Non-Allocated Site – Bid Site KN075 – Land North of B9077

A representee has requested the allocation of bid site KN075 for 12 homes as it would ensure the planned, sustainable and balanced growth of Kirkton of Durris, allow for consolidation of the village layout, whilst making a modest contribution to strategic housing targets set by the Aberdeen City and Shire Strategic Development Plan. It is added that the proposal would be sympathetic, unobtrusive, provide affordable housing, allow for several environmental and local quality of life improvements, such as shared waste water treatment works, public open space or a play area to be used as a new focal point for the village and provide further justification for a reduction of the speed limit on the B9077. It is refuted that the proposal would have an adverse impact on the Dee Valley Special Landscape Area as the site is well contained in the landscape, the indicative site layout would reflect the traditional pattern of development and the character of the village, the proposed landscaping would integrate the site with the existing woodland driveway to the west and provide a sense of enclosure to the village and strategic landscaping would form a defensible northern and eastern boundaries that would mitigate the wider visual impact of the development and provide for further visual integration of the development into the existing village. The representee has included a number of Appendices (RD0172.A, RD0172.B, RD0172.C and RD0172.D) to support their position (PP0908).

Non-Allocated Site – New Site N012 – Durris Glebe

A representee has requested that a new site (N012) be allocated for 20 homes, including 50% affordable housing. The site was not submitted as a bid at the call for sites, but a submission was made with a MIR response and does not appear to have been considered. The site is considered to be an effective, viable and deliverable site with existing access and could reflect the scale and density of existing housing to the south and west of the site. The site is well related to the existing settlement and would round-off the settlement and be viewed as a natural and logical expansion of the village. Housing would meet local needs and help sustain and support the limited number of local facilities. There are no known

flood risk or heritage or archaeological constraints. The aspiration for the site would be to provide a high-quality development and provide a variety of housing for house buyers in a settlement which has not benefited from new housing development in recent years. 50% provision of affordable housing would be included and any uplift from the sale of the site would be reinvested back into the community. The allocation would complement existing housing in the area and meet the objective of the settlement by meeting local housing needs, sustaining local services, and enhancing the role and attractiveness of the settlement. The representee has included a number of Appendices (RD0262.A, RD0262.B and RD0262.C) to support their position (PP1309).

Kirkton of Maryculter

Vision

A representee has requested the removal of the reference for the need for a car park for Kirkton of Maryculter as a car park for the community wood now exists and it is sufficiently large enough to ensure there is an appropriate level of public access to the woodland (PP0310).

Services and Infrastructure

SEPA has confirmed that they have no comment on the 'Strategic drainage and water supply' bullet point (RD0214.B). No modification sought (PP1219).

Site OP1 – Land off Polston Road

SEPA has confirmed that they have no issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Non-Allocated Site – Bid Site KN123 – Land East of Altries Wood

A representee has requested the allocation of bid site KN123 for 10 homes, including rural employment. The site provides a small logical extension to a small rural settlement offering a new sustainable rural lifestyle together with a community growing opportunity that is not generally available under current policy. The proposal would enhance the character of the rural settlement rather than detract from it and offers possibilities for working without the need for travel. The site would help address a lack of housing land to meet the area's housing needs and providing small-scale extensions to rural settlements will help maintain the region's rural population. The site's location in the countryside is not a valid justification to discount it, nor does landscape impact preclude the proposal due to its positioning and design. There is also good access to services and other settlements. The representee has included copies of their bid submission (RD0125.A) to support their position (PP0747).

Netherley

Settlement Status

A representee has suggested that Netherley should be included in the Settlement Statements. Netherley is an established grouping of 13 properties. They note that Cookney is included in the Settlement Statements, but it is smaller than Netherley (PP0189).

Non-Allocated Site – Bid Site KN015 – Land at Netherley House

A representee has requested the allocation of bid site KN015 for 4 homes. They consider that the constraints identified can be overcome. The countryside location of the proposal should not be a reason to prevent development and SPP promotes rural development. The development would create a community that will support local services and business, including the primary school. The site is well connected to transport links and there is a bus stop in close proximity. Capacity exists in the waste water treatment works. It is recognised that the site, when based on the Council's standard density of 25 homes per hectare, would accommodate 20 homes. However, it is intended that the development would be low density to reflect its rural location. It is considered that flood risk can be mitigated. Although no amenities exist within walking distance, there are a range of amenities and facilities in the area, including Lairhillock Inn, Lairhillock Lodge, Lairhillock Primary School and Cookney Hall. The bid site is therefore considered to be well placed in relation to these facilities. The representee has included a number of Appendices (RD0023.A and RD0023.B) to support their position (PP0189).

Park

Services and Infrastructure

SEPA has requested that the last sentence of the 'Strategic drainage and water supply' bullet point that refers to SEPA is removed (RD0214.B) (PP1219).

Site OP1 – Land to the West of Park Village Hall

SEPA has requested that the allocation text for site OP1 states that the public sewer network is 0.5km away from the site (RD0214.B) (PP1219).

NatureScot has suggested that the allocation summary for site OP1 includes a requirement that any proposal will be subject to a Habitats Regulations Appraisal in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of the process, the Council can then consider whether the proposal is likely to have a significant effect and whether an adequate Construction Method Statement (or Construction Environmental Management Plan) may be required to avoid adverse effects on site integrity (RD0255.B) (PP1300).

A representee has suggested that the size of OP1 is not large enough to accommodate the increased allocated housing density of 13 homes and accordingly the site size will need to be increased (PP0957).

Two representees (PP0040 and PP0059) have objected to site OP1 as:

- The site has been allocated in the last two LDPs with no planning application coming forward.
- The scale of the site would double the size of Park and change the nature of the settlement.
- The scale of the development is not sufficient to support the local shop.
- The failure to bring the site forward has frustrated previous LDP's housing targets through an unused allocation.

- Development would have a detrimental impact on the settlement's historic landscape and the former Free Church.
- There is no demonstrated local housing requirement in the settlement and no evidence as to how the development would enhance the village environment or community atmosphere.
- The proposal is contrary to several LDP policies and other supporting Planning Advice notes.
- 20% maximum growth from organic growth guidance is more appropriate if development is permitted in the settlement.

Both representees also considered that development should be directed toward Drumoak, which is better placed to absorb development due to its scale and facilities (PP0040 and PP0059).

Woodlands of Durris

General

Crathes, Drumoak and Durris Community Council has suggested that several planning applications at Upper Balfour, Woodlands of Durris for 18 homes and their impact on the school, services and infrastructure were not taken into account in the Main Issues Report (PP0348).

Settlement Status

One representee has requested the removal of the settlement status for Woodlands of Durris as they consider there is no demand for further housing and further development would have a detrimental impact on residents. There is no capacity available at Banchory Academy and no room for expansion. The water and sewerage works would require upgrading and there is no capacity for further development on local roads and no public transport available (PP0004).

Services and Infrastructure

Crathes, Drumoak and Durris Community Council have stated that no further housing should be considered without upgrades in the waste water treatment works and water supply to prevent repetition of existing issues with temporary waste storage and maintaining adequate supply pressure. They note that current school facilities and resources (indoor/outdoor spaces) are inadequate with a continued need for transportation to Drumoak Primary for physical education. The school roll forecast should be updated including all additional developments in progress. The road to the South Deeside Road requires improvements due to the increased traffic and travel needed as a result of Park Bridge and withdrawal of public transport. The roads need the addition of footways, and improvement at the junction with the South Deeside Road due to safety and visibility issues. Improvements adjacent to the new footpath running to the [Woodlands of Durris] school entrance are still pending (PP0348).

Site OP1 – Land Northwest of Clune Gardens

SEPA have confirmed that they have no issues with the allocation text for site OP1. No modification sought (RD0214.B) (PP1219).

NatureScot has suggested that the allocation summary for site OP1 includes a requirement that any proposal will be subject to a Habitats Regulations Appraisal in order to consider potential effects on the qualifying interests of the River Dee SAC. As part of the process, the Council can then consider whether the proposal is likely to have a significant effect and whether an adequate Construction Method Statement (or Construction Environmental Management Plan) may be required to avoid adverse effects on site integrity (RD0255.B) (PP1300).

NatureScot has suggested that the connection to a public sewer does not need to be specified in the allocation summary for site OP1 as mitigation in order to avoid an adverse effect on integrity of the River Dee SAC, as all development will need to comply with SEPA's policy and supporting guidance on the provision of waste water drainage in settlements (RD0255.B) (PP1300).

There is support for the allocation of 27 homes at OP1 to meet local housing need, while not making any further allocation in this area (PP0077). Further support is given to the allocation and they agree that the mature tree belt to the east of the site provides an effective means of visual mitigation and will allow for the visual integration of the development into the existing landscape setting. It is added that strategic landscaping will be proposed to provide further visual mitigation of the development from the north and west, the site will connect with public sewer network and the local primary school has capacity. The representee has included a number of Appendices (RD0167.A, RD0167.B and RD0167.C) to support their position (PP0901).

Crathes, Drumoak and Durris Community Council supports the agreed sites in the PLDP and those excluded. Development south of the River Dee does not comply with local and national policies due to the lack of public transport and any development would not provide sufficient demand for a viable service. The community have an interest to protect the sensitive nature of the River Dee and its habitats. Local infrastructure does not support such developments in particular the limited access to Drumoak via Park Bridge. (PP0337).

A representee has requested that the preferred points of access referred to in the allocation for site OP1 is removed, to allow this to be assessed and deliberated as part of the planning application process. It is suggested that it is not necessary to specify which point of access should be utilised as the site can be accessed from either the unnamed public road to the east or Clune Gardens, and that access 'tails' have been left along Clune Gardens to facilitate future vehicular and pedestrian access to the site and safeguards linkages between OP1 and the rest of the settlement (PP0901).

Non-Allocated Sites – Bid Site KN136 – Land at Upper Balfour, North of Woodlands of Durris and Bid Site KN138 – Land North West of Woodland of Durris

A representee supports the exclusion of bid sites KN136 for 15 to 20 homes and KN138 for 30 homes and supports the settlement Vision (PP0348).

Modifications sought by those submitting representations:

Ardoe

Non-Allocated Site – Bid Site KN124 – Land North of Thurcroft House

Modify the PLDP to include bid site KN124 for one home (PP0956).

Blairs

General

Modify the PLDP to identify Blairs as a settlement and introduce a settlement boundary to the Settlement Plan that is in line with the approved planning consents, including the former Blairs College and associated buildings (PP0445).

Vision

Modify the PLDP to add a sentence to the end of paragraph two to state that Blairs and Chapelton will be the focus for significant development in the rural area of the North Kincardine administrative ward for the duration of the Plan (PP0774).

Flood Risk

Modify the PLDP to reword the first bullet point on 'Flood Risk' from, "Parts of Blairs College Estate ..." to "Blairs College lies within an area potentially vulnerable to flood risk ..." (PP1219).

Services and Infrastructure

Modify the PLDP to add a new 'Strategic drainage and water supply' bullet point to confirm the status of the waste water capacity (network and treatment plant) and highlight the need for any upgrades (PP1219).

Site OP1 – Blairs College Estate

Modify the PLDP to state, "There is currently sufficient capacity at Nigg Waste Water Treatment Works. A Drainage Impact Assessment will be required, may be possible to add to ongoing Aberdeen Strategic DIA." (PP0272).

Modify the PLDP to amend the Settlement Plan to include plot 22 to the west of Burnside Cottages (PP0445).

Modify the PLDP to include reference for the need for development to be in accordance with an updated masterplan being prepared for the settlement (PP0445).

Modify the PLDP to include reference that children have the option to attend either Mackie Academy or Cults Academy for secondary education (PP0445).

Modify the PLDP to remove reference to contributions being required for community facilities in the wider catchment area at Portlethen and replaced with for a new community hall at Blairs (PP0445).

Modify the PLDP to remove the required for healthcare contributions (PP0445).

Modify the PLDP to ensure additional measures to keep the listed buildings at Blairs College wind and watertight (PP1343).

Modify the PLDP to amend the allocation summary of site OP1 to include, “Provision for active travel is required, in particular noting the potential for paths to link northwards towards the proposed footbridge over the River Dee.” (PP1300).

Modify the PLDP to amend the allocation summary of site OP1 to include a new penultimate sentence in paragraph six that states, “Future planning applications will require to be the subject of a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC.” (PP1300).

Non-Allocated Site – Bid Site KN110 – Land at Blairs College Estate, South Deeside Road

Modify the PLDP to include bid site KN110 for residential, commercial and leisure uses (PP0445).

Modify the PLDP to remove the green belt designation for any land that falls outwith the proposed settlement boundary (as submitted by the representee) so that any area that falls within the designated green belt is removed from the designation (PP0445).

Cookney

Services and Infrastructure

Modify the PLDP to add a new ‘Strategic drainage and water supply’ bullet point to state: “There is no public waste water infrastructure available in Cookney.” (PP1219).

Modify the PLDP to remove the ‘Services and Infrastructure’ section from the Settlement Statement (PP1049).

Durris Forest

Site R1 – Safeguarded for outdoor recreation facilities associated with a sport/adventure centre

Modify the PLDP to amend site R1 to change the second sentence in paragraph one from, “As approximately 50% of the site has Type 5 Peat, a Phase 1 Habitat Survey will be required.” to “As approximately 50% of the site has Type 5 Peat, a Peat Survey and Phase 1 Habitat Survey will be required. Peatland restoration should be considered as part of the proposal. A Construction ...” (PP1219).

Modify the PLDP to change the R1 designation to an opportunity site for outdoor recreation facilities associated with a sports/adventure centre (PP0118).

Modify the PLDP to remove the R1 designation (PP0276 and PP0457).

Services and Infrastructure

Modify the PLDP to add a new ‘Strategic drainage and water supply’ bullet point to state, “There is no public waste water infrastructure available in Durris Forest. Any private waste water treatment will require full authorisation from SEPA.” (PP1219).

Kirkton of Durris

General

Modify the PLDP to seek a reduction of the current speed limit on the B9077 and the siting of the glass recycling adjacent to Kirkton Durris Hall (PP0347).

Flood Risk

Modify the PLDP to add a new 'Flood Risk' section and bullet point to read: "Parts of the settlement are at risk from flooding from the River Dee and Burn of Sheeoch. Flood Risk Assessments may be required." (PP1219).

Services and Infrastructure

Modify the PLDP to amend the 'Strategic drainage and water supply' bullet point from, "There is no public waste water treatment available. The Scottish Environment Protection Agency (SEPA) will need to be consulted and full authorisation sought for relevant licensing of private treatment." to "There is no public waste water infrastructure in Kirkton of Durris." (PP1219).

Modify the PLDP to remove the 'Services and Infrastructure' section (PP1114).

Settlement Map

Modify the PLDP to extend the settlement boundary to include planning permission APP/2014/2859 (PP0908).

Non-Allocated Site – Bid Site KN075 – Land North of B9077

Modify the PLDP to include bid site KN075 for 12 homes (PP0908).

Non-Allocated Site – New Site N012 – Durris Glebe

Modify the PLDP to include site N012 for 20 homes (PP1309).

Kirkton of Maryculter

Vision

Modify the PLDP to remove reference to the need for a car park (PP0310).

Non-Allocated Site – Bid Site KN123 – Land East of Altries Wood

Modify the PLDP to include bid site KN123 for 10 homes (PP0747).

Netherley

Settlement Status

Modify the PLDP to include Netherley in the Settlement Statements (PP0189).

Non-Allocated Site – Bid Site KN015 – Land at Netherley House

Modify the PLDP to include bid site KN015 for 4 homes (PP0189).

Park

Services and Infrastructure

Modify the PLDP to remove the last sentence of the 'Strategic drainage and water supply' bullet point, "Scottish Environment Protection Agency (SEPA) will need to be consulted and full authorisation sought for relevant licensing of any private treatment." (PP1219).

Site OP1 – Land to the West of Park Village Hall

Modify the PLDP to add in the first sentence in paragraph two, "... sought with connection to the public sewer network 0.5km away." (PP1219).

Modify the PLDP to add text at the end of paragraph two, "This proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC." (PP1300).

Modify the PLDP to increase the size of OP1 to accommodate the allocation (PP0957).

Modify the PLDP to remove site OP1 and direct development towards Drumoak (PP0040 and PP0059).

Woodlands of Durris

General

Modify the PLDP to take into account planning applications at Upper Balfour (PP0348).

Settlement Status

Modify the PLDP to remove the settlement status for Woodlands of Durris (PP0004).

Services and Infrastructure

Modify the PLDP to reference that further housing should be considered without upgrades to the waste water treatment works and water supply (PP0348).

Modify the PLDP to make reference to inadequate school facilities and resources (indoor/outdoor spaces) (PP0348).

Modify the PLDP to state improvements are required to the road to the South Deeside Road (PP0348).

Site OP1 – Land Northwest of Clune Gardens

Modify the PLDP to amend the allocation summary of site OP1 to add text after the first

sentence of paragraph three to read, “This proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC.” (PP1300).

Modify the PLDP to amend the allocation summary of site OP1 to remove at the end of paragraph three, “... to mitigate effects on the River Dee SAC.” (PP1300).

Modify the PLDP to remove reference to the preferred points of access to the site (PP0901).

Summary of responses (including reasons) by planning authority:

Ardoe

Non-Allocated Site – Bid Site KN124 – Land North of Thurcroft House

The Council does not support allocating bid site KN124 for a single home. Bid site KN124 was not identified as a preferred option in the MIR 2019, (AD0038.F, page 113). The site is not of sufficient scale to be allocated within the PLDP and it is considered constrained as it is situated within the green belt and ancient woodland. It is also within the former Ardoe House Designed Landscape, would encourage ribbon development and it is not within walking distance of services and would encourage the use of unsustainable modes of transport. This view was taken forward in the Issues and Actions Papers, see AD0040.F, page 153. Furthermore, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Blairs

General

The identification of Blairs as a settlement in the LDP with a settlement boundary is not supported at this time given the lack of progress to build the homes and renovate the former Blairs College. No change is required.

Vision

The Council disagrees with including a sentence on where development will be focused in the north of Kincardine and Mearns, as this is a statement more appropriate in the Spatial Strategy in section 5 of the PLDP than in a Settlement Statement. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Blairs College Estate

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council agrees that the omitted housing plot number 22 that has extant planning permission (APP/2013/1292) should be included within site OP1. However, as the representee has stated that a revised masterplan is still in development, any modifications to the masterplan would be appropriately assessed and there is no requirement to amend the allocation summary for site OP1. The Council confirms that it intends to address the representee's comment on the missing housing plot through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Regarding comments on the school catchment area, this is not a matter for the PLDP to consider. Site OP1 is currently within the catchments of Lairhillock Primary School and Mackie Academy. Contributions towards community facilities and healthcare are assessed on the current situation in the area. There are currently no community facilities within Blairs due to the lack of progress in the build out. Therefore, contributions are sought on the basis that the future housing would rely on facilities and healthcare in the surrounding area, and appropriate contributions would be sought towards them. No change is required.

It is not a matter for the PLDP to include additional measures to keep the listed buildings at Blairs College wind and watertight, as this can be sought through other legislative means. No change is required.

The Services and Infrastructure section of Blairs states that a footbridge, with cycle path provision, is required. It is considered that this covers provision for active travel. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Site – Bid Site KN110 – Land at Blairs College Estate

The Council does not support allocating bid site KN110 for a mix of residential, commercial and leisure uses. Bid site KN110 for 325 homes (enabling development), golf course, equestrian centre, hotel and holiday accommodation was identified as a preferred option in the MIR 2019, but only the housing element was supported (as site OP1), see AD0038.F, page 119. Much of bid site KN110 includes white land with no proposed uses. This could result in more development in a sensitive and important landscape, which is currently designated as green belt, and impact on the setting of the listed buildings associated with Blairs College.

While there could be merit in reserving land at Blairs College for commercial and leisure uses that has planning permission, the representee's response illustrates uncertainty with the delivery and proposed uses at Blairs (see point 6 on page 6). Furthermore, Blairs College can come forward as per the approved planning consent without the need to be allocated in the LDP. In addition, the historic buildings that are in the green belt also

benefit from an extant permission, although no progress has been made on these. There is also no requirement to include these historic buildings within an allocation as any future planning application for these buildings would be assessed in accordance with the relevant policies of the LDP.

In conclusion, no change is required.

Cookney

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement which will require to be appropriately assessed by the Council in accordance with the relevant policies of the PLDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Durris Forest

Site R1 – Safeguarded for outdoor recreation facilities associated with a sport/adventure centre

The Settlement Features table has been incorrectly titled as "Protected Land" when it should be called "Reserved Land". The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

As noted in the Issues and Actions paper for Kincardine and Mearns, it is not considered appropriate to allocate a site that is neither residential nor business/employment land, see AD0040.F, page 155. By identifying the site as reserved land for outdoor recreational use only it is maintained that this is appropriate given the conceptual nature of the proposal at this stage and the consent that is being sought. Furthermore, safeguarding the site is in line with SPP by promoting an opportunity for tourism or recreation facilities in the PLDP. No change is required.

The site is considered suitable for this type of development as an opportunity to promote tourism. Technical matters, such as private water supply, traffic impact, flood risk, impact on environment and amenity would be fully assessed through the submission of a detailed planning application. No change is required.

Support is noted for a sensitive approach to better develop the area to become a tourist destination. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Due to the sensitive nature of this area, the Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Kirkton of Durris

General

It is acknowledged that a speed reduction on the B9077 and glass recycling is sought, however this is not a matter which can be addressed through the LDP process. Although, the settlement boundary has been extended to include a gap site to encourage motorists to slow down when approaching the east side of the settlement. No change is required.

Site P1 – To protect the area as a significant contribution to the character of the place and forming part of the green-blue network and Site P2 – To protect the cemetery as an amenity for the settlement, for contribution to the character of the place and forming part of the green-blue network

Support is noted for sites P1 and P2. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement which will require to be appropriately assessed by the Council in accordance with the relevant policies of the PLDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Settlement boundary

Support for the extension of the settlement boundary to include the two homes approved under APP/2014/2859 is noted. However, the proposal to extend the boundary further north is not considered appropriate. The gap site created between the original dwellings in the settlement and the new dwellings is considered sufficient to provide opportunities for infill development, but extension of the settlement further north would not be appropriate. The settlement boundary has been extended to help reduce the speed of motorists on the B9077. No change is required.

Non-Allocated Site – Bid Site KN075 – Land North of Durris

The Council does not support allocating bid site KN075 for 12 homes. Bid site KN057 was not identified as a preferred option in the MIR 2019 see AD0038.F, page 45. As outlined in the Issues and Actions Papers, see AD0040.F, page 50, there were concerns raised from NatureScot (SNH at the time) and other respondents highlighting a number of concerns including proximity to the River Dee SAC, impact on protected species, impact on the Dee Valley Special Landscape Area, lack of infrastructure, over development, and the lack of demand for new housing. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. There is not a strategic need to allocate further development opportunities in Kirkton of Durriss at this time. No change is required.

Non-Allocated Site – New Site N012 – Durriss Glebe

The Council does not support allocating new site N012 for 20 homes. The site was not put forward as a development bid so was not considered as such at the MIR stage, nor subject to site assessment and public consultation. However, the issues affecting bid site KN075, which is immediately south of this site, would be similar for this new site. Although it was noted by the representee that the Church of Scotland only promotes sites for development supported by the local congregation, it cannot be confirmed that this is the view of the wider community. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area and it is not proposed to allocate this site within the PLDP. No change is required.

Kirkton of Maryculter

Vision

The Council agrees with amending the Vision, as the car park has since been built. If the Reporter is minded, to make an amendment, then the Council recommend removing the last sentence, “However, there is a desire by the local community for a car park at Kirkton of Maryculter Wood to the south of the properties at Rosebank.”

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land off Polston Road

Comments from SEPA are noted. No change is required.

Non-Allocated Site – Bid Site KN123 – Land East of Altries Wood

The Council does not support allocating bid site KN123 for 10 homes. Bid site KN123 was not identified as a preferred option in the MIR 2019, see AD0038.F, page 55. It is maintained that the development is neither sustainable nor appropriate. The site does not relate well to Maryculter West, and development at this location is considered to erode the structural integrity of the landscape character due to the important role of the adjacent woodland in providing coherence and order. The site is distant from key services and

would encourage car dependency. No change is required.

Netherley

Non-Allocated Site – Bid Site KN015 – Land at Netherley House

The Council does not support allocating bid site KN015 for 4 homes. Bid site KN015 was not identified as a preferred option in the MIR, see AD0038.F, page 57. It is considered that the low-density development would have a negative and irreversible impact on the setting of the Category B listed Netherley House and its designed landscape. This is due to the close proximity of the proposal. The site is in an unsustainable location due to being distant from key services, nor is it in a desirable location being situated in a flood risk zone. Whilst capacity may not be an issue in the waste water treatment works, private drainage arrangements risk environmental harm on the adjacent watercourse, which is part of the River Dee catchment. The priority is to consider where development can be located across the area in relation to where local services exist and can be sustained. It is considered this is not the right development in the right place. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area and it is not proposed to allocate this site within the PLDP. No change is required.

Settlement Status

Regarding the suggestion that Netherley should be identified as a settlement comparable to Cookney, it should be noted that Cookney remains identified on account of it having land with protected status. Cookney is an identifiable settlement with a community hall, rather than a cluster of houses like those around Netherley House. No change is required.

Park

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land to the West of Park Village Hall

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

To ensure that the density of existing allocations with no planning history are consistent with Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, which addresses concerns on the scale of development that could take place, the site has been increased from 6 to 13 homes, based on 25 homes per hectare, see AD0040.F, pages 98-99. Accordingly, the site has also been reduced from 0.86 hectares to 0.5 hectares. No change is required.

In response to the objection to the allocation, this site has been brought forward from the existing 2017 LDP. The allocation and development of the site over the Plan period is considered to help maintain the existing services within Park, namely the shop, and at Drumoak. No change is required.

Woodlands of Durris

General

Whilst it has not been mentioned that applications in the surrounding area have been taken into account in the MIR 2019, these sites are outwith the settlement of Woodlands of Durris and as such, are not considered as part of the considerations for this settlement and are not required to be assessed. No change is required.

Settlement Status

Woodlands of Durris is an important settlement in the overall rural area as it is the education provider for a large catchment, therefore maintaining the school is an objective, which the status as a settlement can assist to maintain. The allocation of housing can assist in providing contributions towards appropriate infrastructure. No change is required.

Services and Infrastructure

Upgrades to the existing water infrastructure may be required with further development. This would be initiated once development meets the five growth criteria from Scottish Water in order to qualify for a Growth Project. No change is required.

Site OP1 – Land Northwest of Clune Gardens

Comments in support and those from SEPA are noted. No change is required.

The Council confirms that it intends to address NatureScot's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

In relation to the allocation text for connection to the public sewer, this is considered necessary to identify that private waste water treatment will not be accepted for proposals. No change is required.

The suggestion that the access point should not be specified within the allocation text is acknowledged and referring to two points of access confusing. However, the Council deems it appropriate to state that the preferred route of access into the site is from Clune Gardens, as access from the unnamed road to the east would put a strain on the road network by creating multiple access points to housing. Furthermore, by reducing the number of accesses from this road, this is seen as appropriate in the interests of road safety. The Council confirms that it intends to address this issue through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Sites – Bid Site KN136 – Land at Upper Balfour, North of Woodlands of Durris and Bid Site KN138 – Land North West of Woodland of Durris

Support for the exclusion of these sites in the PLDP is noted. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 49. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Ardoe

3. A representation seeks the allocation of a site for a single dwellinghouse on land which is identified as being within the green belt in the proposed plan. Whilst there are other houses in the vicinity of the site, it is not located within or close to a settlement boundary. The allocation of land for a single dwellinghouse would not be justified on the grounds of contributing to strategic housing needs. Furthermore, the council has identified a number of negative environmental effects which would require to be addressed. I conclude that the site should not be allocated for housing development. No modification is required.

Blairs

General

4. A settlement statement is provided for Blairs in the proposed plan. However, it does not show a settlement boundary and allocation OP1 only includes the areas identified for housing development in the approved master plan. I note that a range of other uses are proposed in the masterplan. However, the information provided by Hermiston Securities Limited does not show any detailed proposals.

5. Hermiston Securities Limited has requested that all of the land covered by the approved master plan be identified within the settlement boundary. This includes allocation OP1, the listed college buildings and chapel and the remainder of the college grounds. I observed, on my site visit, that the college grounds include open fields and woodlands, which are essentially rural in character. No evidence has been submitted to indicate that these areas are to be developed in a form which would warrant inclusion in a settlement boundary. The absence of a settlement boundary would not prevent the implementation of any existing planning permissions. I agree with the council that a settlement boundary is not required at this time. No modification is recommended.

Vision

6. I agree with the council that it would not be appropriate to use the vision section of the Blairs settlement statement to limit development in the rural part of North Kincardine. No

modification is required.

Flood Risk

7. The Scottish Environment Protection Agency (SEPA) has indicated that the whole of the Blairs college estate is in an area potentially vulnerable to flood risk. A modification is required in the interest of clarification.

Services and Infrastructure

8. In response to SEPA's representation, the council has indicated that a pumping station takes foul water from Blairs to Nigg waste water treatment works in Aberdeen. As the representation from Scottish Water states that there is currently sufficient capacity at this waste water treatment works, an additional bullet point on strategic drainage and water supply would not be required. It would be more appropriate to address this matter through the amendment requested by Scottish Water to the allocation summary for site OP1 – Blairs College Estate. A modification to this effect is recommended.

9. The community facilities bullet point in the proposed plan indicates that contributions may be required towards facilities in Blairs or in the wider catchment area in Portlethen. This wording would allow the landowner/developer to bring forward a community hall at Blairs. However, as indicated by the council, contributions to facilities in the wider area may also be justified, subject to meeting the tests in Planning Circular 3/2012. No modification is required.

10. I agree with the council that school catchment areas are not a matter for the local development plan. Whilst I note the existing legal agreements do not require healthcare contributions, the site may be the subject of further applications. The inclusion of the bullet point on health and care facilities is consistent with other settlement statements in the proposed plan. However, policy RD2.14 uses the word 'may' rather than 'will', in relation to contributions towards health and care facilities. In the interests of consistency and to recognise that contributions can only be required where the tests of planning Circular 3/2012 are met, I consider that the wording of the health and care facilities bullet point should be amended. A modification is recommended.

Site OP1 – Blairs College Estate

11. The allocation summary in the proposed plan requires the preparation of a master plan. Hermiston Securities Limited has referred to some potential changes from the existing masterplan being considered. However, it would be premature to refer to these in the plan. I agree with the council that the extent of allocation OP1 should be amended to address the omission of housing plot number 22 lying immediately to the west of Burnside Cottages. I note that this would require a consequential amendment to the green belt boundary at this location. A modification to this effect is recommended

12. I agree with the council that measures to keep listed buildings wind and watertight are not matters for the local development plan. No modification is required.

13. With the exception of the footbridge over the River Dee, the allocation summary in the proposed plan does not include any reference to active travel. I consider the additional text requested by NatureScot would be consistent with the intended outcome of the plan

“to promote walking, cycling and public transport”. I also agree that information on Habitats Regulations Appraisal should be included, given the proximity of the site to the River Dee. Modifications on these matters are recommended.

Cookney

14. Planning applications may be submitted for sites in or adjacent to Cookney. It is appropriate for the plan to indicate the services and infrastructure where improvements and/or developer contributions may be required. No modification is recommended.

15. The Cookney settlement statement in the proposed plan does not include any information on strategic drainage and water supply. I agree that the additional bullet point requested by SEPA should be included to address this omission. A modification is recommended.

Durris Forest

16. Designation R1 in the proposed plan safeguards an area of commercial woodland for the purposes of outdoor recreation facilities with a sport/adventure centre. The bid submission proposes an adventure sport development comprising mountain bike trails, dry ski slopes, a hub building, car park and chairlift on the site. I consider that the reserved land designation shows the council’s support in principle for the proposed uses and promotes the opportunity in line with Scottish Planning Policy and the strategic development plan.

17. I agree with the representee that there are no reasons in Scottish Planning Policy or the strategic development plan why the site could not be identified as an allocation rather than a reserved land designation. However, no evidence has been provided in terms of a firm proposal or indicative layout. Given the conceptual nature of the proposal and the size of the site, I do not consider that an allocation in the plan would be appropriate.

18. The strategic environmental assessment undertaken for the proposed plan concludes that any negative effects on water, soil and biodiversity can be mitigated. It also identifies a number of positive effects. However, as highlighted in the matters raised in representations objecting to the reservation, there are potential impacts which would need to be addressed in detailed proposals. I agree with the council that these would be assessed at planning application stage.

19. I consider that the requirement for a peat survey and encouragement of peatland restoration in relation to reserved land designation R1 would be consistent with Scottish Planning Policy. I agree that the allocation summary should be modified, as requested by SEPA. No other modifications in relation to site R1 are required.

20. The settlement statement for Durris Forest in the proposed plan does not provide any information on strategic drainage and water supply. I agree that the wording requested by SEPA should be added to address this omission. A modification is recommended.

Kirkton of Durris

General

21. I agree with the council that the request for a reduction in the speed limit and siting of glass recycling are not matters for the local development plan to address. No modification is required.

Flood Risk

22. I agree with SEPA and the council that a new flood risk section should be added to indicate that parts of the settlement are at risk from flooding. A modification is recommended.

Services and Infrastructure

23. Planning applications may be submitted for sites in or adjacent to Kirkton of Durris. It is appropriate for the plan to indicate the services and infrastructure where improvements and/or developer contributions may be required. No modification is required.

24. I consider that the amendment requested by SEPA in relation to strategic drainage and water supply would provide clarification. A modification to this effect is recommended.

Non-allocated bid site KN075 – Land north of B9077

25. The site occupies flat, grazing land on the north side of the B9077 road. The main issues report indicates that the provision of 12 homes would be a significant increase in size of the settlement. A number of negative environmental effects are identified in the strategic environmental assessment and I note that there are no local services or facilities in the settlement. Whilst it may be possible to mitigate some of the negative effects, I have insufficient information before to reach a conclusion on these matters. Furthermore, I consider an allocation for 12 homes at this location would be likely to increase reliance on car travel.

26. Matters relating to overall housing provision in the Aberdeen Housing Market Area are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Whilst this site could contribute towards meeting this shortfall if allocated, alternative sites have been identified. The allocation would therefore not be justified on the grounds of meeting housing need. No modification is required.

Non-allocated new site N012 – Durris Glebe

27. The site comprises a gently sloping grass field which lies to the south east of Durris church. I note that a bid submission form for this site was included in a response to the main issues report. However, the site has not been consulted on and is not been subject to strategic environmental assessment.

28. I agree with the council that many of the issues affecting bid site KN075 would also apply to this site. Furthermore, it lies closer to the River Dee than site KN075 which raises concerns in terms of the potential impact on the special area of conservation. Whilst the site is located adjacent to the settlement boundary, it is not well integrated with the main part of the settlement which is clustered around the B9077 road.

29. I note that the bid proposal includes 50% affordable housing. However, as indicated

above, other suitable sites have been identified to address the shortfall in the land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area in the period up to 2032. I conclude that this site should not be identified as a housing allocation. No modification is required.

Settlement Map

30. Given my conclusions in relation to the two non-allocated site, there is no justification to amend the settlement boundary at this time. No modification is required.

Kirkton of Maryculter

31. The vision section in the proposed plan indicates that the local community wishes to see the provision of a car park at Kirkton of Maryculter Wood. As this has already been delivered, I agree that the last sentence in the vision section should be deleted. A modification is recommended.

Non-allocated bid site KN123 – Land east of Altries Wood

32. Drum Property Group seeks the allocation of a 3.4 hectare area of grassland to the east of existing residential properties at West Maryculter. The proposal is for up to 10 houses and rural employment land. West Maryculter comprises two groups of houses positioned on either side of a minor road and framed by areas of ancient woodland. There are no local services or facilities in West Maryculter and the site is bound on all sides by open fields or woodland.

33. The protection of the existing woodland would result in a development which is physically separate from the existing homes in West Maryculter. Whilst additional planting would provide a landscaped framework for the new housing, it would not overcome the poor integration with the existing homes and may detract from the integrity of the existing woodland. I note that the strategic environmental assessment identifies post mitigation negative effects in relation to biodiversity and landscape and potentially water environment.

34. The revised bid seeks to address some of the council 's concerns by including a small-scale rural enterprise opportunity and other interpretations of sustainable living. However, this would not overcome the locational disadvantages of the site. Residents of the homes would rely on travel by private car to access all local services and facilities, which would not be in accordance with the intended outcome of the plan "to reduce the need to travel". Furthermore, paragraph 4.18 of the strategic development plan states that reducing travel distances will be an important consideration, particularly for new greenfield sites. I agree with the council that this is not a suitable location to promote additional housing.

35. Matters relating to overall housing provision in the Aberdeen Housing Market Area are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. Whilst this site could contribute towards meeting this shortfall if allocated, alternative sites have been identified. The allocation would therefore not be justified on the grounds of meeting housing need. No modification is required.

Netherley

36. Bid site KN015 lies within the countryside adjacent to an existing group of houses. The main issues report, issues and actions paper and strategic environmental assessment indicate that a development of four homes would result in a number of adverse impacts, including loss of woodland, risk of flooding and effect on the site and setting of a listed building. Insufficient information has been submitted to demonstrate that these constraints can be overcome.

37. The site is not within walking distance of local services and facilities and I consider that the development would be largely car dependent. Whilst I recognise that there are existing homes in the vicinity of the site, this does not justify the identification of a housing allocation. As indicated above, other suitable sites have been identified to address the shortfall in the land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area in the period up to 2032. I conclude that this site should not be identified as a housing allocation. No modification is required.

38. The council has explained that settlement statements have been provided for other small settlements where there is a development allocation or a protected/reserved land designation. These circumstances do not apply to Netherley and I therefore agree with the council that a settlement statement is not required. A modification on this matter would not be justified.

Park

39. I consider that the amendment requested by SEPA in relation to the strategic drainage and water supply bullet point would provide clarification. A modification to this effect is recommended.

40. Allocation OP1 lies on the western edge of Park, to the north of the A93 road. It is identified in the existing local development plan for six homes. The council has explained that the capacity has been increased to 13 homes, as a result of it applying a standard density of 25 homes per hectare.

41. The site is identified as effective in the 2019 and 2020 housing land audits and no evidence has been submitted to indicate there are any particular constraints. The additional seven homes proposed on the site are identified as contributing towards the strategic development plan allowance for the Aberdeen Housing Market Area. The increase in the indicative capacity is consistent with paragraph 4.8 in the strategic development plan which states that "land brought forward for housing must be used efficiently". I also consider that the allocation would help support the existing local shop. I conclude that the matters raised in representations would not justify the removal of the site from the plan. No modification is required.

42. I agree that the changes requested to the allocation summary by SEPA and NatureScot would provide clarification in relation to drainage matters and habitats regulation appraisal respectively. Modifications on these matters are recommended.

Woodlands of Durris

General and Settlement Status

43. I agree with the council that no change is required to the plan to take account of planning applications at Upper Balfour. Woodland of Durriss has a settlement statement in the existing local development plan. Given the remaining capacity in allocation OP1 still to be developed and protected land designation P1, there would be no reason to remove the settlement statement from this plan. No modifications are required on these matters.

Services and Infrastructure

44. The strategic drainage and water supply bullet point indicates that there is a capacity constraint at Durriss waste water treatment works and identifies a solution in the form of a Scottish Water growth project. Other bullet points in the services and infrastructure section indicates where developer contributions may be required, for example in relation to local transport infrastructure and sports and recreation facilities. I note that Durriss school is operating below capacity. No modifications are required.

Site OP1 – Land northwest of Clune Gardens

45. The additional sentence requested by NatureScot in relation to Habitats Regulations Appraisal would provide clarification on this process. The council has explained that the need for proposals to connect to a public sewer is because private waste water treatment will not be accepted. To address NatureScot's representation on this matter, I consider that the words "to mitigate effects on the River Dee SAC" should be deleted. Modifications on these matters are recommended.

46. The allocation summary in the proposed plan provides unclear and potentially conflicting advice on the preferred access to the site. The council has clarified that access from Clune Gardens, rather than from the unnamed road to the east, is preferred for reasons of road safety. Given the layout of the existing development at Clune Gardens, I can see no reason why an additional access from the unnamed road to the east would be required. I consider it appropriate for the council to indicate its preferred access point. This does not prevent alternative arrangements being considered at planning application stage. A modification is required to remove the sentence which promotes access from the east.

Reporter's recommendations:

Modify the local development plan by:

Blairs

1. Replacing the first sentence of the flood risk bullet point in the Blairs settlement statement on page 640 with:
"Blairs College lies within an area potentially vulnerable to flood risk as identified by the National Flood Risk Assessment."

2. Replacing the health and care facilities bullet point in the Blairs settlement statement on page 641 with
"• Health and care facilities: Residential development may be required to contribute towards the creation of additional capacity at medical facilities serving the locality."

3. Inserting the following sentence before the last sentence in the second paragraph of allocation OP1: Blairs College in the Blairs settlement statement on page 641:

“Provision for active travel is required, in particular noting potential for paths to link northwards towards the proposed footbridge over the River Dee.”

4. Replacing the second sentence in the sixth paragraph of allocation OP1: Blairs College Estate in the Blairs settlement statement on page 641 with:

“There is currently sufficient capacity at Nigg Waste Water Treatment Works. A Drainage Impact Assessment will be required, which may be possible to add to ongoing Aberdeen Strategic Drainage Impact Assessment.”

5. Inserting the following sentence before the last sentence in the sixth paragraph of allocation OP1: Blairs College in the Blairs settlement statement on page 641:

“Future planning applications will require to be the subject of a Habitats Regulations Appraisal in order to consider potential effects on the qualifying interests of the River Dee SAC.”

6. Amending the boundary of site OP1 on the Blairs settlement plan on page 642 to include plot 22 to the west of Burnside Cottages within the boundary of site OP1 – Blair College Estate, and removing this plot from the green belt on the settlement map, the Shaping Development in the Countryside Policy Map (page 37) and Appendix 4 Boundaries of the Green Belt (Map 7 page 123).

Cookney

7. Inserting the following new first bullet point in the services and infrastructure section of the Cookney settlement statement on page 649:

“• Strategic drainage and water supply: There is no public waste water infrastructure available in Cookney.”

Durris Forest

8. Replacing the first paragraph in the description of site R1 in the Durris Forest settlement statement on page 657 with:

“Safeguarded for outdoor recreation facilities associated with a sport/adventure centre. As approximately 50% of the site has Type 5 peat, a peat survey and Phase 1 Habitat Survey will be required. A Construction Method Statement may also be required. Peatland restoration should be considered as part of the proposal. The site is in close proximity to the qualifying site and is likely to disturb the qualifying features through tourism/visits.”

9. Inserting the following new first bullet point in the services and Infrastructure section of the Durris Forest settlement statement on page 657:

“• Strategic drainage and water supply: There is no public waste water infrastructure available in Durris Forest. Any private waste water treatment will require full authorisation from the Scottish Environment Protection Agency.”

Kirkton of Durris

10. Inserting a new flood risk section with the following bullet point in the Kirkton of Durris settlement statement on page 686:

“• Parts of the settlement are at risk from flooding from the River Dee and Burn of

Sheeoch. Flood Risk Assessments may be required.”

11. Replacing the second bullet point in the services and infrastructure section in the Kirkton of Durris settlement statement on page 686 with:
“• Strategic drainage and water supply: There is no public waste water infrastructure in Kirkton of Durris.”

Kirkton of Maryculter

12. Deleting the last sentence in the vision section of the Kirkton of Maryculter settlement statement on page 688.

Park

13. Deleting the final sentence from the strategic drainage and water supply bullet point in the Park settlement statement on page 722.

14. Replacing the second paragraph in allocation OP1 (Land to the west of Park Village Hall) in the Park settlement statement on page 723 with:
“Connection to Drumoak Waste Water Treatment Works should be sought, with connection to the public sewer 0.5 kilometres away. This proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC.”

Woodland of Durris

15. Deleting the last sentence in the second paragraph of the allocation summary for OP1 (Land Northwest of Clune Gardens) in the Woodlands of Durris settlement statement on page 760.

16. Adding the following new second sentence into the third paragraph of the allocation summary for OP1 (Land Northwest of Clune Gardens) in the Woodlands of Durris settlement statement on page 760:
“This proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee Special Area of Conservation (SAC).”

17. Removing the following words from the end of the third paragraph in the allocation summary for OP1 (Land Northwest of Clune Gardens) in the Woodlands of Durris settlement statement on page 760:
“...to mitigate effects on the River Dee SAC.”

<p>Issue 50</p>	<p>Other Settlements RHMA (Kincardine and Mearns) North – Arbuthnott, Auchenblae, Fordoun, Gourdon, Inverbervie, Roadside of Kinneff and West Cairnbeg</p>	
<p>Development plan reference:</p>	<p>Proposed LDP, Appendix 7E Kincardine and Mearns, Page 634-635 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 636-639 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 670-673 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 674-677 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 678-681 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 737-739 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 757-758</p>	<p>Reporter: Alison Kirkwood</p>
<p>Body or person(s) submitting a representation raising the issue (including reference number):</p>		
<p>Arbuthnott PP1041 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Auchenblae PP0165 Carole Tailford PP1219 Scottish Environment Protection Agency</p> <p>Fordoun and Fordoun Airfield PP0405 M T Mitchell PP1183 Mr and Mrs Mackenzie PP1219 Scottish Environment Protection Agency</p> <p>Gourdon PP0516 Alexander Fernandez-Ritchie PP0923 Fotheringham Homes PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage) PP1361 William Heath</p> <p>Inverbervie PP0516 Alexander Fernandez-Ritchie PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage) PP1363 William Heath</p> <p>Roadside of Kinneff PP1084 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p>		

<p>West Cairnbeg PP0061 William Tait PP0147 Barry and Leila Beattie PP1219 Scottish Environment Protection Agency</p>	
<p>Provision of the development plan to which the issue relates:</p>	<p>Arbuthnott Settlement Statement Auchenblae Settlement Statement Fordoun and Fordoun Aerodrome Settlement Statement Gourdon Settlement Statement Inverbervie Settlement Statement Roadside of Kinneff Settlement Statement West Cairnbeg Settlement Statement</p>
<p>Planning authority's summary of the representation(s):</p>	
<p>Arbuthnott</p> <p><u>Flood Risk</u></p> <p>Scottish Environment Protection Agency (SEPA) has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).</p> <p><u>Services and Infrastructure</u></p> <p>SEPA has requested adding a point on 'Strategic drainage and water supply' to state, "There is no public waste water infrastructure available in Arbuthnott." (RD0214.B) (PP1219).</p> <p>A representee has noted that no residential allocations have been identified so there will be no development impacts required to be mitigated by developer obligations. The representee seeks the removal of the Services and Infrastructure section from the Arbuthnott Settlement Statement (PP1041).</p> <p>Auchenblae</p> <p><u>Flood Risk</u></p> <p>SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).</p> <p><u>Services and Infrastructure</u></p> <p>SEPA has requested that a bullet point regarding a new 'Strategic drainage and water supply' is added to include reference to the status of the waste water drainage in Auchenblae, especially as both Auchenblae and Fordoun pump to Laurencekirk. They suggest this should be done in consultation with Scottish Water to confirm the status of waste water capacity (network and treatment plant) to take additional flow and, if required, the need for an upgrade of waste water infrastructure (RD0214.B) (PP1219).</p> <p><u>Site OP1 – Land South of Mackenzie Avenue</u></p>	

SEPA has requested removal of the second sentence from the first paragraph, “The site is slightly sloping from north to south with the Burnie Shag to the east, which means that a Flood Risk Assessment will be required” and add the following text after the current third sentence, “Should the extant permission elapse a Flood Risk Assessment will be required to assess the risk from the Burnie Shag watercourse along the southern boundary. Consideration should be given to any culvert/bridges which may exacerbate flood risk.” (RD0214.B) (PP1219).

One representee has noted that part of the development site is overgrown and causing a nuisance to the adjoining property. Clarification is sought on whether part of the site would be left unkempt or if homes would border Kintore Cottage and the doctor surgery (PP0165).

Fordoun and Fordoun Aerodrome

Site BUS1 – Safeguarded for business uses

SEPA has confirmed that they have no issues with the allocation text for site BUS1. No modification sought (RD0214.B) (PP1219).

Site BUS2 – Safeguarded for business uses

SEPA has requested a new ‘Flood Risk’ section and bullet point for site BUS2 to assess potential fluvial and surface water flood risk. They note there may be a culverted watercourse on the site, which will require a development buffer along its length. Buffer strips will also be required along all other watercourses and consideration given to their enhancement through re-naturalisation and the removal of manmade features (RD0214.B) (PP1219).

SEPA has requested either adding text noting that private waste water treatment may not be possible in the BUS2 site or added to the ‘Strategic drainage and water supply’ bullet point (RD0214.B) (PP1219).

SEPA has requested that additional text is added on contamination due to the site being located entirely within the former RAF Fordoun (RD0214.B) (PP1219).

A representee has expressed their support for the inclusion of land subject to planning application APP/2014/1943, but objects to the failure to identify land immediately to the south of site BUS2 for business use to meet demand in this location. There is demand for use classes 5 and 6, with ancillary office accommodation and the site benefits from existing infrastructure and proximity to the A90, with easy access to main centres of population and is within a Strategic Growth Area (SGA). They state there is widespread community support for employment development being located at the former airfield and it is considered there will be minimal impact on the landscape. Land to the south of BUS2 should be identified as an ‘opportunity site’ for business use or extend BUS2 to the south. The representee has included a number of Appendices (RD0062.A, RD0062.B and RD0062.C) to support their representation (PP0405).

Services and Infrastructure

SEPA has requested that a new ‘Strategic drainage and water supply’ bullet point is added to include a reference to the status of the waste water drainage in Fordoun, especially as

both Auchenblae and Fordoun pump to Laurencekirk. They add this should be done in consultation with Scottish Water to confirm the status of waste water capacity (network and treatment plant) to take additional flow and, if required, the need for an upgrade of waste water infrastructure (RD0214.B) (PP1219).

Site OP1 – Station Road

SEPA has confirmed that they have no issues with the allocation text for site OP1 (RD0214.B). No modification sought (PP1219).

Non-Allocated Site – Bid Site KN105 – Land West of Toch-Hill Road

A representee has requested the allocation of 45 homes to meet a shortfall in available housing land along the Aberdeen to Laurencekirk SGA and meet a need for affordable housing. They state there are only two new allocations of housing land in the Proposed Local Development Plan (PLDP) along the SGA. The allocation at Fordoun has the advantage of good existing services and facilities for housing and it would enhance the housing market choice in the area. The representee adds that the applicant of the pending planning application on site OP1 in the LDP 2017 does not own the whole site. The representee has included an Appendix (RD0208.A and RD0208.B) to support their representation (PP1183).

Gourdon

Site R1 – Reserved for future cemetery expansion and car park

SEPA has confirmed that they have no issues with the allocation text for site R1 (RD0214.B). No modification sought (PP1219).

Site BUS – Safeguarded for business uses

SEPA has confirmed that they have no issues with the allocation text for site BUS (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has requested, for consistency, the second 'Flood Risk' bullet point states that Flood Risk Assessments may be required (RD0214.B) (PP1219).

Infrastructure and Services

SEPA has confirmed that they have no comment on the 'Strategic drainage and water supply' bullet point (RD0214.B). No modification sought (PP1219).

Site OP1 – Land at Braehead

One representee has expressed their support for the allocation of OP1 for 49 homes as there is local demand for housing in Gourdon and landscape and layout concerns can be addressed through a masterplan. It will also provide an effective supply of homes in the rural housing market and land for a cemetery extension and carpark will be provided (PP0923).

SEPA has confirmed that they have no issues with the allocation text for site OP1 (RD0214.B) (PP1219).

NatureScot has requested that the allocation summary for OP1 explains the rationale as to why the site is set back from Brae Road to at least the width of the cemetery (RD0255.B) (PP1300).

NatureScot has requested that the allocation summary for OP1 gives due consideration to the special qualities of the coastal Special Landscape Area (SLA). Concerns were expressed at the Main Issues Report (MIR) stage, stating that site KN135 was poorly located in relation to the historic core of Gourdon, it could significantly detract from the special qualities of the coastal SLA and it would interrupt the experience of arrival to the existing settlement, in the wider context of seaward vistas. It is noted that the Council has sought to address these concerns through a reduced proposal, but concerns remain, and consider the location very challenging and the required masterplan will need to be robust to minimise impacts as far as possible (RD0255.B) (PP1300).

NatureScot has requested that the allocation summary for OP1 includes a requirement for good quality open space and active travel facilities (particularly a link to NCN1) as this would encourage good placemaking and promote safe and convenient opportunities for active travel in accordance with the PLDP's aims (RD0255.B) (PP1300).

One representee has objected to site OP1 and notes the following reasons:

- The site should be designated as protected land or allocated for community facilities such as a gym or café.
- The proposed site has been enjoyed by the local community as a public right of way to reach the scenic coastal views and the current development plans would significantly interfere with this public right of way.
- The proposed site is contrary to the Human Rights Act in that it is “unlawful for a public authority to act in a way which is incompatible with a Convention right” and that there is a “right of respect for private and family life...”.
- The proposal is contrary to planning policy as per *Myton Ltd v Minister of Housing and Local Government* (1963) and similar cases, connected or pre-existing policies, with or without formal approval, are material considerations.
- Contrary to the “Planning Advice” in the recent ‘Built Heritage Appraisal’ by Aberdeenshire Council, the extensive housing development, between the road and the scenic open area and coastline, would contravene the following general principles: “retention of... particular views and vistas through the village [as] important elements in the townscape...”; and “protection and enhancement of existing... open spaces”. So, solely on this ground, it must be a material consideration of Aberdeenshire Council to uphold their pre-existing commitments to the people of Gourdon and not to go ahead with massive disruption to the scenic open spaces and overall unique character of Gourdon.
- As per the Stair Memorial Encyclopaedia, the “Climate Change (Scotland) Act 2009 requires public bodies... to act in a way best calculated to... be most sustainable”; the Scottish Government gives the following objectives for decision making by local authorities: protect and enhance the natural environment, including biodiversity and the landscape; maintain, enhance and promote access to open space; take into account the implications of development for water, air and soil quality. It is quite clear that the developments would, as mentioned above as a contravention of pre-

existing commitments of Aberdeenshire Council to Gourdon, interfere with the local community' access to the scenic, open space.

- With reference to the 'Strategic Environmental Assessment of New Allocated Sites and Alternative Bid Sites – Kincardine and Mearns', it is damnably clear that the proposed 49 homes would have "negative effect" on the natural landscape (long-term), and worse, have "significant negative effect" on the soil. This is clearly unacceptable, and utterly in breach of the sustainability requirements for local authorities as a destruction of precious and irreplaceable prime farmland.
- Per the 'Review of SG Safeguarding 2: Protection and conservation of agricultural land' document: "SG SR2 promotes the retention of prime agricultural land where possible and only allows the permanent loss of such land where it has been allocated within the development plan or it is demonstrated that the proposal has overriding social or economic benefit".
- The social or economic benefits of extensive housing developments over open and scenic natural land (prime farmland) to the local people of Gourdon are absolutely not overriding in the face of the extreme environmental damage, amongst other disruption mentioned on the above grounds. The representee has included an Appendix (RD0081.A) to support their representation (PP0516).

A representee has objected to site OP1, stating it is unwelcomed, would constitute overdevelopment and detract from the amenity of the settlement rather than add to it. The site has previously been dismissed and would merit protected status. They state it is not clear why the site was previously unacceptable but is now supported when nothing has changed. A large-scale housing scheme would not suit a traditional settlement and traffic is already a concern due to volume (PP1361).

Site OP2 – East of Linton Business Park

SEPA has confirmed that they have no issues with the allocation text for site OP2 (RD0214.B). No modification sought (PP1219).

Inverbervie

Flood Risk

SEPA has requested, for consistency, adding text at the end of the 'Flood Risk' bullet point to state that parts of Inverbervie may be at risk of flooding from the Bervie Water and that Flood Risk Assessments may be required (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no comment on the 'Strategic drainage and water supply' bullet point (RD0214.B). No modification sought (PP1219).

Site OP1 – Land to the South of West Park

SEPA has confirmed that they have no issues with the allocation text for site OP1 (RD0214.B). No modification sought (PP1219).

NatureScot has requested that the allocation summary for site OP1 states that any review of the masterplan considers landscape impacts. They state that roughly half of the site to

the west is located on steeper mid slopes of Knox Hill, which significantly contributes to the inland landform setting to Inverbervie. It is suggested development should avoid this western extent of the site to reduce significant adverse landscape and visual impacts (RD0255.B) (PP1300).

NatureScot has requested additional text that requires any review of the masterplan to prevent coalescence between Inverbervie and Gourdon. They state developing on this site will significantly contribute to the experience of coalescence of these settlements and it is suggested areas of open space are retained at the south eastern extent of the site (RD0255.B) (PP1300).

A representee has requested the removal of site OP1. The proposal constitutes overdevelopment and would align with the stated aim to avoid coalescence between Gourdon and Inverbervie. There is no justifiable reason why houses should be built any closer to Gourdon than at present. If more houses do need to be built in the area, then building would be better in the landward area, west of Townhead, where building has already taken place. The Council likes it to be known that it is committed to preserving and protecting small settlements and communities, however promoting large scale development makes a nonsense of such a commitment (PP1363).

One representee recommends that further environmental research and mitigation is undertaken on the long-term effects of the development. The representee has included an Appendix (RD0081.A) to support their representation (PP0516).

Roadside of Kinneff

Services and Infrastructure

SEPA has confirmed that they have no comment on the 'Strategic drainage and water supply' bullet point (RD0214.B). No modification sought (PP1219).

Site OP1 – Land to the West of Roadside of Kinneff

SEPA has confirmed that they have no issues with the allocation text for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has requested reducing the allocation by 16 homes, from 46 to 30 homes, as part of this site, which is allocated in the LDP 2017 for 30 homes, is identified as constrained in the Housing Land Audit (HLA) 2019. They also suggest that the remaining 16 homes should be allocated in the Rural or Aberdeen Housing Market Area. Has noted there are waste water treatment works capacity issues and mains reinforcement that may be required and adding 16 homes to the site will not remove this constraint or increase the likelihood of delivery. Adds, the scale of the allocation is excessive given the scale of the settlement and it is contrary to Scottish Planning Policy as the site is unlikely to be delivered (PP1084).

West Cairnbeg

Site R1 – Reserved for a community space

SEPA has drainage concerns regarding R1, as West Cairnbeg lies within a SEPA Waste

Water Drainage Consultation Area and any further private drainage is unlikely to be authorised by SEPA (RD0214.B) (PP1219).

Two representees (PP0061 and PP0147) object to the allocation of R1. Their concerns are as follows:

- It sits within the Cairngorms National Park and this would have a negative impact on visual landscape (view to Finella Hill).
- The site is designated as prime agricultural land.
- The existing community halls/services are not operating at full potential.
- Unclear on what type of development this is.
- There is no community desire for a community centre.
- Community halls/centres are available in surrounding settlements and serve West Cairnbeg adequately.

Services and Infrastructure

SEPA has requested amending the 'Strategic drainage and water supply' bullet point to state that West Cairnbeg lies within a SEPA Waste Water Drainage Consultation Area and that any further private drainage is unlikely to be authorised by SEPA (RD0214.B) (PP1219).

Modifications sought by those submitting representations:

Arbuthnott

Services and Infrastructure

Modify the PLDP to add new bullet point on 'Strategic drainage and water supply', "There is no public waste water infrastructure available in Arbuthnott" (PP1219).

Modify the PLDP to remove the 'Services and Infrastructure' section from the Arbuthnott Settlement Statement (PP1041).

Auchenblae

Services and Infrastructure

Modify the PLDP to add a new bullet point on 'Strategic drainage and water supply' and make reference to the status of the waste water drainage in Auchenblae, especially as both Auchenblae and Fordoun pump to Laurencekirk. This should be done in consultation with Scottish Water to confirm the status of waste water capacity (network and treatment plant) to take additional flow and, if required, the need for an upgrade of waste water infrastructure (PP1219).

Site OP1 – Land South of Mackenzie Avenue

Modify the PLDP to remove the second sentence from the first paragraph, "The site is slightly sloping from north to south with the Burnie Shag to the east, which means that a Flood Risk Assessment will be required" and add the following text after the current third sentence "Should the extant permission elapse a Flood Risk Assessment will be required

to assess the risk from the Burnie Shag watercourse along the southern boundary. Consideration should be given to any culvert/bridges which may exacerbate flood risk.” (PP1219).

Modify the PLDP to clarify whether part of the site would be left unkempt or if homes would border Kintore Cottage and the doctor surgery (PP0165).

Fordoun and Fordoun Aerodrome

Site BUS2 – Safeguarded for business uses

Modify the PLDP to add a new ‘Flood Risk’ section and bullet point for site BUS2 to assess potential fluvial and surface water flood risk (PP1219).

Modify the PLDP to include the following text for either site BUS2 site or in the ‘Strategic drainage and water supply’ bullet point to read, “This site (BUS 2) is not served by a public waste water system and the receiving water is a small burn with low dilution. Additional development may not be possible with private waste water treatment.” (PP1219).

Modify the PLDP to include additional text to read, “This site is entirely on the former Fordoun Airfield. The site is a former military airfield. Given the site’s former use as a military airfield radium 226 may be present due to its use in aircraft dials during WWII, we request a requirement in the allocation text stating: An assessment of the site for potential radioactive substances is required prior any development.” (PP1219).

Modify the PLDP to identify land immediately to the south of BUS2 for business use, as an ‘opportunity site’ or extend BUS2 to the south (PP0405).

Services and Infrastructure

Modify the PLDP to include a new ‘Strategic drainage and water supply’ bullet point to include reference to the status of the waste water drainage in Fordoun, especially as both Auchenblae and Fordoun pump to Laurencekirk. They add this should be done in consultation with Scottish Water to confirm the status of waste water capacity (network and treatment plant) to take additional flow and, if required, the need for an upgrade of waste water infrastructure (PP1219).

Non-Allocated Site –Bid Site KN105 – Land West of Toch-Hill Road

Modify the PLDP to include bid site KN105 for 45 homes (PP1183).

Gourdon

Flood Risk

Modify the PLDP to add a new ‘Flood Risk’ section bullet point to read, “Flood Risk Assessments may be required.” (PP1219).

Site OP1 – Land at Braehead

Modify the PLDP to amend the allocation summary of site OP1 to add a new third sentence to paragraph one to read, “This will allow for potential future extension to the cemetery,

along with an area for car parking.” (PP1300).

Modify the PLDP to amend the allocation summary of site OP1 add a new penultimate sentence to paragraph one to read, “There should be particular consideration of the special qualities of the coastal Special Landscape Area, and the potential impacts on the experience of arrival to the existing settlement in the wider context of seaward vistas.” (PP1300).

Modify the PLDP to amend the allocation summary of site OP1 to include at the end of the third paragraph, “Good quality open space is required. Provision for active travel is also required and this should seek to connect to existing active travel routes, including the nearby National Cycle Network Route 1 (NCR1).” (PP1300).

Modify the PLDP to remove site OP1 for housing and designate as protected land or allocate for community facilities (PP0516).

Modify the PLDP to remove site OP1 (PP1361).

Inverbervie

Flood Risk

Modify the PLDP to amend the ‘Flood Risk’ bullet point from, “Parts of the settlement may be at risk from coastal flooding.” to “Parts of the settlement may be at risk from coastal flooding and flooding from the Bervie Water. Flood risk Assessments may be required.” (PP1219).

Site OP1 – Land to the South of West Park

Modify the PLDP to amend the allocation summary of site OP1 to add a new last sentence to paragraph two to read, “Any review of the Masterplan should consider the landscape benefits of drawing the development down the slope into the more eastern part of the site, commensurate with existing development. To help minimise coalescence of Inverbervie with Gourdon, adequate open space should also be retained at the south eastern corner of the site.” (PP1300).

Modify the PLDP to remove site OP1 (PP1363).

Modify the PLDP to include the requirement for further environmental research and mitigation to be undertaken on the long-term effects of the development (PP0516).

Roadside of Kinneff

Site OP1 – Land to the West of Roadside of Kinneff

Modify the PLDP to reduce the allocation of site OP1 from 46 to 30 homes and allocate the remaining 16 homes in the Rural or Aberdeen Housing Market Area (PP1084).

West Cairnbeg

Site R1 – Reserved for a community space

Modify the PLDP to note SEPA's drainage concerns regarding R1, as West Cairnbeg lies within a SEPA Waste Water Drainage Consultation Area and any further private drainage is unlikely to be authorised by SEPA (PP1219).

Modify the PLDP to remove site R1 (PP0061 and PP0147).

Services and Infrastructure

Modify the PLDP to amend the 'Strategic drainage and water supply' bullet point from, "Private communal sewerage works is at capacity and ground conditions are poor. Early discussion with the Scottish Environment Protection Agency (SEPA) is required for any proposed future development." to "West Cairnbeg lies within a SEPA Waste Water Drainage Consultation Area and the existing private communal waste water treatment is at capacity. Any further private drainage is unlikely to be authorised by SEPA." (PP1219).

Summary of responses (including reasons) by planning authority:

Arbuthnott

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement, which will require to be appropriately assessed by the Council in accordance with the relevant policies of the PLDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Auchenblae

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land South of Mackenzie Avenue

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Planning permission has been granted for this site, under application APP/2015/3181 with

approval granted at appeal on 8 June 2018, showing the area in question as a wildlife area (AD0068). Permission would be required to be carried out in accordance with any conditions attached to the decision notice. If conditions are purified and works commence on the application site, the permission would require to be carried out in accordance with the approved scheme or any subsequent approval. No change required.

Fordoun and Fordoun Aerodrome

Site BUS1 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Site BUS2 – Safeguarded for business uses

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

There is an existing BUS site to the north of Fordoun, but a number of businesses have developed over the years at the former World War Two airfield. Several applications, over the years, have been granted at the former airfield and as such, it is considered appropriate to identify those areas in the Fordoun Aerodrome that have planning permission as a BUS site, including the narrow strips of land that have planning permission (APP/2014/1943). It is not seen that it is necessary to include the additional land as requested, as that land does not have any planning permissions associated with it (AD0038.F, MIR, page 33-34). It is preferred that business uses develop on land allocated for employment land or on brownfield. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Station Road

Comments from SEPA are noted. No change is required.

Non-Allocated Site – Bid Site KN105 – Land West of Toch-Hill Road

The Council does not support allocating bid site KN105 for 45 homes. Bid site KN105 was not identified as a preferred option in the MIR 2019 (AD0038.F, pages 33-34) and this site has several constraints. The flood risk would need to be recognised in the SuDS arrangement and overall layout, the entire site is identified as being prime agricultural land and it is situated within a pipeline consultation zone. There is uncertainty as to the local road network's ability to accommodate the traffic generated and the indicative access arrangement is outwith the site. The site is constrained in terms of education provision at Mearns Academy and the water treatment works has insufficient capacity. It would also be overdevelopment and previous bids made during the 2012 and 2017 LDP Examinations raised concerns over the scale of development, for which this is greater (45 homes compared to the previous 40) (AD0036 Report of the Examination of the LDP 2017, (Bid site KM019), page 796). There are concerns about the development being on prime agricultural land and it is not felt there are overriding reasons for this to occur. There are issues regarding viability of the site using a new section of road and the new BUS2

allocation only safeguards existing businesses or land that has planning permission; it does not allocate any new employment land. Therefore, it was not proposed to include this site within the PLDP (AD0040.F, MIR Issues and Actions Paper, Issue 131 Fordoun, pages 35-38). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

In reference to the ownership concerns of OP1, land ownership is not a concern for the LDP, and this site has now been granted planning permission in principle for 17 homes under application APP/2019/0497.

In conclusion, no change is required.

Gourdon

Site R1 – Reserved for future cemetery expansion and car park

Comments from SEPA are noted. No change is required.

Site BUS – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Infrastructure and Services

Comments from SEPA are noted. No change is required.

Site OP1 – Land at Braehead

Support expressed for site OP1 is noted along with comments from SEPA. No change is required.

The concerns raised by NatureScot and other representees are noted, but there are limited locations in Gourdon to develop and support local services and facilities. However, if the Reporter is minded, to make an amendment, then the Council recommend that the allocation summary for site OP1 could be modified to read, "This site is located in a prominent location that overlooks the sea, and development should be set back from Brae Road to at least the width of the existing cemetery. This will allow for potential future extension to the cemetery, along with an area for car parking. The design of the homes should also respect the distinctive character of Gourdon and its setting along the coastline. There should be particular consideration of the special qualities of the coastal Special Landscape Area, and the potential impacts on the experience of arrival to the existing settlement in the wider context of seaward vistas. Due to the visual and landscape sensitivity of this site, a masterplan will be required."

The Council confirms that it intends to address NatureScot's comment on open space and

active travel through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Whilst site OP1 was not a preferred option in the MIR 2019 (AD0038.F, page 37) when submitted as bid site KN135 for 69 units, the site was agreed to be included by Kincardine and Mearns Area Committee at a reduced density of 49 homes (AD0153. Page 20). This was agreed at subsequent Infrastructure Services Committee and Full Council meetings as the settled view of the Council. No change is required.

Site OP2 – East of Linton Business Park

Comments from SEPA are noted. No change is required.

Inverbervie

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land to the South of West Park

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1, which has been carried forward from the LDP 2017, is identified as effective in the HLA 2019 and provides a sufficient supply of housing land (AD0022, Rural Housing Market Area, page 37). Any future planning application would be required to provide appropriate information of environmental surveys where required. However, the site is considered appropriate and the level of development has been considered acceptable and is the settled view of the Council. No change is required.

Roadside of Kinneff

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land to the West of Roadside of Kinneff

Comments from SEPA are noted. No change is required.

The Council does not support reducing the allocation of site OP1 from 46 to 30 homes and allocating the remaining 16 homes elsewhere. Site OP1 includes land that is allocated in the LDP 2017 for 30 homes and bid site KN033, which was a preferred option in the MIR

2019 for 16 homes and private sewage works, AD0038.F, page 91. SEPA has not objected to the wording in the Settlement Statement under Services and Infrastructure for a private sewage works. It is also noted that the local Waste Water Treatment Works cannot be upgraded until a planning application is approved and Scottish Water initiates a growth project. As such, this issue can be resolved. With regards to the scale of the proposal, while large in scale for the size of the settlement, it does not impact on the setting of Roadside of Kinneff, as it drops away from the settlement and it is screened by existing buildings from the A92. No change is required.

West Cairnbeg

Site R1 – Reserved for a community space

Comments from SEPA are noted and can be addressed through the inclusion of the amended bullet point within the Services and Infrastructure section (see below).

The Council does not support removing this site. It is within the Braes of the Mearns Special Landscape Area and not in the Cairngorms National Park, and any development must not affect the special qualities of this landscape. Site R1 has development on two sides and if well designed, it is unlikely to detract from the special landscape qualities of this area. Prime agricultural land covers most of south Aberdeenshire, and sites are identified in specific circumstances, for example to meet a local or strategic need or to create a more sustainable community. This site was identified as part of a larger bid for 30 homes and community facilities (see location plan of bid site KN097, AD0156) and a reserved site is not the same as an allocation, as it only safeguards land for a specific use, which it can come forward at any time. Although the type of community space is not specified, it is flexible and need not be a hall. Community facilities are defined in the PLDP glossary. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Reporter's conclusions:

Preliminary Matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to the settlement statement matters covered in Issue 50. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Arbuthnott

3. There is no information provided on water and drainage infrastructure for Arbuthnott in the proposed plan. I agree that the additional bullet point suggested by the Scottish Environment Protection Agency (SEPA) should be included to address this omission. A modification to this effect is recommended.

4. I agree with the council that planning applications may still be submitted for sites in or adjacent to Arbuthnott. It is therefore appropriate for the plan to indicate the services and infrastructure which are likely to require developer contributions. No modification is recommended.

Auchenblae

Services and Infrastructure

5. No information has been provided on water and drainage infrastructure in Auchenblae. SEPA has asked the council to confirm with Scottish Water that proposed population growth is within the design criteria for the Laurencekirk waste water treatment works. However, I am not aware from the council's suggested response whether this has been done. I consider a modification to be necessary to address this matter.

Site OP1 – Land south of Mackenzie Avenue

6. Planning permission was granted in 2018 for 25 houses on site OP1. I did not see any evidence that development had commenced on my site inspection. I consider that SEPA's advice on the need for a flood risk assessment would be relevant if a further planning application is submitted. I recommend a modification to the first paragraph of the allocation summary for OP1.

7. The council has explained that the land next to Kintore Cottage is shown as a wildlife area in the approved plans for planning application APP/2015/3181. Whilst this may be subject to change if a new planning application is submitted, I do not consider that the detailed layout of the site is a matter for the local development plan. No modification is required.

Fordoun and Fordoun Aerodrome

Site BUS2 – Safeguarded for business uses

8. The representation submitted on behalf of Mr Mitchell includes a copy of the approved plan for application APP/2014/1943. I agree with the council that allocation BUS2 includes the land covered by this planning permission. The additional site which Mr Mitchell wishes to be included in an extension of allocation BUS2 is currently flat, agricultural land, located to the north of the B965 road. Existing business uses in the area are located predominantly on brownfield land associated with the former aerodrome.

9. Figure 5 in the strategic development plan would suggest that Fordoun Aerodrome lies within the Aberdeen to Laurencekirk strategic growth area. Appendix 1 in the proposed plan indicates that there is no shortfall in the employment land allocations in this strategic growth area up to the period 2032. I do not consider the allocation of greenfield land at Fordoun Aerodrome for business purposes to be necessary or justified. No modification is

required on this matter.

10. SEPA has requested that additional text is included under BUS2 to require an assessment of potential radioactive substances, because the site was used as a military airfield. I agree that it would be appropriate to make developers aware of this requirement. SEPA has also requested additional text in relation to waste water treatment. I agree that information on this potential constraint should be included under BUS2. Modifications on these matters are required.

Flood Risk

11. There is no information on flood risk included in the proposed plan. The additional text requested by SEPA relates to site BUS2, which I note already has planning permission. However, I agree that a modification is required on this matter, as further planning applications may be submitted for the site.

Services and Infrastructure

12. No information has been provided on drainage infrastructure in Fordoun and Fordoun Aerodrome. SEPA has asked the council to confirm with Scottish Water that proposed population growth is within the design criteria for the Laurencekirk waste water treatment works. However, I am not aware from the council's suggested response whether this has been done. I consider a modification to be necessary to address this matter.

Non-allocated Bid Site KN105 – Land west of Toch-Hill Road

13. Bid site KN105 lies to the southwest of the Fordoun settlement boundary and is currently in agricultural use. Loss of prime agricultural land, infrastructure requirements, and proximity to a pipeline are identified as negative effects in the environmental report. The council's response above also raises concerns regarding flood risk, impact on the local road network, education provision and capacity of the waste water treatment works.

14. The supporting statement submitted on behalf of Mr and Mrs Mackenzie provides additional information to address these matters. It points out that a number of housing allocations involve development on prime agricultural land and that there are solutions to the identified infrastructure constraints. It states that the number of houses proposed within the pipeline consultation zone would be in line with Health and Safety Executive guidance and that the development would help support local services including the primary school.

15. Fordoun lies within the Aberdeen to Laurencekirk strategic growth area and the Rural Housing Market Area. As indicated in Issue 2, the Strategic Development Plan does not identify a specific housing allowance for the strategic growth areas. Furthermore, it is concluded under issue 5, that there is no shortfall in the allocations identified to meet the strategic development plan allowance for the Rural Housing Market Area.

16. The representees have questioned the deliverability of housing site OP1, which the council has indicated has planning permission for 17 homes. I note that the site is not identified as constrained in the 2020 Housing Land Audit and development is programmed between 2022 and 2025. I have no reason to dispute the effectiveness of site OP1 and would expect it to provide additional housing in Fordoun during the plan period.

17. I find the supporting information provided by the representees helpful in responding to the concerns raised by the council and in the environmental report. However, in the absence of comments from the Roads Authority and the Health and Safety Executive, I am unable to reach a conclusion in relation to matters on access and the pipeline consultation zone.

18. The site would result in a western extension of the village onto relatively flat and open agricultural land. There would appear to be no opportunity to provide convenient pedestrian and cycle connections between the site and the rest of the village. The indicative layout shown in the supporting statement is not well integrated with existing housing, roads or paths and does not provide a strong, defensible edge to the settlement.

19. Given the matters outlined above, I do not consider the allocation of this site would be appropriate. No modification is required.

Gourdon

Flood Risk

20. I agree with SEPA, that in the interests of consistency, the second bullet point should indicate that flood risk assessments may be required. A modification is recommended.

Site OP1 – Land at Braehead

21. Proposal OP1 – Land at Braehead is for 49 homes on the eastern side of Brae Road. It is currently, flat, agricultural land with open views to the sea. The existing business uses located to the north of the site are not visible from Brae Road, due to screen planting. The site lies to the north and east of designation R1, which is reserved for an extension to the cemetery and car parking.

22. The initial bid proposal (KN135) was for a larger site with a capacity of 67 homes, which was included in the main issues report as an option which planning officers did not support. The Issues and Actions paper explains that the proposal was reduced to 49 homes, but was still not recommended by officers for inclusion in the proposed plan. However, the Kincardine and Mains Area Committee agreed to identify the site as a housing allocation for 49 homes. The council has not explained the reason for this decision.

23. The village of Gourdon, including site OP1, is located within the South East Aberdeenshire Coast Special Landscape Area. The statement of importance set out in Appendix 13 of the proposed plan states that this designation “recognises the importance of its rugged scenery of weathered coastal cliffs and atypical raised beach features, which form an important setting to the numerous coastal villages and towns”. It also states that sea views are fundamental to the character of the area. The settlement contains a range of local services, including a primary school. There are bus stops near the site on Brae Road and on the A92.

24. The proposal has been the subject of strategic environmental assessment which includes consideration of a range of environmental effects. The environmental report identifies negative impacts on the landscape, biodiversity and loss of prime agricultural

land. In response to the main issues report, NatureScot commented that “the site was poorly located in relation to the historic core of Gourdon and that development at the site was likely to significantly detract from the special qualities of the coastal special landscape area and would interrupt the experience of arrival to the existing settlement, in the wider context of seaward vistas”.

25. NatureScot has not objected to allocation OP1 in the proposed plan. However, it remains concerned that the location of the site is very challenging and that the required masterplan will need to be robust to minimise impacts, as far as possible. Two representees object to the allocation, mainly on the grounds of visual and environmental impacts.

26. I note that the vision for Gourdon in the proposed plan highlights two potentially competing objectives for the settlement – “maintaining the character of the village in its coastal setting, whilst also allowing further development to meet local needs and sustain the primary school and shop”.

27. I consider that housing development on this site would have a negative effect on the open aspect of the coastal Special Landscape Area and would obstruct seawards views which contribute to the experience of arrival in Gourdon from the north. Furthermore, by setting development back from Brae Road, there is a risk that the housing would be physically separate from and poorly integrated with the rest of settlement. A representee is also concerned that the development would detract from the character of Gordoun.

28. I recognise the benefits that development would bring in terms of providing affordable housing and supporting local services. In particular, I am aware that the roll of the local primary school is predicted to fall from 86 pupils in 2019 to 61 in 2027. I also note that there are limited alternative development opportunities in Gourdon. In addition to the local benefits identified, this allocation would contribute 49 homes towards the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032. I note that the land is in the control of a housebuilder, who is actively promoting the site as a housing allocation.

29. In line with policy PR1 (Protecting Important Resources), I consider that the loss of prime agricultural land would be justified, as the site would contribute towards meeting strategic housing need. The safeguarding resources map on page 78 of the proposed plan indicates that the majority of agricultural land next to settlements in this part of Aberdeenshire is of prime quality and therefore avoiding this important resource would be difficult. As the proposal is being brought forward through the development plan, it would be consistent with paragraph P1.5 in the proposed plan.

30. NatureScot and the council have suggested some additional text be inserted into the allocation summary to help address the matters raised in representations. I agree that these changes would be necessary, given the site’s visual and environmental sensitivity, and to explain the reason why housing development on site OP1 should be set back from Brae Road. I agree with NatureScot that the master plan will have an important role in minimising the visual impacts and integrating the housing development with the rest of the settlement. The preparation of a master plan would also provide the opportunity to address some of the concerns raised by representees, including the interface between housing and the cemetery, access routes and design matters.

31. Given the size of Gordoun and the range of local service services, I consider it an appropriate location for additional housing. No other housing sites have been identified or promoted through the preparation of the local development plan. I consider on balance that the social and economic benefits of the allocation would outweigh the identified adverse environmental effects. I therefore conclude that the allocation should be retained. However, I recommend some modifications to the allocation summary to help mitigate the adverse impacts on the settlement and the coastal special landscape area.

32. Given my conclusions in relation to allocation OP1, I do not consider that the identification of the site for community uses (as suggested by a representee) would be appropriate. Furthermore, no bid proposal for such uses has been submitted for consideration through the preparation of the plan.

Inverbervie

33. The proposed plan states that parts of the settlement may be at risk from coastal flooding. SEPA has indicated that there may also be a risk of fluvial flooding from the Bervie Water. I agree with SEPA that a modification is required to clarify the nature of the flood risk and indicate that flood risk assessments may be required. A modification to the flood risk section is recommended.

34. Site OP1 - Land to the South of West Park for 200 homes was previously allocated in the 2012 and 2017 local development plans. NatureScot is concerned that development on the western part of the site, which is located on the steeper slopes of Knox Hill, would result in adverse landscape and visual impacts.

35. The allocation summary for site OP1 indicates that a master plan was approved for the site in April 2015. However, I note that a review of the master plan would be required if development has not commenced at the date of adoption of this local development plan. The changes requested by NatureScot would require any review of the master plan to consider the landscape benefits of avoiding development on the western part of the site. From my site inspection, I observed that the slopes to the north of Sheep Wash Farm are visibly higher than the remainder of the site, when viewed from the A92. I agree that there would be benefits in considering the visual and landscape impact of development on the western part of the site. A modification is recommended.

36. Land to the south of allocation OP1 is identified as designation P5 on the Inverbervie map in the proposed plan to “protect the landscape buffer as a significant contribution to the character of the place”. I consider that this designation would help provide a degree of separation between Inverbervie and Gourdon. However, I agree with NatureScot that the provision of open space on the south east corner of site OP1 should also be required, to help minimise the coalescence of these two settlements. This would also help address the concerns raised by William Heath. A modification to this effect is recommended.

37. Site OP1 is the only housing allocation in Inverbervie and I do not consider that it represents over-development. In terms of the environmental impact of the proposal, I agree with the council that further information may be required as part of a submission for planning permission. No other modifications are recommended.

Roadside of Kinneff

38. I note that part of the allocation OP1 – Land to the west of Roadside of Kinneff is identified for 30 homes in the existing local development plan. The council has explained that the site has been extended in a north-westerly direction in response to a bid submission for an additional 16 homes. The allocation summary in the proposed plan sets out a way forward to address the current waste water infrastructure constraint. Only 16 of the 46 homes have been identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032, which I do not consider to be excessive for a settlement of this size. On the basis of the evidence before me, I am not persuaded that the removal of this site would be justified. No modification is required.

West Cairnbeg

39. Site R1 forms the corner of a flat agricultural field and is bound to the east and south by residential development. As there are currently no local facilities within West Cairnbeg and there do not appear to be any suitable sites within the existing settlement boundary, I consider that the loss of this area of agricultural land would be justified.

40. I note that the two representees do not agree with the reference in the vision section of the West Cairnbeg to a desire for a community centre. The council has drawn attention to the definition of community facilities in the glossary of the proposed plan. However, I note that site R1 is reserved for a community space, which I consider would not necessarily mean a building.

41. I agree with the council that relevant policy considerations to be taken into account in assessing any future proposal would include matters such as landscape impact. Local residents would have the opportunity to submit representations, if a planning application is submitted. No modification is required.

42. I consider the amendment requested by SEPA, in relation to waste water treatment, to be appropriate to reflect their position on this matter. A modification to the services and infrastructure section is recommended.

Reporter's recommendations:

Modify the local development plan by:

Arbuthnott

1. Adding the following new first bullet point in the services and infrastructure section of the Arbuthnott settlement statement on page 634:

“• Strategic drainage and water supply: There is no public waste water infrastructure available in Arbuthnott.”

Auchenblae

2. Adding the following new second bullet point in the services and infrastructure section of the Auchenblae settlement statement on page 637:

“• Strategic drainage and water supply: Waste water in Auchenblae is pumped to Laurencekirk Waste Water Treatment Works (WWTW). A growth project at Laurencekirk WWTW has been completed. An upgrade will be required if the proposed population

growth is beyond the design criteria for the Laurencekirk WWTW. Local water mains reinforcement may be required.”

3. Removing the second sentence from the first paragraph and adding the following sentences to the end of this paragraph in the allocation summary for OP1 (Land south of Mackenzie Avenue) in the Auchenblae settlement statement on page 638:

“If a further planning application is submitted, a Flood Risk Assessment will be required to assess the risk from the Burnie Shag watercourse along the southern boundary. Consideration should be given to any culvert/bridges which may exacerbate flood risk.”

Fordoun and Fordoun Aerodrome

4. Replacing the description of BUS2 in the other designations section of the Fordoun and Fordoun Aerodrome Settlement Statement on page 670 with:

“Safeguarded for business purposes. As the site was used as a military airfield during World War Two, radium 226 may be present. An assessment for potential radioactive substances is required prior to any development. A Transport Assessment may also be required for new developments. “This site is not served by a public waste water system and the receiving water is a small burn with low dilution. Additional development may not be possible with private waste water treatment.”

5. Adding a new sub-heading “Flood Risk” with the following bullet point to the Fordoun and Fordoun Aerodrome settlement statement on page 670:

“• A Flood Risk Assessment may be required for site BUS2 to assess possible fluvial and surface water flood risk. There may be a culverted watercourse on site which will require a development buffer along its length. Buffer strips will be required along all other watercourses and consideration should be given to their enhancement through renaturalisation and the removal of manmade features.”

6. Replacing the second bullet point in the services and infrastructure section of the Fordoun and Fordoun Aerodrome settlement statement on page 671 with:

“• Strategic drainage and water supply: Waste water in Fordoun is pumped to Laurencekirk Waste Water Treatment Works (WWTW). A growth project at Laurencekirk WWTW has been completed. An upgrade will be required if the proposed population growth is beyond the design criteria for the Laurencekirk WWTW. Local water mains reinforcement may be required.”

Gourdon

7. Adding the following sentence to the end of the second bullet point in the flood risk section of the Gourdon settlement statement on page 675:

“Flood Risk Assessments may be required.”

8. Replacing the first paragraph of the allocation summary for OP1 – Land at Braehead with:

“This is a newly allocated site. This site is located in a prominent location that overlooks the sea, and development should be set back from Brae Road to at least the width of the existing cemetery. This will allow for potential future extension to the cemetery, along with an area for car parking. The design of the homes should also respect the distinctive character of Gourdon and its setting along the coastline. There should be particular consideration of the special qualities of the coastal Special Landscape Area, and the

potential impacts on the experience of arrival to the existing settlement in the wider context of seaward vistas. Due to the visual and landscape sensitivity of this site, a masterplan will be required.”

9. Adding the following sentence to the end of the third paragraph of the allocation summary for OP1 – Land at Braehead:

“Good quality open space is required. Provision for active travel is also required and this should seek to connect to existing active travel routes, including the nearby National Cycle Network Route 1 (NCR1).”

Inverbervie

10. Replacing the bullet point in the flood risk section of the Inverbervie settlement statement on page 679 with:

“• Parts of the settlement may be at risk from coastal flooding and flooding from the Bervie Water. Flood Risk Assessments may be required.”

11. Adding the following two sentences to the end of the second paragraph of the allocation summary for site OP1 (Land to the south west of West Park) in the Inverbervie settlement statement on page 680:

“Any review of the Masterplan should consider the landscape benefits of drawing the development down the slope into the more eastern part of the site, commensurate with existing development. To help minimise coalescence of Inverbervie with Gourdon, adequate open space should also be retained at the south eastern corner of the site.”

West Cairnbeg

12. Replacing the first bullet point in the services and infrastructure section of the West Cairnbeg settlement statement on page 757 with:

“• Strategic drainage and water supply: West Cairnbeg lies within a Scottish Environment Protection Agency (SEPA) Waste Water Drainage Consultation Area and the existing private communal waste water treatment is at capacity. Any further private drainage is unlikely to be authorised by SEPA.”

<p>Issue 51</p>	<p>Other Settlements RHMA (Kincardine and Mearns) South – Edzell Woods and Newesk, Fettercairn, Johnshaven, Luthermuir, Marykirk and St Cyrus</p>	
<p>Development plan reference:</p>	<p>Proposed LDP, Appendix 7E Kincardine and Mearns, Page 659-662 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 663-666 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 682-685 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 704-707 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 708-710 Proposed LDP, Appendix 7E Kincardine and Mearns, Page 740-743</p>	<p>Reporter: Alison Kirkwood</p>
<p>Body or person(s) submitting a representation raising the issue (including reference number):</p>		
<p>Edzell Woods and Newesk PP1219 Scottish Environment Protection Agency</p> <p>Fettercairn PP0455 Amy Anderson PP0761 Stuart Leon PP1110 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Johnshaven PP0544 Benholm and Johnshaven Community Council PP0878 The Woodland Trust Scotland PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage)</p> <p>Luthermuir PP0012 Grace Long PP0070 Paul Johnson PP0097 Moira Parker PP0123 Olivia Cameron PP0265 Paul Johnson PP0460 E Mitchell PP0525 Janie Jones PP0526 Allan Jones PP0633 Mearns Community Council PP1056 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Marykirk PP0634 Mearns Community Council PP1219 Scottish Environment Protection Agency PP1221 FM Ury Ltd and RSM Milne Dykelands Ltd</p>		

<p>St Cyrus PP0116 Mr and Mrs W Dunn PP0321 Polly Van Alstyne PP1219 Scottish Environment Protection Agency</p>	
<p>Provision of the development plan to which the issue relates:</p>	<p>Edzell Woods and Newesk Settlement Statement Fettercairn Settlement Statement Johnshaven Settlement Statement Luthermuir Settlement Statement Marykirk Settlement Statement St Cyrus Settlement Statement</p>
<p>Planning Authority's summary of the representation(s):</p>	
<p>Edzell Woods and Newesk</p> <p><u>Flood Risk</u></p> <p>Scottish Environment Protection Agency (SEPA) has requested amending the second bullet point of the 'Flood Risk' section to include the BUS site and OP2 and Flood Risk Assessments will be required (RD0214.B) (PP1219).</p> <p><u>Services and Infrastructure</u></p> <p>SEPA has requested amending the first sentence of the 'Strategic drainage and water supply' bullet point to state that there is no public waste water infrastructure in Edzell Woods, only private treatment and contributions will be required for an upgrade to the existing treatment works or for a new pumping station to connect to the public waste water treatment works in Edzell (RD0214.B) (PP1219).</p> <p><u>Site OP1 – Newesk</u></p> <p>SEPA has requested amending the first sentence of the fifth paragraph to specify that an updated Flood Risk Assessment will be required if the extant permission lapses or if there is a change to the design layout not previously agreed, and to add a new sentence on culverts/ bridges (RD0214.B) (PP1219).</p> <p>Fettercairn</p> <p><u>General</u></p> <p>A representee has noted that whilst they are not against development in Fettercairn, this must be proportionate and in keeping with the character of the settlement (PP0455).</p> <p><u>Vision</u></p> <p>A representee has stated that the wording of the Vision suggests the distillery is a significant employer, but to use this as justification for OP1 is not convincing (PP0455).</p> <p><u>Site R1 – Reserved for a road access into site OP1</u></p>	

SEPA has no issues with the allocation text for site R1 (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has requested that the second sentence of the 'Flood Risk' section is moved to its own separate bullet point and reference to P3 is removed (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has no comment on the 'Strategic drainage and water supply' bullet point. No modification sought (RD0214.B) (PP1219).

A representee has suggested that appropriate sewage facilities should be scoped out before any development goes ahead as this has been problematic in the past (PP0455).

A representee has stated that public transport is a necessity rather than a "may be required" (PP0455).

Site OP1 – Land to the Northwest of Fettercairn

SEPA has requested adding text to the allocation text for OP1 to state that enhancements to the burn must be supported in a Flood Risk Assessment (RD0214.B) (PP1219).

SEPA has requested adding text to the allocation text for OP1 requiring a connection to the public sewer network in light of the wording in the 'Strategic drainage and water supply' bullet point in the 'Services and Infrastructure' section (RD0214.B) (PP1219).

While not opposed to new development, a representee has raised concerns over increasing traffic from this and other developments (e.g., at Fasque) and challenges for meeting the safe and pleasant policy objective. There are insufficient pavements causing further safety concerns for school children, and this allocation must not go against the limits set out in the Main Issues Report (MIR) in relation to clusters and groups of housing. They also state site OP1 does not meet the policy principle "well connected" (PP0455).

Two representees have objected to this site (PP0761 and PP1110) for the following reasons:

- Fettercairn has recently had a large new housing development but with no improvements to local infrastructure, and the new allocation would add further strain (PP0761).
- There are school capacity issues, water and drainage issues and there is no public transport, limited employment, it will increase traffic in a small village adding risk to school children, and the settlement has poor connectivity with the A90 North (PP0761).
- It is marketability constrained, entering the Housing Land Audit (HLA) in 2012 (PP1110).
- A second access will be required to the site as it must accommodate existing development of 38 homes to the east of the allocation, but a substantial ransom strip separates the south part of the site from Garrol Place (PP1110).
- The 11 homes that do not require a second access are unlikely to be effective as the

P6 designation contains ransom strips (PP1110).

- Site P6 highlights the allocation is landlocked and physically constrained (PP1110).

Johnshaven

Site R1 – Reserved for educational uses associated with Lathallan School

SEPA has no issues with the allocation text for site R1 (RD0214.B). No modification sought (PP1219).

A representee has objected to the inclusion of site R1 as it is likely to cause damage and/or loss to areas of ancient woodland. They add, removal of woodland is contrary to Scottish Planning Policy (SPP) paragraphs 216 and 218 and also to the Control of Woodland Removal Policy (RD0161.A) (PP0878).

Site R2 – Reserved for a future expansion of the cemetery

SEPA has no issues with the allocation text for site R2 (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has requested, for consistency, adding additional text to the 'Flood Risk' bullet point to state that part of the settlement is at risk of coastal, fluvial and/or surface water flooding and that Flood Risk Assessments may be required (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has no comment on the 'Strategic drainage and water supply' bullet point (RD0214.B). No modification sought (PP1219).

Benholm and Johnshaven Community Council has requested that the Settlement Statement states the following:

- The need for a speed limit of 40mph on the A92, north of Lathallan School Main entrance and south of the New Road junction on safety grounds as the A92 has two sharp bends, and the need to improve junction layouts at New Road and Barons Pade, as they have challenging hill access onto the A92.
- That adequate lighting on the railway path, the Community Garden and under the New Road Bridge is required due to concern for pupil safety when walking to the primary school from site OP1.
- The need for a single sewage system for St Cyrus, Johnshaven, Gourdon and Inverbervie given the rising number of new homes and businesses and that the area is a popular tourist destination. There is concern that sewage is currently pumped to common tanks before being screened and then discharged, untreated, into the sea off the Haughs of Benholm and there is a need for a review.
- The development of site OP1 includes the provision of safe access to facilities at Wairds Park. They noted that the plans for site OP1 show a new walkway at the side of the Barons Pade road from the emergency access to the corner with Castle Street at the entrance to Wairds Park playground area. However, to improve pedestrian safety off the old railway walk and to better integrate this development

into the community, it is requested steps are provided on two earth ramps en-route to the football ground via Herd Crescent and the Wairds Park playground entrance (PP0544).

Site OP1 – Golden Acre

SEPA has no issues with the allocation text for site OP1 (RD0214.B). No modification sought (PP1219).

NatureScot has noted that site OP1 comprises a relatively large site located within the existing policy woodlands and historical design landscape of the historical Lathallan Estate and request that this is reflected in the allocation summary to help inform masterplanning and avoid significant landscape and visual impacts (RD0255.B) (PP1300).

Luthermuir

Flood Risk

SEPA has no comment on the 'Flood Risk' bullet point (RD0214.B). No modification sought (PP1219).

Infrastructure and Services

SEPA has no comments on the 'Strategic drainage and water supply' bullet point (RD0214.B). No modification sought (PP1219).

Site OP1 – The Chapel

SEPA has requested rewording the second paragraph in the allocation summary on culverts and to state that enhancement of the watercourse and removal of culverts should be part of a Flood Risk Assessment (RD0214.B) (PP1219).

Several representees (PP0070, PP0123 and PP0265) have requested that OP1 should be removed for the following reasons:

- Concerned how the loss of agricultural land will be replaced when there is an increased demand for food from a growing population.
- Church Lane is in a poor state.
- Existing infrastructure is unable to support the development, e.g. narrow roads and insufficient broadband.
- Noise and emissions pollution.
- Limited local amenities and services.
- Limited job opportunities.
- Loss of prime agricultural land.
- Detrimental impact on the character of the village and its historic environment.
- Impact on natural environment including protected trees and wildlife species.
- Impact on quality of life.

Mearns Community Council has raised concerns on the number of homes proposed for the site. There is a lack of a footpath along School Road and adding a footpath would make it virtually a single-track road (PP0633).

Site OP2 – Land South of Newbigging Cottages

SEPA requests amending the last sentence in the first paragraph to state that a Flood Risk Assessment will be required, no development will be permissible on the culverted watercourse and that enhancement of the watercourse and removal of any redundant features including culverts should be investigated and should be supported in a Flood Risk Assessment (RD0214.B) (PP1219).

A representee notes the following in regard to site OP2:

- The development will impact on neighbouring residents' access and parking.
- Environmental impact should be considered due to the extent of the development, in particular impact on wildlife habitat and protected species and the impact of light pollution caused by increased street lighting.
- The site will cause an increase in traffic through the village, and onto the north bound A90 junction which is small with no merger lane.
- There are insufficient local services to support the development (PP0012).

Mearns Community Council has raised concerns on the number of homes proposed for the site. There is a lack of a footpath along School Road and adding a footpath would make it virtually a single-track road (PP0633).

Site OP3 – Land North of Church Road

SEPA has no issues with the allocation text for site OP3 (RD0214.B). No modification sought (PP1219).

A representee has no issues in principle with the site, but requests that the new homes are no more than single storey in height to protect privacy (PP0097).

A representee objects to site OP3 for the following reasons:

- It is not required to meet housing need.
- It is outwith the Strategic Growth Area (SGA) allowance.
- As per the MIR, it is not required as there is an excess of housing land supply in the Rural Housing Market Area.
- The proposal may not improve marketability of constrained existing supply, 56 units, and undermine the delivery of the two sites already through the planning process.
- It does not contribute to sustainable development due to increase travel requirements/emissions, flooding, impact on trees, prime agricultural land and lack of evidenced housing need.
- The proposal would provide negligible support for the school as 2.73 pupils would be a result of the development.
- It would impact on prime agricultural land of importance for food resilience and limited resource. The loss of this land does not accord with SPP or PLDP Policy PR1.5 as it has not been clearly demonstrated the site is essential to meet a need where no suitable sites are available.
- This site has the potential to exacerbate existing flooding issues, as it is adjacent to an area at high risk of surface water flooding and the Strategic Environmental Assessment (SEA) noted the flood risk at this site as uncertain. They also noted

that the Proposed Delivery Preprogramme 2020 does not state a Flood Risk Assessment is required, which if allocated, it should be.

- There are unresolved access issues as an adoptable standard road is unlikely to be achieved while the Tree Preservation Order (TPO) along the western boundary proposed narrow access track safeguards the trees. Alternative access would be constrained by overhead lines. The reconfigured site from the bid leaves OP3 a pocket of land that will be under increasing development pressure into the future including use of the original unsuitable access. They also noted that the Proposed Delivery Preprogramme 2020 does not address the access into the site. The representee has included a number of Appendices (RD0073.A, RD0073.B, RD0073.C, RD0073.D, RD0073.E and RD0073.F) referred to in their submission (PP0460).

Two representees consider that OP3 should be reallocated as protected land and most people in the settlement do not wish to see housing on the site. The site is classed as ancient woodland and is subject to felling licence conditions stipulating that the site should be restocked by 2021. The site should be protected to preserve protected species found on the site. There is no need for housing on this site as sites OP1 and OP2 are still to be built. The development of OP3 would change the nature of the settlement (PP0525 and PP0526).

A representee has stated that site OP3 is not readily accessible for pedestrian/vehicle access, landlocked and separated from Church Road by third party properties and visibility splays would not be in ownership and therefore not supported by Roads Authority. This replaced a marketability constrained site with one that has a physical constraint, but marketability constraints remain as there is an excess of allocations for a small rural settlement (PP1056).

Marykirk

Site P4 – To protect an area of land as an amenity for the settlement

Mearns Community Council has requested that land that was formally allocated as site EH1 for housing on Kirktonhill Place is protected (PP0634).

Site P2 – To protect the parish church, graveyard and woodland buffer as amenities

Support is expressed for site P2 as it creates a natural green network into Marykirk from the east. This area would be incorporated into any future masterplan for development in the southeast and be maintained and enhanced as an important community open space asset (PP1221).

Flood Risk

SEPA has requested removing the second 'Flood Risk' bullet point referring to site OP1, as there is only a small watercourse to the north that flows away from the site and the allocation site boundary is away from this small watercourse. As such, there is little risk of flooding from this source (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has queried if the 'Strategic drainage and water supply' bullet point is correct about Scottish Water carrying out a growth project to investigate capacity. SEPA recommend this is reworded in consultation with Scottish Water (RD0214.B) (PP1219).

Site OP1 – Land to the West of Marykirk

Support is expressed for site OP1, which benefits from planning permission and is in the process of being completed (PP1221).

SEPA has requested the removal of the third paragraph of the allocation text as there is only a small watercourse to the north that flows away from the site and the allocation site boundary is away from this small watercourse. There is little risk of flooding from this source and any flood risk issues would be surface water related and recommend additional wording to state in agreement with the Council's Flood Prevention Unit on the use of SuDS (RD0214.B) (PP1219).

Non-Allocated Site – Bid Site KN088 – Land West of Napier Place, North of Site OP1

A representee has requested the allocation of land to the north of OP1 (bid site KN088) for residential or mixed-use development. The site is deliverable and appropriate and would ensure a range of choice of new homes as well as an opportunity for limited commercial/community related development. There is an opportunity to link with site OP1 to ensure a coordinated vision for this part of Marykirk and it would not create any unacceptable landscape or transport/road safety impact. The representee has included a masterplan layout (RD0215.B) with their submission (PP1221).

St Cyrus

Settlement boundary

A representee has requested the extension of the settlement boundary to the north. They consider that the comments made by the Council stating that the road to the north of the village is not clear as the proposed extension would not extend the village beyond the undeveloped road from the west of the proposed village boundary extension. The proposal complies with the Vision, the area relates well to St Cyrus and the existing houses form part of St Cyrus. The extension would not extend the built-up area but may allow the possibility of small scale (two homes) infill where there is a gap site. The representee has included a plan (RD0010.A) showing the proposed settlement boundary extension (PP0116).

Flood Risk

SEPA has recommended the removal of the 'Flood Risk' bullet point as construction is now well underway on site OP1, which had a surface water flooding issue that could be addressed by SuDS. In addition, the allocation summary does not state the need for a Flood Risk Assessment which is required (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has requested that the 'Strategic drainage and water supply' bullet point is reviewed to ensure, in consultation with Scottish Water, that the proposed population growth is within

the design criteria for the existing waste water infrastructure and, if not, the need for an infrastructure upgrade is highlighted. SEPA note that St Cyrus waste water pumps to Nether Knox which only treats screened sewage and any further development at St Cyrus will require improved treatment at Nether Knox (RD0214.B) (PP1219).

Site OP1 – Roadside

Phase 2 of OP1 should be reviewed in light of the current economic climate, and due to insufficient consultation on the revised plans. There are concerns in relation to proximity of the new development and its impact on the character and saleability of the representee's house, impact on privacy, natural light, noise and light pollution, and there being environmental impacts on trees and wildlife habitat. There are also concerns about the viability of the development and its completion, so presenting an uncertain future and impact on house values. In addition, the representee seeks modification of the houses labelled on masterplan drawing 19/06/20 as 007, 008, 010 and 011 (PP0321).

A representee is concerned that the environmental impact studies have not been sufficient in relation to the existing soakaway and flood risk from Phase 2 development, with no firm assurances from SEPA (PP0321).

Modifications sought by those submitting representations:

Edzell Woods and Newesk

Flood Risk

Modify the PLDP to amend the second bullet point from, "Sites OP1 and OP2 are at risk from fluvial flooding and there are watercourses on both sites. Flood Risk Assessments may be required." to "Sites OP1, OP2 and BUS are ... Flood Risk Assessments will be required." (PP1219).

Services and Infrastructure

Modify the PLDP to amend the first sentence of the 'Strategic drainage and water supply' bullet point from, "Private waste water treatment works are proposed, and contributions will be required for the upgrade to the sewage works." to "There is no public waste water infrastructure at Edzell Woods, only private treatment. Private waste water treatment works are proposed, and contributions will be required for an upgrade to the existing sewage treatment works or for a new pumping station to connect to the public waste water treatment works at Edzell." (PP1219).

Site OP1 – Newesk

Modify the PLDP to amend the first sentence of the fifth paragraph from, "Flood Risk Assessments may be required, including to assess the risk from Black Burn." to "An updated Flood Risk Assessment will be required to assess the risk from the Black Burn if the extant permission lapses or if there is a change to the design layout not previously agreed. Consideration should be given to any culverts/bridges which may exacerbate flood risk. Any built development over an active culvert will not be acceptable." (PP1219).

Fettercairn

Vision

Modify the PLDP to amend the wording of the Vision to not rely on the distillery being a significant employer to justify OP1 (PP0455).

Flood Risk

Modify the PLDP to move the second sentence of the 'Flood Risk' section to a separate bullet point and remove reference to P3 to read, "Site OP1 is at risk from fluvial flooding. A Flood Risk Assessment will be required." (PP1219).

Services and Infrastructure

Modify the PLDP to clarify the provision for waste water drainage (PP0455).

Modify the PLDP to change the requirement for public transport to "will be required" under 'Local transport infrastructure' (PP0455).

Site OP1 – Land to the Northwest of Fettercairn

Modify the PLDP to amend the third sentence in the fourth paragraph from, "A Flood Risk Assessment will also be required." to "A Flood Risk Assessment will also be required and enhancements to the burn must be supported in this assessment." (PP1219).

Modify the PLDP to add text to the allocation summary to state, "Connection to the public sewer network will be required and early discussion with Scottish Water should be undertaken." (PP1219).

Modify the PLDP to clarify what provision will be made to accommodate increased traffic resulting from new development (PP0455).

Modify the PLDP to remove site OP1 (PP0761 and PP1110).

Johnshaven

Site R1 – Reserved for educational uses associated with Lathallan School

Modify the PLDP to remove site R1 (PP0878).

Flood Risk

Modify the PLDP to add text to state, "Parts of the settlement may be are at risk of coastal, fluvial and/or surface water flooding. Flood risk Assessments may be required." (PP1219).

Services and Infrastructure

Modify the PLDP to amend the first sentence of the local transport infrastructure section from, "Contributions will be required for junction improvements and road upgrade to the local road into Johnshaven." to "Contributions will be required for junction improvements and road upgrade to both of the local roads into Johnshaven, with a Speed Limitation of

40mph along the section of A92 from a safe distance before North of Lathallan School Main entrance to a similar safe distance beyond the New Road Junction.” (PP0544).

Modify the PLDP to amend the second sentence of the local transport infrastructure section from, “Development may be required to contribute to footway extensions, upgrades and crossing facilities, cycle infrastructure and public transport provision.” to “Development will be required to contribute to footway extensions and lighting of all walkways, upgrades including installation of steps/disabled access and crossing facilities, cycle infrastructure and public transport provision.” (PP0544).

Modify the PLDP to amend the first sentence of the ‘Strategic drainage and water supply’ bullet point from, “Sewage pumping stations in St Cyrus and Johnshaven are to be part of a growth project that requires to be delivered.” to “Sewage pumping stations in St Cyrus, Johnshaven, Gourdon and Inverbervie are to be part of a growth project that requires to be delivered. The growth project should include for full Sewage Treatment Plant, prior to discharge from the single outlet from Nether Knox.” (PP0544).

Modify the PLDP to amend the first sentence of the sports and recreation facilities paragraph from, “All residential development may be required to contribute to indoor and outdoor sports and learning facilities in Johnshaven or towards facilities in the wider catchment area at Laurencekirk.” to “All residential development may be required to contribute to indoor and outdoor sports and learning facilities in Johnshaven, including provision of safe access to and development of area P2 for recreational purposes of the local community and towards facilities in the wider catchment area at Laurencekirk. These may be identified in the Community Plan or relevant Community Action Plan.” (PP0544).

Site OP1 – Golden Acre

Modify the PLDP to amend the allocation summary to include after paragraph one, “The site is located within the existing policy woodlands and historical designed landscape of the historical Lathallan Estate, and the proposal and landscape design should be sensitive to this. The full extent of the site should not be developed to avoid significant adverse landscape and visual impacts. Any development should be of a scale, siting and design which appears subservient to the surrounding historical landscape. Further landscape design should reflect the sensitive historical context in terms of layout and species and seek to reinforce and enhance the existing character.” (PP1300).

Luthermuir

Site OP1 – The Chapel

Modify the PLDP to amend the second, third and fourth sentences in the second paragraph from, “Enhancement of the straightened watercourse through re-naturalisation and removal of any redundant features will require to be investigated. There will be no built development over the active culvert nor any additional culverting. A Flood Risk Assessment will also be required.” to “Enhancement of the straightened watercourse through re-naturalisation and removal of any redundant features including culverts should be investigated and should be supported in a Flood Risk Assessment. No built development will be permissible on the culverted part of the watercourse.” (PP1219).

Modify the PLDP to remove site OP1 (PP0123 and PP0265).

Modify the PLDP to reduce the number of homes proposed on site OP1 and require provision of a footpath on School Road, which does not reduce the road to a single-track road (PP0633).

Site OP2 – Land South of Newbigging Cottages

Modify the PLDP to include a new last sentence in the first paragraph to state, “The enhancement of the watercourse through re-naturalisation and the removal of any redundant features including culverts should be investigated and should be supported in a Flood Risk Assessment. No development will be permissible on the culverted part of the watercourse.” (PP1219).

Modify the PLDP to state that parking at the entrance to OP2 should be separate from Newbigging Cottages (PP0012).

Modify the PLDP to include the requirement for an Environmental Impact Assessment (PP0012).

Modify the PLDP to clarify the traffic impact in the village and on the A90 junction (PP0012).

Modify the PLDP to increase provision of local services (PP0012).

Modify the PLDP to reduce the number of homes proposed on site OP2 and require provision of a footpath along School Road that does not reduce the road to a single-track road (PP0633).

Site OP3 – Land North of Church Road

Modify the PLDP to ensure that new homes are no more than single storey in height (PP0097).

Modify the PLDP to remove site OP3 and readjust the settlement boundary to retain OP3 as countryside. If it is not removed, add the requirement for a Flood Risk Assessment (PP0460).

Modify the PLDP to reallocate site OP3 as protected land (PP0525 and PP0526).

Modify the PLDP to remove site OP3 and identify replacement effective allocation in the Rural Housing Market Area or in the Local Growth Area of the Aberdeen Housing Market Area (PP1056).

Marykirk

Site P4 – To protect an area of land as an amenity for the settlement

Modify the PLDP to allocate land formally identified as EH1 (LDP 2012) as protected land (PP0634).

Flood Risk

Modify the PLDP to remove the second bullet point from the 'Flood Risk' section: "Site OP1 has a watercourse on the boundary of the site." (PP1219).

Services and Infrastructure

Modify the PLDP to review, in consultation with Scottish Water and amend accordingly, the second sentence of the 'Strategic drainage and water supply' bullet point, as to whether Scottish Water will carry out a growth project to investigate additional capacity of the Marykirk Waste Water Treatment Works (PP1219).

Site OP1 – Land to the West of Marykirk

Modify the PLDP to remove the third paragraph and, in consultation with the Council's Flood Prevention Unit, replace with, "Any surface water flooding should be addressed with appropriate SuDS measures." (PP1219).

Non-Allocated Site – Bid Site KN088 – Land West of Napier Place, North of Site OP1

Modify the PLDP to allocate bid site KN088 for residential or mixed-use development (PP1221).

St Cyrus

Settlement Boundary

Modify the PLDP to extend the settlement boundary to the north west (PP0116).

Flood Risk

Modify the PLDP to remove the 'Flood Risk' bullet point: "A Flood Risk Assessment will be required for site OP1." (PP1219).

Services and Infrastructure

Modify the PLDP to review the 'Strategic drainage and water supply' bullet point, in consultation with Scottish Water, to confirm that the proposed population growth is within the design criteria for the existing waste water infrastructure and if so, this is confirmed in the bullet point and if not, the need for an infrastructure upgrade is highlighted (PP1219).

OP1 – Roadside

Modify the PLDP to amend Phase 2, to modify or remove houses labelled on masterplan drawing 19/6/20 as 007, 008, 010 and 011 (PP0321).

Modify the PLDP to ensure there is sufficient assessment of flood risk, and impact on the existing owner's private waste water drainage (PP0321).

Summary of responses (including reasons) by planning authority:

Edzell Woods and Newesk

Settlement Features

The Settlement Features table incorrectly includes site BUS as “Protected Land” when it should be included in its own sub-heading called “Other Designations”. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Flood Risk

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Newesk

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Fettercairn

General

All new development will be assessed against the LDP policies to ensure they will not adversely affect the character of the settlement, such as Policy P1 Layout, Siting and Design. No change is required.

Vision

The allocation of housing in the settlement is not solely based on the distillery as employment and is assessed on the housing need. No change is required.

Site R1 – Reserved for a road access into site OP1

Comments from SEPA are noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Settlement Statement states Fettercairn Waste Water Treatment Works (WWTW) is at capacity and the PLDP sets a presumption for new development to connect to a public

WWTW. However, Scottish Water will only initiate a growth project to increase capacity once planning permission has been granted. As such, it is not necessary to scope out sewerage facilities in advance of gaining planning permission. No change is required.

Local transport infrastructure contributions would be sought or were required, depending on the scale of development. The PLDP cannot state that contributions will be sought for all development as this may not be the case and would be appropriately requested in consultation with Legal & People Business Services (Developer Obligations) for Planning applications. No change is required.

Site OP1 – Land to the Northwest of Fettercairn

The Council confirms that it intends to address SEPA's comments through non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

The Council does not agree with removing this site, most of which is allocated in the current LDP 2017. Site OP1 was a preferred site, as detailed in MIR 2019 (AD0038.F, page 28) as it forms a logical extension to the existing opportunity site for 40 units. The site is well connected to the settlement with good pedestrian access to the primary school, which has capacity and is on the same side of the road as site OP1, and the village centre, which includes a shop, café, hall and public house. As the site is located within the settlement boundary, the development of housing on this site would be applicable to clusters and groups of housing. The density of development has been increased due to the size of the site. Access can be taken from Garrol Place and Gladstone Gardens and no evidence has been provided by the representee that this is not possible. Site R1 reserves land for road access into site OP1 and a planning application for 9 homes, which includes site R1, was granted at appeal that safeguards access into site OP1 (APP/2017/0875). New development would be required to proportionally contribute to local infrastructure where applicable. No change is required.

Johnshaven

Site R1 – Reserved for educational uses associated with Lathallan School

Comments from SEPA are noted. No change is required.

The Council does not support the removal of site R1. The R1 designation has been carried forward from the current LDP and is seen as important to retain for educational uses associated with Lathallan School. Most of the site is designated as ancient woodland and the PLDP has a presumption against woodland removal in policy PR1 Protecting Importance Resources (paragraphs PR1.7 and PR1.8). No change is required.

Site R2 – Reserved for a future expansion of the cemetery

Comments from SEPA are noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Reduction of the speed limit on the A92 cannot be amended through the PLDP. This falls within the jurisdiction of the Scottish Government. Improvements to the road junctions on the A92 may require upgrading, should this be required through future development proposals. Improvements to lighting for access to the primary school, may be required as part of a safe routes school, and may be required as part of future development proposals. No change is required.

As noted in the PLDP, sewage pumping stations in St Cyrus and Johnshaven are to be part of a growth project that requires to be delivered and water network investigations may be required. No change is required.

With regards to the Community Council's comments on new residential developments contributing to a safe route to facilities at Wairds Park (site P2) and further development of site P2, this is a matter for consideration at the planning application stage and not the PLDP. Comments from the Council's Transportation Service have been considered during the preparation of the PLDP and the sports and recreation statement applies to all indoor and outdoor sports facilities. No change is required.

Site OP1 – Golden Acre

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council notes that the site is now subject to full planning permission for 71 homes (APP/2019/0753). Whilst not a matter raised by representees, it would be prudent to revise the allocation of site OP1 to reflect the planning permission. If the Reporter is minded, to make an amendment, then the Council recommend that the allocation of site OP1 is amended from 67 to 71 homes and Appendix 6 is amended accordingly.

Luthermuir

Flood Risk

Comments from SEPA are noted. No change is required.

Infrastructure and Services

Comments from SEPA are noted. No change is required.

OP1 – The Chapel

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

OP1 was identified as a preferred option in the MIR 2019 (AD0038.F, page 59). The site

lies within an existing opportunity site, OP1, allocated for 25 homes, small scale retail and employment land. Although site OP1 supports a vision in the Local Development Plan 2017 to provide opportunities for new services in the village, there is justification to support this proposal at the revised allocation, as the viability of a new shop within such a small community is questionable, particularly as the site has not been delivered to date as a mixed-use site. In addition, it is a flat site located on the site of a former school, and it fits within the existing settlement layout, providing development around the P1 open space area and so reinforcing a sense of focal point for the village. Access can be through site OP2 and/or from Church Road, and Church Lane and can be upgraded where it runs parallel to the site. Any local road infrastructure improvements may be required through the processing of a formal planning application. The proposal will also help support Luthermuir Primary School, which is currently only at 58% capacity (AD0110, School Roll Forecast 2019, Appendix 1, page 3). No change is required.

The number of units has increased due to the change from a mixed-use site to a residential development. Therefore, there is scope to increase the density on the site. No change is required.

OP2 – Land South of Newbigging Cottages

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Although the site is identified as constrained in the HLA 2019 (AD0022, Rural Housing Market Area, page 39) it is seen as a more appropriate location for development than the existing OP2 site in the current LDP 2017. The site has planning permission granted for 25 homes (APP/2016/2326). Located on the edge of the settlement, the site is currently used for agriculture so will have minimal environmental impact and streetlights already? run along School Road and Newbigging Cottages. Any local infrastructure improvements may be required through the processing of a formal planning application. No change is required.

OP3 – Land North of Church Road

Comments from SEPA are noted. No change is required.

The design and scale of any future housing on the site would be subject to assessment under a formal planning application and the relevant policies of the PLDP. No change is required.

The Council does not agree to removing this site or that a Flood Risk Assessment is required. While site OP3 was not a preferred option in the MIR, as bid site KN125 (AD0038.F, pages 58 and 61) the Kincardine and Mearns Area Committee agreed to allocate the site for 13 homes (AD0153, page 24). This allocation provides an alternative to sites OP1 and OP2 to the south that have not yet been developed (site OP1 was allocated in the LDP 2017 and site OP2 received planning permission in 2017). Housing surrounds site OP3 on three sides. Access is proposed through land at Rose Cottage in the first instance. The site contains no ancient woodland. SEPA has no flooding issues with this site and SEPA's flood risk map does not show this site being at risk from flooding. The proposal will also help support Luthermuir Primary School, which is currently only at 58% capacity (AD0110, Appendix 1, page 3). The Proposed Delivery Programme follows

what is stated in the PLDP, it is a factual document that is updated annually, and there are regular discussions with Council departments, including the Transportation Service. No change is required.

Marykirk

Site P4 – To protect an area of land as an amenity for the settlement

The Council agrees that the site formally allocated as EH1 in the LDP 2012, should be designated as protected land P4 in the PLDP, to protect as an amenity for the settlement (AD0031.F page 35). Most of the former allocation is within site P4, but it excludes a narrow strip of land. The Council confirms that it intends to address the representee's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site P2 – To protect the parish church, graveyard and woodland buffer as amenities

Support for site P2 is noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Proposed Delivery Programme 2020 states there is "Insufficient capacity at Marykirk WWTW. A SR21 project will be investigated to look at additional capacity." which is likely to be delivered between 2021 and 2027. This has been reflected in the PLDP. No change is required.

Site OP1 – Land to the West of Marykirk

Support for site OP1 is noted. No change is required.

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Site – Bid Site KN088 – Land West of Napier Place, North of Site OP1

The Council does not support allocating bid site KN088 for 30 homes or mixed-use development. Bid site KN088 was not a preferred option for immediate development in the MIR 2019 (AD0038.F, page 64). While the MIR identified this site as a reserved site for future development, the reservation of housing sites is not being taken forward through to the PLDP, MIR Issues and Actions Paper (AD0040.F, page 77). The bid submission noted that the site would be delivered in the first half of the LDP, but this would seem unrealistic given that site OP1 is anticipated to take up to 2022 to be completed (AD0022, Rural Housing Market Area, page 39) although this has been extended to 2023 in the HLA 2020 (AD0023, Rural Housing Market Area, page 53). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of

deliverable housing sites within the Rural Housing Market Area. It is considered that Marykirk has an appropriate amount of land identified for housing to meet local housing needs during the Plan period through the allocation of OP1. It is not considered there is a need for the allocation of additional housing land in Marykirk. No change is required.

St Cyrus

Settlement boundary

The Council does not support extending the settlement boundary, which would allow for infill development and elongate the boundary unnecessarily. There does not seem to be any advantage to moving the boundary to include the few properties to the north of the road as suggested. There is a defensible boundary to the north of the settlement from the properties along Ecclesgreig Gardens. Furthermore, much of the land surrounding St Cyrus is prime agricultural land and it is not considered appropriate to encourage further development on this resource. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council notes SEPA's comments on waste water treatment, but in 2018 planning permission was been granted on the only housing allocation for 125 homes and development has commenced. No change is required.

Site OP1 – Roadside

A planning application for 125 homes has been approved on the site and development has commenced. Any amendments on the site would be appropriately assessed through this process and in accordance with the relevant policies of the Plan. Appropriate consultations will be undertaken in relation to drainage servicing with relevant consultees if required. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to the settlement statement matters covered in Issue 51. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Edzell Woods and Newesk

3. I consider the changes requested by the Scottish Environment Protection Agency (SEPA) in relation to the flood risk and services and infrastructure sections and allocation OP1 (Newesk) would provide clarification on the need for flood risk assessments and contributions to improve waste water infrastructure. Modifications to address these matters are recommended.

Fettercairn

4. I do not consider that the wording of the vision implies that the presence of the distillery provides the justification for housing allocation OP1. No modification is required.

5. The changes requested by SEPA in relation to the flood risk section and allocation OP1 (land to the north west of Fettercairn) would provide clarification on the need for and content of a flood risk assessment and the requirement for a connection to the public sewer network. Modifications to address these matters are recommended.

6. The council's comments above explain why it would not be possible to increase the capacity of the waste water treatment works, in advance of planning permission being granted. The modification to the allocation summary for site OP1 requested by SEPA would provide clarification on this matter. No further modification is required.

7. The services and infrastructure section of the Fettercairn settlement statement identifies the infrastructure items for which financial or other contributions may be sought. The council has undertaken a transport appraisal to support the preparation of the local development plan. However, as this focusses on the trunk road corridors, principal A roads and the rail network, it does not contain any recommendations in relation to roads in and around Fettercairn.

8. However, the allocation summary for site OP1 highlights the transport matters to be addressed, including footpath links to provide safe walking routes to school and vehicular access points. It is recommended in Issue 12 that the council prepares statutory supplementary guidance to provide further detailed information on the infrastructure requirements associated with development allocations and developer contributions. This approach would provide a mechanism for addressing the impact of development on infrastructure and services, including any measures required to mitigate transport impacts. No settlement specific modifications are required on this matter.

9. The majority of site OP1 was allocated for 40 homes in the existing local development plan, but is shown as constrained for marketability reasons in the 2019 housing land audit. The allocation has been extended in a northerly direction and the indicative density increased, which results in a revised capacity of 60 homes. The site is identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area in the period up to 2032.

10. I do not agree that allocation OP1 is subject to infrastructure constraints. The council has explained that access can be taken from two points. Access from Garrol Place is specifically reserved on the Fettercairn settlement map in the proposed plan and I do not consider that the protected land designation P6 would prevent access being taken from

Gladstone Gardens.

11. Paragraph 4.18 in the strategic development plan states that new allocations should attempt to utilise the current 'constrained' supply in the first instance. In response to a request for further information (FIR008), the council has explained the range of measures it has in place to support the delivery of housing where marketability is a concern. These could be used to assist with the delivery of housing on site OP1, if required.

12. There is a range of local facilities including a primary school within walking distance of the site and Fettercairn itself is conveniently located to the north west of rail services at Laurencekirk, and the A90 corridor. Allocation OP1 is the only housing site identified in the settlement. On this basis, I consider it reasonable to expect that the marketability constraint can be overcome and 60 homes would be deliverable in the period to 2032. I consider that allocation OP1 should be retained in the plan. No modification is required.

Johnshaven

13. The proposed plan reserves site R1, which is located at the eastern side of the settlement, for education uses associated with Lathallan School. Areas of woodland occupy part of the site and the Woodland Trust is concerned that the reservation for education purposes may result in damage to ancient woodland.

14. The council has provided a map which shows that all of the site is included in the ancient woodland inventory, with the exception of the playing fields and the buildings in the central area. Policy PR1.7 in the proposed plan establishes a strong presumption in favour of retaining woodland on development sites. However, this is a large site and the presence of ancient woodland would not necessarily preclude some further development for educational purposes. The council has suggested wording to add to the description for site R1 to highlight the need to protect the ancient woodland. I consider that the inclusion of this additional wording would address the matter raised by the Woodland Trust Scotland. A modification to this effect is recommended.

15. I consider the additional text suggested by SEPA in relation to food risk to be appropriate to provide clarification on this matter. A modification is required.

16. The community council has requested a number of modifications to the services and infrastructure section of the settlement statement. The purpose of this section is to indicate the items of infrastructure which may be required to support development. I agree with the council that a reduction in the speed limit on the A92 road is not a matter to be addressed through the local development plan. Furthermore, it is not the role of the local development plan to set out the exact details of mitigation measures such as footpath improvements. The strategic drainage and water supply bullet point addresses the need for improvements to the existing sewage pumping stations. No additional wording is required.

17. Lighting is not currently mentioned under the local transport infrastructure bullet point. However, the council states in its response to the community council's representation that "improvements to lighting for access to the primary school may be required". I therefore consider it appropriate to add "lighting" to the local transport infrastructure bullet point. A modification to this effect is recommended.

18. The council has indicated that planning permission has been granted for 71 homes on site OP1 (Golden Acre). On my site inspection, I observed that ground preparation works have been undertaken for the whole of the site and construction of the houses is well underway. The changes to the allocation summary requested by NatureScot, and agreed by the council, would prevent development on the full extent of the site. As planning permission has already been granted and the full extent of the site is now under construction, it would not be appropriate to make this amendment. There are no unresolved representations seeking a change in the number of homes on site OP1. I have therefore no remit to make the modification suggested by the council. No modifications are required in relation to site OP1.

Luthermuir

Site OP1 – The Chapel

19. Site OP1 (The Chapel) comprises two flat agricultural fields and is allocated as a mixed use opportunity in the current local development plan. Whilst the provision of additional business and retail premises would bring employment and social benefits, there are no representations seeking the retention of these elements in the allocation.

20. The allocation is identified as an effective housing site in the 2019 housing land audit, with the additional six homes contributing towards meeting the strategic development plan allowance for the Rural Housing Market Area.

21. I note that there are limited local amenities and job opportunities in Luthermuir. However, it has a primary school, café and other community meeting places and access to a bus service. The strategic environmental report only identifies one negative environmental effect which cannot be mitigated, that which relates to the loss of agricultural land.

22. I note that all of Luthermuir, including developed land, is shown as prime agricultural land on the map in section 12 (protecting resources) of the proposed plan. Given that site OP1 is already identified for development in the current local development plan and is located within the existing settlement boundary, I do not consider its removal on the grounds of loss of prime agricultural land would be justified.

23. I am not aware of any protected trees on the site and I consider the allocation provides the opportunity to enhance biodiversity. I agree with the council that the allocation would contribute to a sense of place, by providing a western edge to what would become a central area of open space. I consider that the other matters raised in representations relating to impact on infrastructure and design considerations could be addressed at planning application stage. I conclude that allocation OP1 should be retained. No modification is required.

Site OP2 – Land south of Newbigging Cottages

24. Site OP2 lies to the south east of site OP1 and is also located within the settlement boundary in the current local development plan. The council has indicated that planning permission has been granted for 25 homes on the site. No information has been provided to indicate whether this permission has been implemented or has lapsed.

25. As this site is located within the settlement boundary and has a previous planning permission for housing, I do not consider that its removal from the plan would be justified. I also do not consider there is any justification to reduce the indicative capacity from that which was granted planning permission. The requirement for a joint master plan with site OP1 provides the opportunity to create a development which is carefully designed and well integrated with the rest of the settlement. Matters such as impact on neighbouring residents and biodiversity can be addressed further through the master plan. However, impact on private views is not a material planning consideration. The potential for a footway within the site boundary on the northern side of School Road to connect with the existing footway to the east could also be explored. No modifications to the plan are required to address these matters

26. I agree with the changes requested by SEPA in relation to the existing culverts in order to minimise the risk of flooding from the watercourse. A modification to this effect is recommended.

Site OP3 – Land north of Church Road

27. Site OP3 is an agricultural field located to the north of Church Road at the western end of the village. I note that the original bid submission also includes land to the east, with access to be taken from a small tree lined track which is protected by a Tree Preservation order. The allocation summary in the proposed plan identifies an alternative access from Church Road.

28. The strategic environmental assessment report for the proposed plan indicates that, with the exception of the loss of prime agricultural land, any negative environmental effects arising from the development of site OP3 can be mitigated.

29. As I have indicated above, all of Luthermuir, including land within the settlement boundary, is identified as prime agricultural land. The site is a relatively well-contained grass field and development would not impact on the expansive area of agricultural land to the north. I do not consider that impact on prime agricultural land would justify the removal of this allocation. There are no trees on site OP3 and it is not shown as being in the ancient woodland inventory on map 12 in the proposed plan.

30. Allocation OP3 would contribute 13 homes towards meeting the strategic development plan allowance for the Rural Housing Market Area. Matters relating to overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for Issue 5, it is concluded that there is sufficient land identified to meet the required allowance. However, there is not a significant over-allocation to justify the removal of sites on the basis that there is no housing need.

31. SEPA has not raised any flooding concerns and I consider detailed matters relating to access and design can be addressed at planning application stage.

32. Given the smaller size of allocation OP3, I do not consider that it would undermine the deliverability of site OP1 or OP2. Together these three sites would provide a range of housing opportunities and help maintain the local primary school, an objective highlighted in the vision for Luthermuir. No modification is recommended.

Marykirk

33. The site which the community council wishes to be included in protected land P4 lies immediately to the south of the existing allocation and to the north of Kirktonhill Place. The majority of the site is overgrown grassland, but it also includes an access hammerhead which was occupied by a caravan and a van on the day of my site inspection. The council is supportive of this change and I agree that it would be logical to extend site P4 to the northern edge of the road. A modification to this effect is recommended.

34. I agree that the flood risk section and the allocation summary for site OP1 (land to the west of Marykirk) should be modified, in line with SEPA's comments, because there is not a watercourse on the boundary of the site.

35. Non-allocated bid site KN088 (land west of Napier Place) lies to the north of site OP1. The layout of site OP1 includes a vehicular access to site KN088 and I agree that the site would represent a logical extension to the village, if additional land for housing is required.

36. The strategic environmental assessment report identifies a number of negative environmental effects in relation to the loss of prime agricultural land and potential impact on an archaeological asset. Whilst I note, from the main issues report, that matters relating to school capacity, water and waste water treatment and the proximity of the Health and Safety Executive pipeline zone would require to be addressed, these would not necessarily prevent development.

37. The 2020 housing land audit indicates that site OP1 is due to be completed in 2023. Matters relating to housing land provision in general are addressed in Issues 2 and 5. Marykirk lies within the Rural Housing Market Area. Whilst I note that there are no other allocations in Marykirk to provide additional housing in the period 2020 to 2032, it is concluded in Issue 5 that there is sufficient land identified to meet the strategic development plan allowance for the Rural Housing Market Area. There is no requirement for future housing reservations beyond 2032 to be identified in the plan and I conclude that the site is not needed in the period up to 2032. No modification is required.

St Cyrus

38. The representation in relation to the settlement boundary seeks its extension in a northerly direction at Ecclesgreig Road. Whilst I can see some merit in including the three properties immediately to the north of the crossroads within the settlement boundary, I do not consider that the paddock area forms part of the settlement. I note that there are other individual buildings and groups of buildings located beyond the settlement boundaries at St Cyrus. I agree with the council that there is no reason to amend the settlement boundary at this location. No modification is required.

39. I agree with SEPA that the reference in the settlement statement to a flood risk assessment being required for allocation OP1 is superfluous, as the site is under construction. A modification is recommended.

40. The council does not consider it necessary to make the changes sought by SEPA in relation to waste water infrastructure because allocation OP1 is under construction. However, the services and infrastructure section may also apply to future planning applications for sites not identified as allocations in the plan. I am not able through this examination to address SEPA's request that the council consult Scottish Water on this

matter. However, I note that SEPA has not requested a similar change to the settlement statements for Gourdon, Johnshaven and Inverbervie, which also refer to the sewage pumping stations in St Cyrus and Johnshaven. Based on the information before me and in the interest of consistency, I do not consider it necessary to modify the services and infrastructure section in the St Cyrus settlement statement.

41. I agree with the council that, as allocation OP1 has planning permission and is under construction, the matters raised in representations would not justify any changes to the local development plan. Any amendments to the approved plan would be assessed through the planning application process. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

Edzell Woods and Newesk

1. Replacing the second bullet point of the flood risk section in the Edzell Woods and Newesk settlement statement on page 660 with:

“• Sites OP1, OP2 and BUS are at risk from fluvial flooding and there are watercourses on both sites. Flood Risk Assessments will be required.”

2. Replacing the first sentence of the strategic drainage and water supply bullet point in the Edzell Woods and Newesk settlement statement on page 660 with:

“There is no public waste water infrastructure at Edzell Woods, only private treatment. Contributions will be required for an upgrade to the existing treatment works or for a new pumping station to connect to the public waste water treatment works at Edzell.”

3. Replacing the first sentence in the fifth paragraph of the allocation summary for OP1 (Newesk) in the Edzell Woods and Newesk settlement statement on page 661 with:

“An updated Flood Risk Assessment will be required to assess the risk from the Black Burn if the extant permission lapses or if there is a change to the design layout not previously agreed. Consideration should be given to any culverts/bridges that may exacerbate flood risk. Any built development over an active culvert will not be acceptable.”

Fettercairn

4. Deleting the second and third sentences of the flood risk bullet point in the Fettercairn settlement statement on page 664 and inserting the following new second bullet point in the flood risk section:

“Site OP1 is at risk from fluvial flooding. A Flood Risk Assessment will be required.”

5. Replacing the third sentence in the fourth paragraph of the allocation summary for OP1 (land to the north west of Fettercairn) in the Fettercairn settlement statement on page 665 with:

“• A Flood Risk Assessment will also be required and enhancements to the burn must be supported in this assessment.”

6. Adding the following new fifth paragraph to the allocation summary for OP1 (land to the north west of Fettercairn) in the Fettercairn settlement statement on page 665:

“Connection to the public sewer network will be required and early discussion with Scottish Water should be undertaken.”

Johnshaven

7. Adding the following sentence to the end of the description for site R1 in the Johnshaven settlement statement on page 682:

“The ancient woodland site should be protected against any loss or detrimental impact from future development.”

8. Replacing the flood risk bullet point in the Johnshaven settlement statement on page 683 with:

“• Parts of the settlement are at risk of coastal, fluvial and/or surface water flooding. Flood Risk Assessments may be required.”

9. Replacing the second sentence of the local transport infrastructure bullet point in the Johnshaven settlement statement on page 683 with:

“Development may be required to contribute to footway extensions, upgrades, lighting and crossing facilities, cycle infrastructure and public transport provision.”

Luthermuir

10. Replacing the second to fourth sentences of the second paragraph in the allocation summary for OP1 (The Chapel) in the Luthermuir settlement statement on page 705 with:

“Enhancement of the straightened watercourse through re-naturalisation and removal of any redundant features including culverts will require to be investigated and should be supported in a Flood Risk Assessment. No development will be permissible on the culverted part of the watercourse.”

11. Adding the following sentence at the end of the first paragraph in the allocation summary for OP2 (land at Newbigging Cottages) in the Luthermuir settlement statement on page 706:

“The enhancement of the watercourse through re-naturalisation and the removal of any redundant features including culverts should be investigated and should be supported in a Flood Risk Assessment. No development will be permissible on the culverted part of the watercourse.”

Marykirk

12. Removing the second bullet point from the flood risk section of the Marykirk settlement statement on page 708.

13. Replacing the third paragraph in the allocation summary for OP1 (land to the west of Marykirk) in the Marykirk settlement statement on page 709 with:

“Any surface water flooding should be addressed with appropriate SuDS measures. There is a bus stop situated on the north east boundary of the site.”

14. On the Marykirk settlement plan on page 710, extending site P4 to the northern edge of Kirktonhill Place.

St Cyrus

15. Removing the flood risk sub-heading and bullet point from the St Cyrus settlement statement on page 741.

Issue 52	Aboyne	
Development plan reference:	Proposed LDP, Appendix 7F Marr, Page 766-772	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
PP0272 Scottish Water PP0773 Deeside Climate Action Network PP0814 James Malcolm and Marcus Humphrey Educational Trust PP0878 The Woodland Trust Scotland PP1052 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage) PP1402 Marcus Humphrey Educational Trust		
Provision of the development plan to which the issue relates:	Aboyne Settlement Statement	
Planning authority's summary of the representation(s):		
<p><u>Flood Risk</u></p> <p>Scottish Environment Protection Agency (SEPA) has recommended for consistency, adding site OP2 to the second 'Flood Risk' bullet point (RD0214.B) (PP1219).</p> <p><u>Services and Infrastructure</u></p> <p>SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (see RD0214.B). No modification sought (PP1219).</p> <p>Scottish Water has requested inserting after 'Strategic drainage and water supply', 'There is limited capacity at Aboyne Waste Water Treatment Works', "A growth project will be required and Scottish Water can instigate this on receipt of the 5 Growth Criteria from a developer. Recommend early engagement with Scottish Water." (PP0272).</p> <p>A representee has highlighted the need for commitments to improve the multi-use paths between Aboyne, Banchory, Torphins, Lumphanan, and Tarland to support a circular route connecting with the Deeside Way supporting active travel, health and wellbeing and environment but there is nowhere in the Plan that specifically improves this, unless part of a new housing development. There has been a significant increase in the use of e-bikes, which helps meet the need and makes changes to help the Climate Emergency (PP0773).</p> <p><u>Site OP1 – Land to West of Tarland Road</u></p> <p>SEPA has confirmed that that they have no flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (see RD0214.B). No modification sought (PP1219).</p>		

NatureScot has requested that the allocation summary for site OP1 be amended to clarify that future development proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee Special Area of Conservation (SAC), as a Construction Method Statement may be required as part of this process if significant effects are likely (RD0255.B) (PP1300).

A representee has objected to the inclusion of OP1 as it is likely to cause damage and/or loss to areas of ancient woodland. Removal of woodland is contrary to Scottish Planning Policy (SPP) paragraphs 216 and 218. It is also contrary to the Control of Woodland Removal Policy (RD0161.A) (PP0878).

Site OP2 – Tarland Road/ North of Kinord Drive

SEPA has confirmed that that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

NatureScot has suggested the removal of wording referring to the River Dee SAC in the allocation summary as this site has planning permission and is under construction. Unless future proposals come forward on site OP2, then they should be subject to a HRA and additional text added accordingly (RD0255.B) (PP1300).

A representee has objected to the inclusion of OP2 as it is likely to cause damage and/or loss to areas of ancient woodland. Removal of woodland is contrary to SPP paragraphs 216 and 218. It is also contrary to the Control of Woodland Removal Policy (RD0161.A) (PP0878).

The consented capacity is 130 homes with 101 homes left as at, 1 January 2019. The site should reflect actual capacity granted rather than notional capacity as per the Housing Land Audit (HLA) 2019. The site capacities carried forward should be revised to the base date of the LDP for consistency and avoid overstatement of the existing effective land supply. The existing effective allocation at the base date of the emerging LDP should not contribute to the allowances to avoid double counting (PP1052).

Non-Allocated Site – New Site N003 – Golf Course Road

A representee has requested the amendment to the settlement boundary and inclusion of an allocated site noting that the site has historically been proposed for development and public engagement would take place before any detailed planning applications are made. The site is suited for mixed-use development (a combination of residential, commercial and leisure use) and is close to existing facilities. The allocation of the site would rebalance the geographical centre of Aboyne by drawing the occupants of the development closer to the cluster of retail outlets around Aboyne Green. The representee has included an Appendix (RD0270.A) in their representation which provides further detail to support their position (PP1402).

Settlement Map

The settlement boundary should be amended to include an area of land south of Cluny Cottage to resolve the unnatural shape, respect the adjacent Deeside Way and provide a

logical line for the boundary to follow. The area has been of residential character and use as it was previously leased as garden ground for Cluny Cottage. The representee has included an Appendix (RD0150.A) in their representation which provides further detail to support their position (PP0814).

The settlement map shows an incorrect route of the Deeside Way core path adjacent to Cluny Cottage (PP0814).

Modifications sought by those submitting representations:

Flood Risk

Modify the PLDP to amend the second 'Flood Risk' bullet point to read, "Small watercourses flow through or adjacent to sites OP1 and OP2. A Flood Risk Assessment may be required." (PP1219)

Services and Infrastructure

Modify the PLDP to amend wording under 'Strategic drainage and water supply' replacing the second sentence with, "A growth project will be required and Scottish Water can instigate this on receipt of the 5 Growth Criteria from a developer. Recommend early engagement with Scottish Water." (PP0272).

Modify the PLDP to provide specific support to enable paths plans to be implemented (PP0773).

Site OP1 – Land to West of Tarland Road

Modify the PLDP to amend the allocation summary to add the following text before the final sentence of the fifth paragraph, "Future development proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC." (PP1300).

Modify the PLDP to amend the allocation summary to remove at the end of the fifth paragraph, "... to take account of the potential impacts to the qualifying interest of the River Dee SAC." (PP1300).

Modify the PLDP to remove site OP1 (PP0878).

Site OP2 – Tarland Road/ North of Kinord Drive

Modify the PLDP to amend the allocation summary removing the last sentence in paragraph two if no further planning applications are anticipated, "A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC." (PP1300).

Modify the PLDP to remove site OP2 (PP0878).

Modify the PLDP to amend site OP2, reducing the allocation to 101 homes (PP1052).

Non-Allocated Site – New Site N003 – Golf Course Road

Modify the PLDP to include N003 as an allocation for a mixed-use development and adjust the settlement boundary accordingly (PP1402).

Settlement Map

Modify the PLDP to include an area of land south of Cluny Cottage within the settlement boundary (PP0814).

Modify the PLDP to ensure the Deeside Way core path is correct on the settlement map (PP0814).

Summary of responses (including reasons) by planning authority:

Flood Risk

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address Scottish Water's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The provision of path networks within identified settlements would be supported through connectivity required as part of a planning application for residential development or if outwith settlements, policy also supports such projects, subject to compliance with relevant policies. However, as noted in Issue 7: Section 9 Shaping Places and Appendix 8, 9 and 10, the PLDP is not a framework or tool to promote footpaths, cycleways, and active travel networks both within communities and between adjacent communities. No change is required.

Site OP1 – Land to West of Tarland Road

Comments from SEPA are noted. No change is required.

The comments in relation to a HRA and Construction Method Statement are noted. The Council confirms that it intends to address NatureScot's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The impact on woodland would be considered with any detailed planning application and the site OP1 has an extant planning permission which leads for it to be appropriate to be maintained as an allocation within the Local Development Plan. No change is required.

Site OP2 – Tarland Road/ North of Kinord Drive

Comments from SEPA are noted. No change is required.

It is not an impossibility that the future alternative proposals could be sought on the

remaining undeveloped parts of site OP2. The Council agree with the removal of the NatureScot's modification but in the event of further planning applications, find it appropriate to replace this with wording that the representee sought for site OP1. The Council confirms that it intends to address NatureScot's comments through a non-notifiable modification replacing the last sentence in paragraph two with "Future development proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.", as set out in the List of Non-Notifiable Modifications.

The impact on woodland would be considered with any detailed planning application and the site OP2 has planning permission which leads for it to be appropriate to remain as an allocation within the Local Development Plan.

The allocation total of 181 homes reflects the planning permissions granted within the OP2 site area. The site boundaries have not been adjusted with the site being carried forward and thereby totals are also representative of completed units within the allocated area. Housing completions are set out within Appendix 6 Housing Land Allocations. Details on the calculation of the housing land supply and contributions to the allowances are provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations. No change is required.

Non-Allocated Site – New Site N003 – Golf Course Road

The Council does not support allocating new site N003. The site was not put forward as a development bid in response to the Council's Call for Sites in 2018 so was not considered as such at the MIR stage, nor subject to site assessment and public consultation. This site was proposed as an allocation providing a site location plan in response to the MIR consultation (AD0040.G, page 8). No bid form or supporting information such as an environmental assessment was submitted at that time to allow a detailed evaluation of the suitability of the proposal and had not been the subject of public consultation. No additional supporting information has been submitted by the representee. In addition, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

Settlement Map

The settlement boundary follows an easily discernible boundary to the built-up area of the settlement. Primarily serving as a policy function, the placement of the boundary does not require to be aesthetically pleasing. The uses of the area would not override the need to protect woodland and as such, if the representee's amendment to the boundary was made, the area should form a continuation of protected land P4. The Council maintains that a boundary amendment would be unnecessary as per the MIR response (AD0040.G, page 8). No change is required.

The route of the Deeside Way core path is incorrect and requires to be modified due to a mapping error. The Council confirms that it intends to address this comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 52. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Flood Risk

3. I agree that in the interests of consistency, a reference to site OP2 should be included in the second bullet point of the flood risk section. A modification is recommended.

Services and Infrastructure

4. The amendment suggested by Scottish Water would provide clarification on the growth project process required to increase the capacity of the waste water treatment works. I recommend a modification to the strategic drainage and water supply bullet point.

5. General representations regarding the protection and promotion of access routes are addressed in Issue 7. We agree with the council that the local development plan is not a framework or tool to promote footpaths, cycleways and active travel networks within and between settlements. There are other council documents, such as the Core Paths Plan and the Outdoor Access Strategy which would fulfil this role. The local development plan can protect existing routes, promote good access from new development to these routes and, where appropriate, promote the enhancement or extension of existing routes as part of development proposals. It is within this context, that planning applications may be able to support the work of local paths development initiatives.

Sites OP1 - Land to west of Tarland Road and OP2 Tarland Road/North of Kinord Drive

6. Site OP2 is identified as a housing allocation in the adopted local development plan. The council states that the various planning permissions covering the site total 181 homes. I note from the 2019 housing land audit, that the figure of 130 homes referred to in the representation from Case Consulting Limited, relates to phase four of the development. Appendix 6 in the proposed plan indicates that 69 of the homes on the site were already completed by January 2019.

7. The council explains that, as the site boundaries have not been amended to exclude the completed homes, the proposed plan refers to the total capacity of the site. I am clear, from the table in Appendix 6, that only five units from this site are identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area. This figure is the difference between the capacity noted in the 2019 audit added to the

homes already built at 2019, and the current anticipated capacity of the site. I am satisfied that there is no double counting and conclude that no modification is required.

8. Site OP1, which lies to the west of site OP2, is also included as an allocation in the adopted local development plan, but remains undeveloped. The Woodland Trust Scotland objects to both allocations on the grounds that development would be likely to cause damage and/or loss to areas of ancient woodland.

9. In response to a further information request (FIR003), the council has provided a map which shows the extent of ancient woodland within sites OP1 and OP2. It shows that there is ancient woodland on the southern part of site OP1. Whilst the allocation summary in the proposed plan indicates that “established woodland to the south and west of the site should be retained”, there is no reference to ancient woodland. The council has indicated that full planning permission has been granted for mixed use development on site OP1 and that consideration of woodland impact would not be revisited unless any alternative proposals come forward.

10. Given that there is a current planning permission on the site, I do not consider there is any justification to remove the allocation. However, as development on this site has not commenced, future planning applications may be submitted for revised proposals. I consider that additional text is required to indicate the presence of ancient woodland, that this should be retained and enhanced where possible and that compensatory planting must be provided for any loss of woodland/trees. A modification to this effect is recommended.

11. The council’s map shows that the western section of site OP2 is included in the ancient woodland inventory. As this site has planning permission and is under construction, there is no justification to remove the allocation from the plan. However, the council has indicated, in its response to the representation from NatureScot that alternative proposals may come forward for the undeveloped part of site OP2, which includes the area of ancient woodland. I therefore consider that additional wording, similar to that proposed for site OP1, should be included in the allocation summary for OP2. A modification is recommended.

12. The text on Habitats Regulations Appraisal requested by NatureScot in relation to site OP1 would provide clarification on the appraisal process. In the interests of clarity and consistency, I agree with the council that this amendment should also apply to site OP2. Modifications are recommended.

Non-allocated new Site N003 – Golf Course Road

13. The site at Golf Course Road forms part of an agricultural field located to the south and west of the golf course. The southern part of the field, which lies next to the existing settlement boundary, is not part of site N003.

14. Whilst I note that the housing allocations in Aboyne are located in the western part of the settlement, I do not consider that development in this location would be justified solely on the grounds that the site is close to existing facilities at the golf club and Aboyne Green.

15. The conclusions reached under Issue 5 indicate that there is no need for additional housing allocations in the Rural Housing Market Area to meet the strategic development

plan allowance for the period up to 2032. The allocation of the site is therefore not required to meet housing need. The environmental impact of development on this site has not been assessed and there has been no opportunity for the public, key agencies or other stakeholders to comment. I therefore have insufficient information before me to fully assess the merits or otherwise of a mixed use development proposal.

16. The existing settlement boundary wraps around the gardens of residential properties and follows the north-south and east-west sections of Golf Course Road, which I consider is clear and logical. There is no justification to extend the boundary to incorporate the agricultural field to the north and west of Golf Course Road.

17. No modification is required to allocate this site or amend the settlement boundary.

Settlement Map

18. The existing settlement boundary at the western end of Aboyne and to the north of the A93 road generally follows the north – south farm track. I consider it appropriate that the boundary should also include Cluny Cottage, which is the only residential property located immediately to the west of the farm track. However, this justification would not apply to the irregular shaped area of woodland located to the south of Cluny Cottage. The site is not urban in character and visually forms part of the woodland belt which extends in a westerly direction. The section of the Deeside Way, which runs along the western edge of the site, provides a path through an area of woodland and I can see no merit in amending the settlement boundary to align with this route. No modification is required.

19. The council has accepted that the route of the Deeside Way core path is shown incorrectly on the maps in the Aboyne settlement statement. I agree that a modification is required to show the correct route to the south of Cluny Cottage, which is located at the western edge of the settlement.

Reporter's recommendations:

Modify the local development plan by:

1. Replacing the first sentence of the second bullet point in the flood risk section page 767 with:

“Small watercourses flow through or adjacent to sites OP1 and OP2.”

2. Replacing the second sentence of the strategic drainage and water supply bullet point on page 767 with:

“A growth project will be required and Scottish Water can instigate this on receipt of the five growth criteria from a developer. Early engagement with Scottish Water is recommended.”

3. Replacing the last sentence of the fifth paragraph in the allocation summary for OP1: Land to West of Tarland Road on page 768 with the following two sentences:

“Future development proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.”

4. Replacing the penultimate paragraph of the allocation summary for OP1: Land to West

of Tarland Road on page 768 with:

“The maintenance and enhancement of wildlife corridors should be integral to the site’s development. The southern part of the site lies within an area included in the Scottish Ancient Woodland Inventory. Where possible, existing woodland should be retained and enhanced. Equivalent compensatory planting must be provided for any loss of woodland/trees.”

5. Replacing the last sentence of the second paragraph of the allocation summary for OP2: Tarland Road/North of Kinord Drive on page 769 with the following two sentences:

“Future development proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.”

6. Adding the following new paragraph to the allocation summary for OP2: Tarland Road/North of Kinord Drive on page 769:

“The western part of the site lies within an area included in the Scottish Ancient Woodland Inventory. Where possible, existing woodland should be retained and enhanced. Equivalent compensatory planting must be provided for any loss of woodland/trees.”

7. Amending the line of the Deeside Way core path on the Aboyne: Key Map and Aboyne: Map 1 on pages 770 and 771 to show the correct route to the south of Cluny Cottage.

Issue 53	Alford	
Development plan reference:	Proposed LDP, Appendix 7F Marr, Page 773-780	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>PP0023 Bill Slee PP0024 Bill Slee PP0036 David Kenwright PP0037 David Kenwright PP0268 Michael Duff PP0619 Harriot and Sophia Tennant PP0768 Lysander Tennant PP1051 c a s e CONSULTING Limited PP1073 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage) PP1343 Historic Environment Scotland</p>		
Provision of the development plan to which the issue relates:	Alford Settlement Statement	
Planning authority's summary of the representation(s):		
<p><u>General</u></p> <p>A representee has raised concern about removal of part of the proposed core path network (CPN), specifically the path running from the Pleasure Park to the old military road near Gallow Hill since the path is well used, with a strong local desire for its continued use. There is also a desire for the Cairngorms National Park to be extended, and this provides potential for a 'Paths for All' project providing 'carbon neutral' walking/cycling/riding opportunities in the Vale of Alford (PP0024).</p> <p><u>Natural and Historic Environment</u></p> <p>Specific acknowledgement of Balfluig Castle should be provided to protect the integrity of its rural setting. Additional text should be added to reflect the need to protect Balfluig Castle against the impact of development on its rural setting (PP0619).</p> <p><u>Flood Risk</u></p> <p>Scottish Environment Protection Agency (SEPA) has requested amending the first 'Flood Risk' bullet point to refer to the SEPA flood risk map rather than the National Flood Risk Assessment (FRA) as Alford is not in the National FRA potentially vulnerable areas (RD0214.B) (PP1219).</p>		

SEPA has requested removing site R1 from the second 'Flood Risk' bullet point as there is no watercourse apparent on SEPA's GIS (RD0214.B) (PP1219).

SEPA has requested, for consistency, sites OP3 and OP5 are added to the second 'Flood Risk' bullet point (RD0214.B) (PP1219).

Site R1 – For a cemetery extension and to protect the cemetery/war memorial

SEPA has commented that there are unlikely to be any SEPA issues with this site (RD0214.B). No modification sought (PP1219).

Site R2 – For uses associated with Donside Community Care

SEPA has commented that they have no flooding, strategic drainage or water supply issues with the designation summary for site R2 (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Former School Campus Site

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

The Proposed Local Development Plan (PLDP) includes misinformation regarding the location and ownership of a stream sitting between two 'ransom strips' to the west of the site and on the park side which is not in Council ownership. The only watercourse in the remaining site is ephemeral and is not suitable for re-engineering (PP0023).

There is potential flood risk on the site and the risk on OP1 has been exacerbated by the new community campus building which diverts water to the OP4 site and in turn any soil sealing on the site would increase flood risk significantly unless effective SuDS are developed (PP0023).

Greystone Road is unsuitable for a high volume of traffic and this has been determined by road traffic engineers since the road was previously closed to the new Community Campus and nearby housing development and this should be taken into account (PP0023).

On the southern boundary of the site new homes should be built to ensure they do not overlook existing homes based on roof ridge height in relation to distance from the boundary. The representee has included an Appendix (RD0037.A) in their representation which provides further detail to support their position (PP0268).

Given the location of the site, it is suitable for community uses, rather than the Council seeking a return on the site (PP0023).

NatureScot has requested that the allocation summary is amended to state that an active

travel link should be sought from the town centre through to a core path, as they note the presence of a new proposed core path in woodland that ends adjacent to the west boundary of site OP1 (although it is not shown on the Settlement Statement maps, which only shows existing core paths) and that this would support active travel in accordance with the aims of the PLDP (RD0255.B) (PP1300).

Site OP2 – Land at Wellheads

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

Site OP3 – Land at Greystone Road

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

The base date of the LDP is 1 January 2019 so site capacities should indicate the residual capacities as within the Housing Land Audit (HLA) 2019 to avoid overstatement of the available land supply. The allocation is an amalgamation of earlier allocations in the settlement and requires to be corrected to show the correct capacity (PP1073).

Site OP4 – Land at Kingsford Road

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP4 (RD0214.B). No modification sought (PP1219).

The OP4 site is located within the Battle of Alford Inventory historic battlefield boundary of 1645. Historic Environment Scotland (HES) has noted that the allocation is located in the southeast section of the Inventory boundary, which is not presently considered to have been a key area of battlefield activity/lines of action, and therefore the potential impact on any archaeological remains dating to the battle is likely to be low. Nevertheless, HES note the potential impact on the special qualities of the battlefield should still be assessed further. Although the allocation is located adjacent to existing housing development, given its size and change from what is currently an agricultural field, there is likely to be some impact on the understanding and appreciation of the battlefield landscape. Therefore, any potential impacts on key landscape characteristics and the cumulative impacts should be assessed, with mitigation and enhancement considered in line with HES Battlefield guidance (RD0266.A) (PP1343).

The representee supports the allocation of the site but references to a significant landscape buffer to the west (providing separation from the battlefield) should be revised to make reference to an appropriate buffer, with the size determined through a masterplan or planning application. The current wording 'opens the door' to any future planning application being subject to disproportionate requirements, taking into account there is uncertainty over the location of the battle, and that much of the battlefield has been built on. The buffer shown in the indicative masterplan approved for planning application reference APP/2005/2835 should also be taken into account (PP0037).

Reference to a buffer strip along the watercourse should be removed in accordance with the Issues and Actions Paper which responded to SEPA's recommendation for watercourse enhancements as, "In light of SEPA's comments, a buffer strip for the watercourse has not been requested and will not be a requirement in the allocation summary". The representee has included a number of Appendices (RD0003.A, RD0003.B, RD0003.C) in their representation which provides further detail to support their position (PP0037).

The OP4 site is constrained on physical grounds with road issues being known to the Council since 2009 when options were presented to overcome this constraint. The suggestion of upgrading Kingsford Road is puzzling as it was not a favoured option, the road is narrow and restricted by third party ownership and the junction would be difficult or impossible to bring up to standard for the scale of development proposed. There have been insufficient attempts for this to be resolved and retention of the site would be contrary to SPP (PP1051).

Site OP5 – Land at Wellheads, East of Castle Road

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP5 (RD0214.B). No modification sought (PP1219).

The Examination of the 2017 LDP did not adequately consider impact on the setting of Balfluig Castle. The site impacts on the relationship and character of the connection between Balfluig and Alford with Castle Road now becoming a part of the settlement if OP5 is developed. Landscape mitigation in developments do not provide a robust landscape framework to the south and east of Alford and has resulted in erosion of the wider landscape setting of Balfluig (PP0768).

Site OP6 – Site East of Parkview

SEPA has commented that they have no further flooding, strategic drainage or water supply issues with the allocation summary for site OP6 (RD0214.B). No modification sought (PP1219).

NatureScot requests that the allocation summary for site OP6 in Alford includes text that highlights a potential link to the core path network to the north, as this would support active travel in accordance with the aims of the Proposed Plan (RD0255.B) (PP1300).

The OP6 site is located within the Battle of Alford Inventory historic battlefield boundary (BTL 1) of 1645, in the central section of the Inventory boundary and some of the key areas of battlefield activity/lines of action are located to the northwest and northeast of it. HES has stated that although some development has already taken place within the allocation, there is the potential for archaeological remains dating to the battle to be uncovered and therefore this should be assessed further. They also note that while the allocation is fairly small in scale and located adjacent to small-scale development and a large area of forestry, any potential impacts on key landscape characteristics and the cumulative impacts should be assessed and mitigation and enhancement considered in line with HES Battlefield guidance (RD0266.A) (PP1343).

Non-Allocated Site – Bid Site MR042 – Land at Greystone Farm

The proposed development, MR042, should be allocated on the basis that a strategic reserve of housing is required for Alford. Strategic reserve of housing is supported by the SDP 2020, but the decision to not take forward Future Opportunity sites as identified in the MIR has not been endorsed by Committee. This is a short-term view as strategic reserve/future opportunity sites would provide certainty and for Alford would facilitate comprehensive masterplanning following on from completion of site OP4 (PP0036). The development would deliver on the vision for Alford, supporting vibrancy of the town and encourage social and visual improvements. Westward expansion for the town is logical and is well located to school facilities, supporting local amenities and services whereas eastward growth would be visually prominent, and northwards is constrained by woodland (PP0036).

The identified constraints and reasons why the site was ‘not preferred’ in the MIR and Issues and Actions are disputed. The following can be addressed including traffic impact and landscape/cultural heritage impact on the battlefield. A proportionate approach should be taken given that neither HES nor NatureScot (SNH) objected and appropriate measures can be taken. Waste water treatment could be addressed and there is a new water main. Additionally, there is also school capacity and opposition to the development is also disputed as there appears to have been only one person who has commented on the bid site. The representee has included a number of Appendices (RD0002.A, RD0002.B and RD0002.C) in their representation which provides further detail to support their position (PP0036).

Non-Allocated Site – New Site N026 – Land at Balfluig Castle

The general policy framework is not sufficient to protect the setting of Category A Listed Balfluig Castle. Its setting has been eroded by the expansion of Alford, and by the extension of isolated housing clusters. These pressures have undermined the rural setting, and further development will exacerbate the impact. Protecting, enhancing and promoting cultural heritage are key considerations set out in Scottish Planning Policy (SPP). It would be appropriate to add a further protected area (new ‘P6’) for the specific purpose of protecting the wider landscape setting of Balfluig Castle (PP0619).

Modifications sought by those submitting representations:

General

Modify the PLDP to retain the existing Core Path Network in Alford and state the aspiration for it to be extended through the Vale of Alford (PP0024).

Natural and Historic Environment

Modify the PLDP to add text into the ‘Natural and Historic Environment’ section of the Settlement Statement to reflect the need to protect Balfluig Castle against the impact of development on its rural setting (PP0619).

Flood Risk

Modify the PLDP to replace the first ‘Flood Risk’ bullet point with, “Parts of Alford are shown to be at risk from flooding on the SEPA Indicative Flood Map. Flood Risk

Assessments may be required.” (PP1219).

Modify the PLDP to remove site R1 from the second ‘Flood Risk’ bullet point (PP1219).

Modify the PLDP to amend the second ‘Flood Risk’ bullet point to, “Sites OP1, OP3, OP4 and OP5 have small watercourses flowing through or adjacent to them. Flood Risk Assessments may be required.” (PP1219).

Site OP1 – Former School Campus Site

Modify the PLDP to provide accurate information regarding watercourses on the OP1 site (PP0023).

Modify the PLDP to ensure effective SuDS are required (PP0023).

Modify the PLDP to include within the allocation summary that there should be no access to Greystone Road from the OP1 site (PP0023).

Modify the PLDP to ensure that homes built along the southern boundary avoid overlooking existing properties (PP0268).

Modify the PLDP to ensure engagement with the local community to explore alternative uses for site OP1 (PP0023).

Modify the PLDP allocation summary for site OP1 in Alford, to add the following text after the second sentence of the first paragraph, “Efforts should be made through the layout of the site to link into the new proposed core path in woodland adjacent to the west boundary of the site.” (PP1300).

Site OP3 – Land at Greystone Road

Modify the PLDP to amend the OP3 allocation capacity to 97 homes and correct Appendix 6 LDP2017 allocation to 259 homes (PP1073).

Site OP4 – Land at Kingsford Road

Modify the PLDP to amend the allocation summary wording so that any potential impacts on key landscape characteristics and the cumulative impacts should be assessed, with mitigation and enhancement considered in line with HES Battlefield guidance (PP1343).

Modify the PLDP to amend the allocation summary wording relating to the landscape buffer to the west of the site to either remove this, or the wording should be revised to ensure a more appropriate size buffer is determined through a masterplan or planning application (PP0037).

Modify the PLDP to amend the allocation summary to remove the requirement for a buffer strip along the watercourse (PP0037).

Modify the PLDP to remove the OP4 allocation and identify an alternative effective allocation in the Local Growth Area of the RHMA, or if constrained, in the Local Growth Area of the AHMA (PP1051).

Site OP5 – Land at Wellheads, East of Castle Road

Modify the PLDP to remove the site OP5 (PP0768).

Site OP6 – Site East of Parkview

Modify the PLDP to add the following text at the end of paragraph one of the allocation summary text, “Efforts should be made through the site layout to link into the core path network to the north side of the site.” (PP1300).

Modify the PLDP to amend the allocation summary wording so that any potential impacts on key landscape characteristics and the cumulative impacts should be assessed, with mitigation and enhancement considered in line with HES Battlefield guidance (PP1343).

Non-Allocated Site – Bid Site MR042 – Land at Greystone Farm

Modify the PLDP to allocate bid site MR042 as a future opportunity site for 245 homes (PP0036).

Non-Allocated Site – New Site N026 – Land at Balfluig Castle

Modify the PLDP to add in a new protected site, P6, to safeguard the wider setting of Balfluig Castle (PP0619).

Summary of responses (including reasons) by planning authority:

General

The concerns regarding the core path are noted. The PLDP only shows the existing core paths network around settlements. This means that the areas that are currently only of a proposed status will not feature on the maps. The area will remain under review and should there be a time that this particular part of the path network becomes an established part of the core network then the area could show on future LDPs. No change is required.

Natural and Historic Environment

Reference to Balfluig Castle is currently found within this section of the PLDP where it notes that the Category A-listed building is in close proximity to the southeast of the settlement. This section acknowledges protected features and areas within or adjacent to settlements. It would be under the Historic Environment policy section that any proposal would be assessed for impacts to a listed building including on its character, integrity or setting. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA’s comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site R1 – For a cemetery extension and to protect the cemetery/war memorial

Comments from SEPA are noted. No change is required.

Site R2 – For uses associated with Donside Community Care

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Former School Campus Site

Comments from SEPA are noted. No change is required.

The information relating to the watercourse has been included in the Plan as this information came from one of the statutory consultees, SEPA. This information remains relevant and should remain in the Plan. At this stage, the ownership of the land is not relevant as this would be a matter for the developer to consider when progressing plans for the development. No change is required.

As for issues relating to drainage, SEPA have not raised any additional issues through the consultation which means that the measures highlighted within the allocation summary are sufficient for the site. As highlighted, through the allocation summary a Flood Risk Assessment may be required which would look into the likelihood of the development being affected by flood risk. No change is required.

The Council's Transportation Service has not raised any concerns about the allocation. Any requirement for road improvement work or alternative access options would be a matter for the planning application stage. However, it is noted within the allocation summary for the site that early engagement with the Council's Transportation Service is encouraged.

Any impacts on the amenity of neighbouring properties will be addressed at a planning application stage and assessed against the relevant policies in the LDP. Any neighbouring property within close proximity to the site (within 20 metres) would also be notified of any planning application through the means of neighbour notification.

A representee highlighted that due to the location of the site it would be suited for community uses. Part of the allocation, along with the housing and employment uses, is for community uses. This mixed-use allocation maintains the opportunity for a range of options to be explored within the site. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Land at Wellheads

Comments from SEPA are noted. No change is required.

Site OP3 – Land at Greystone Road

Comments from SEPA are noted. No change is required.

The allocation total of 259 homes reflects the planning permissions granted within the OP3 site area. The site boundaries have not been adjusted with the site being carried forward and thereby totals are also representative of completed units within the allocated area. Housing completions are set out within Appendix 6 Housing Land Allocations. Details on the calculation of the housing land supply and contributions to the allowances is provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations. No change is required.

Site OP4 – Land at Kingsford Road

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address HES's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The request to remove the term 'significant' from the landscape buffer is not seen to be appropriate. The significant landscape buffer has been included within the allocation summary to ensure that this is delivered through any future planning application so that the separation from the core of the battlefield can be maintained. HES's Designation Record and Summary Report for the Battle of Alford (see AD0148) indicates the area west around Gallow Hill as a key location for the battlefield. This is to the west of the site which has relatively low levels of development. The exact design of this buffer strip is something that will be looked at through consultation when a planning application is submitted to ensure that stakeholders are comfortable that the landscape buffer will provide the function intended. No change is required.

Reference to the buffer strip has been included in the PLDP as this is a requirement that has been carried forward from the 2017 LDP. However, it is noted that SEPA no longer require this as highlighted through the Issues and Actions paper (see AD0040.G, page 17). Within the Issues and Actions paper the Council note, due to the comments from SEPA in response to the Main Issues Report, that the buffer strip has not been requested and will not be a requirement in the allocation summary. Therefore, if the Reporter is minded, to make an amendment, then the Council recommend that the third sentence of the third paragraph of the allocation summary be removed.

The delivery of the OP4 allocation is likely to follow the completion of the OP3 site, as noted within the Main Issues Report, see AD0038.G, page 11. It is considered that the marketability constraint is unlikely to hinder the development of the site within the Plan period. As for the issues relating to roads, due to the scale of the development a masterplan would be required. Through completing the masterplan, early discussions would take place with the Council's Transportation Service to work up a solution which would allow the delivery of the allocated site. No change is required.

Site OP5 – Land at Wellheads, East of Castle Road

Comments from SEPA are noted. No change is required.

The OP5 site was allocated in the 2017 LDP through a recommendation by the Reporter. The site has progressed since allocation with a masterplan being agreed by Marr Area Committee in October 2018 (AD0092). Work is currently progressing towards a planning application, with the Proposed Delivery Programme noting that an application was

expected late 2020, see AD0042, page 203. Timescales for this have slightly slipped due to the impacts of Covid-19 but an application is still expected. When an application is submitted for the site matters relating to landscape, impact will be assessed at this stage. No change is required.

Site OP6 – Site East of Parkview

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NatureScot’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address HES’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Site – Bid Site MR042 – Land at Greystone Farm

The Council does not support allocating bid site MR042 for 245 homes. The scale of the allocation would result in a significant expansion of the settlement. Due to the scale of the site, it would also result in a number of implications should the development be allocated including, transportation, landscape and cultural heritage impacts. This is supported by HES and NatureScot responses to the MIR (AD038.G, page 12 and AD0040.G, pages 14-15 and 17). It is acknowledged that these concerns have been disputed by the representee however, there remain valid considerations as to why this development should not form a future opportunity site.

Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. Future opportunity sites (strategic reserve for housing) are not included within the PLDP as detailed within Schedule 4 Issue 2: Section 5 – Spatial Strategy. No change is required.

Non-Allocated Site – New Site N026 – Land at Balfluig Castle

The Council does not support allocating new site N026 as a protected site to safeguard the wider setting of Balfluig Castle. Bid site MR022, seeking an area of protection to safeguard the setting of Balfluig Castle, was not identified as a preferred option in the MIR (see AD0038.G, page 12). Balfluig Castle currently sits outwith the settlement boundary for Alford, meaning that any proposals within the area would be considered against the Shaping Development in the Countryside policies, as well as against Policy E2 Landscape and Policy PR1 Protecting Important Resources (proposed paragraph PR1.5). Ultimately, as noted in the response to the MIR consultation, proposals that may affect the setting of a listed building would be subject to assessment against the Historic Environment policies that seek to protect listed buildings including their setting (AD0040.G, page 17). No additional protection is required. No change is required.

Reporter’s conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved

issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 53. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

General

3. The maps in the Alford settlement statement show the existing core paths network. The council has explained that proposed core paths would be shown in future local development plans if and when these become part of the core paths network. An aspiration to enhance access networks in the Vale of Alford does not require a specific mention in the local development plan. No modification is required.

Natural and Historic Environment

4. Paragraph HE1.1 in policy HE1 states that “we will not allow development which would have a negative effect on the character, integrity or setting of listed buildings”. I agree with the council that this policy would apply to any proposal with the potential to effect the setting of Balfluig Castle. There is no need to repeat this policy within the Alford settlement statement. I also do not consider it appropriate to pre-empt consideration of any future proposals at the Little Endovie cluster. These would be assessed against relevant policies in the plan. No modification is recommended.

Flood Risk

5. I agree that the proposed plan should be modified to address the factual matters raised by the Scottish Environment Protection Agency (SEPA) in relation to the relevance of the national flood risk assessment and the presence of watercourses in or adjacent to individual sites. Modifications to this effect are recommended.

Site OP1 – Former School Campus Site

6. Allocation OP1 relates to the cleared site previously occupied by school buildings and grounds. I consider the uses proposed (housing, employment land and community uses) to be an appropriate mix for the redevelopment of this brownfield site located in the heart of the village. The requirement to consult the council on the proposed community uses would provide the opportunity to take account of the aspirations and needs of local people.

7. The boundary of site OP1, as shown in the existing local development plan and the main issues report, includes a strip of land immediately to the east of the watercourse. This land, which is now occupied by a men’s shed and community growing area, is not included in allocation OP1 in the proposed plan.

8. I note that the wording in the allocation summary in relation to flood risk and the watercourse is taken from SEPA’s response to the main issues report. However, these

comments were based on the original site boundary. In order to address Mr Slee's representation, I sought clarification from the council and SEPA on this matter (FIR012).

9. SEPA's response suggests that the last three sentences in the first paragraph of the allocation summary should be replaced with: "A Flood Risk Assessment may be required to determine whether a wider buffer strip to the watercourse close to the western boundary of the site is necessary to protect the development from flood risk". I agree that this wording would more accurately reflect the relationship between site OP1 and the watercourse. A modification to this effect is recommended.

10. I note that there are two existing accesses to the site from Bank Terrace and School Road. I agree with the council that matters relating to road improvements and access arrangements should be discussed with the Transportation Service, prior to submitting a planning application. I consider that the additional text suggested by NatureScot would be appropriate to ensure good pedestrian connections between the site and the existing path network. A modification is recommended.

11. I agree with the council that other matters relating to site layout, the provision of SuDS and building height would be addressed at planning application stage. No further modifications to OP1 are required.

Site OP3 – Land at Greystone Road

12. There are two entries in the 2019 housing land audit relating to site OP3 – one with a capacity of 218 homes and the other for 41 homes. This is reflected in the allocation for 259 homes in the proposed plan. Consistent with other allocations in the proposed plan, the total capacity of OP3 includes homes already built on the site. The allocation summary states that the site is already under construction and Appendix 6 makes clear that 162 homes were built by January 2019. No modification is necessary.

Site OP4 – Land at Kingsford Road

13. Site OP4 is allocated for 85 homes in the current local development plan. It is identified as constrained for physical and marketability reasons in the 2019 and 2020 housing land audits.

14. The allocation summary in the current local development plan states that "construction is expected to follow on from OP3 in 2017". It is evident that the completion of site OP3 has taken longer than anticipated. According to the 2020 housing land audit, site OP3 is now due to be completed in 2023.

15. The proposed plan also states that site OP4 is expected to follow on from OP3. Allocation OP4 is identified as contributing towards the strategic development plan allowance for the Rural Housing Market Area. I asked the council for further information on the physical constraint affecting the site and to explain why it considers the allocation is deliverable by 2032.

16. The council indicates that the physical constraint relates to access, with reference to a ransom strip. However, the landowner has confirmed that the site can be accessed from Kingsford Road with all necessary land in its ownership. The allocation summary in the proposed plan indicates that upgrading to Kingsford Road is required, including the

provision of footways. I observed from my site visit that upgrading works would require land which currently forms part of individual properties. However, the council and the landowner do not perceive any difficulty in securing the necessary land to allow the upgrading works to be delivered and no evidence has been submitted to suggest otherwise.

17. The 2020 housing land audit anticipates that this site will be the only allocation with remaining capacity in Alford from 2025. The vision section of the settlement statement indicates that “Alford is a popular commuter town and rural service centre”. Within this context, I consider it reasonable to expect the marketability constraint to be resolved. Whilst there is less certainty regarding the timescales involved in resolving the physical constraint, I am satisfied, from the additional information provided, that the site can contribute to meeting the strategic development plan allowance. No modification is required

18. The council has suggested an additional sentence be inserted at the start of the third paragraph of the allocation summary to address concerns raised by Historic Environment Scotland, in relation to potential impact on the Battle of Alford battlefield. I agree that it would be appropriate to highlight the need to assess potential impacts on key landscape characteristics of the battlefield, including cumulative impacts, and consider mitigation and enhancement in line with battlefield guidance. A modification is recommended, with minor amendments to the council’s suggested wording, in the interests of clarity.

19. The landowner is concerned that the requirement for “a significant landscape buffer” may result in future applications being subject to disproportionate requirements. It considers that the extent of the buffer should be determined through a masterplan or planning application.

20. Within the context of the above recommended modification, I consider that it would be premature to indicate what scale of landscaping would be appropriate, until the required assessment has been undertaken. The council has stated that due to its size, a masterplan would be required for this site. However, this is not mentioned in the allocation summary. The need for a masterplan would be consistent with policy P1 (Layout, Siting and Design) and I agree with the landowner that the extent of the landscape buffer should be determined through a masterplan, taking account of Historic Environment Scotland’s battlefield guidance. I recommend a modification to the first paragraph of the allocation summary to state that a masterplan would be required and a modification to the third paragraph to indicate that the extent of the landscape buffer is to be determined through the masterplan.

21. The council has indicated that that it intends to remove the reference to a buffer strip adjacent to the watercourse to reflect SEPA’s response to the Main Issues Report. I agree that if a buffer strip is not required, then the existing third sentence of the third paragraph should be removed. A modification to this effect is recommended.

Site OP5 – Land at Wellheads, East of Castle Road

22. It would not be appropriate for me to respond to comments on the adequacy of the 2017 local development plan examination. Additional information provided by the council indicates that planning permission for 55 homes was granted in January 2022. This suggests that progress is being made on the implementation of the allocation OP5. No

modification is required.

Site OP6 – Site east of Parkview

23. The key map in the Alford settlement statement shows that allocation OP6 lies immediately to the south of the existing core paths network. I agree that the allocation summary should be amended to encourage the provision of links to the core path in the site layout, as suggested by NatureScot. A modification to this effect is recommended.

24. As this allocation is located within the Battle of Alford historic battlefield site, I agree with Historic Environment Scotland and the council that additional text similar to that recommended for allocation OP4 should be provided. A modification is required.

Non-allocated bid site MR042 – Land at Greystone Farm

25. Site MR042 is located to the west of existing allocation OP4. The landowner considers that it should be identified as a strategic reserve for around 245 homes. Representations relating to the provision of a strategic reserve of housing land in general are addressed in Issue 2. In summary, whilst the strategic development plan indicates that local development plans may choose to make provision for additional strategic reserves for the period 2033 – 2040, there is no requirement for them to do so.

26. As concluded in Issue 5, there is no shortfall in the strategic development plan allowance for the Rural Housing Market Area for the period up to 2032. Furthermore, given that allocation OP4 is not expected to commence until after 2023, I consider it unlikely that land to the west of this site would come forward for development within the plan period. No modification is required.

Non-allocated site N026 – Land at Balfluig Castle

27. The owners of Balfluig Castle have suggested that land to the north of the castle and to the east of the Alford settlement boundary be safeguarded, in order to protect the rural setting of this category A listed building. Whilst I recognise the importance of protecting the setting of listed buildings, I do not consider it appropriate to try to identify the extent of the setting in the local development plan. I agree with the council that there are policies in the plan, policy HE1 in particular, which would apply to any proposal with the potential to effect the setting of Balfluig Castle. No modification is recommended.

Reporter's recommendations:

Modify the local development plan by:

1. Replacing the first sentence of the first bullet point in the flood risk section on page 774 with:

“Parts of Alford are shown to be at risk from flooding on the SEPA Indicative Flood Map.”

2. Replacing the second bullet point in the flood risk section on page 774 with:

“• Sites OP1, OP3, OP4 and OP5 have small watercourses flowing through or adjacent to them. Flood Risk Assessments may be required.”

3. Inserting the following text after the second sentence in the first paragraph of the

allocation summary for OP1 (Former School Campus site) on page 775:

“Efforts should be made through the layout of the site to link into the new proposed core path in woodland adjacent to the west boundary of the site.”

4. Replacing the last three sentences in the first paragraph of the allocation summary for OP1 (Former School Campus site) on page 775 should be replaced with:

“A Flood Risk Assessment may be required to determine whether a wider buffer strip to the watercourse close to the western boundary of the site is necessary to protect the development from flood risk”.

5. Inserting a new second sentence into the first paragraph of the allocation summary for OP4 (Land at Kingsford Road) on page 776:

“A Masterplan is required for this site”.

6. Replacing the first sentence in the third paragraph of the allocation summary for OP4 (Land at Kingsford Road) on page 776 with the following:

“Any potential impacts (including cumulative impacts) on key landscape characteristics of the Battle of Alford historic battlefield should be assessed, with mitigation and enhancement considered in line with Historic Environment Scotland’s battlefield guidance. A landscape buffer, the extent of which to be determined through the masterplan, should be provided to the west of the site to separate the development from the core of the Battle of Alford battlefield with further planting throughout the development to integrate the site into the landscape.”

7. Deleting the following sentence from the third paragraph of the allocation summary for OP4 (Land at Kingsford Road) on page 776:

“A buffer strip will be required adjacent to the watercourse and should be integrated as a positive feature of the development”.

8. Adding the following new sentence to the end of the first paragraph of the allocation summary for OP6 (Site East of Parkview) on page 777:

“Efforts should be made through the site layout to link into the core path network to the north side of the site.”

9. Inserting the following new first sentence to the second paragraph of the allocation summary for OP6 (Site East of Parkview) on page 777:

“Any potential impacts (including cumulative impacts) on key landscape characteristics of the Battle of Alford historic battlefield should be assessed, with mitigation and enhancement considered in line with Historic Environment Scotland’s battlefield guidance.”

Issue 54	Banchory	
Development plan reference:	Proposed LDP, Appendix 7F Marr, Page 781-791	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>PP0014 James Ian Edwards PP0148 John Duncan PP0149 Dr Margaret Duncan PP0162 Ediston Real Estate PP0166 Banchory Academy Parent Council PP0186 Forbes Homes Ltd PP0234 Ken Mercer PP0389 WM Morrison Supermarkets PLC PP0403 Westhill Developments (Brodiach) Ltd PP0404 Westhill Developments (Brodiach) Ltd PP0414 Robert Mutch PP0415 Robert Mutch PP0440 Banchory Stonehaven Athletics Club PP0492 Forbes Homes Ltd PP0493 Sue Paterson PP0608 Frances Getliff PP0609 Frances Getliff PP0745 Deeside Climate Action Network PP0750 Mactaggart and Mickel Homes Limited PP0769 Banchory Community Council PP0773 Deeside Climate Action Network PP0791 North Banchory Company PP0792 North Banchory Company PP0793 North Banchory Company PP0794 North Banchory Company PP0795 North Banchory Company PP0804 Deeside Climate Action Network PP0878 The Woodland Trust Scotland PP0943 Bancon Homes PP0944 Bancon Homes PP0945 Bancon Homes PP0946 Bancon Homes PP0947 Bancon Homes PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian PP1300 NatureScot (Scottish Natural Heritage)</p>		
Provision of the development plan to which the issue	Banchory Settlement Statement	

relates:	
Planning authority's summary of the representation(s):	
<p><u>General</u></p> <p>Two representees have requested that the Tree Preservation Orders at Upper Arbeadie are made permanent (PP0148 and PP0149).</p> <p>Two representees have requested the number of homes allocated in Banchory is reduced (sites OP1 to OP4 and OP6, which comprise of a total of 402 homes) to reduce the carbon footprint from commuting traffic and commuting miles. They state there is very little connectivity to employment centres in Aberdeen (e.g. Dyce and Aberdeen Royal Infirmary) and Aberdeenshire (e.g. Westhill). These issues could be mitigated by a better bus transport system, encouraging car sharing, cycling, improving the Deeside Way, park and ride (by bike or bus) with electric bike charging and buses able to take bikes. Decentralised offices and homeworking are other alternatives (PP0608 and PP0745).</p> <p>Banchory Community Council (BCC) has suggested consolidating the 16 Protected Land designations, which could be amalgamated into a wider green space network protection (RD0136.A) (PP0769).</p> <p>BCC has sought clarity on the need for 'buffer zones' at Loch of Leys Local Nature Conservation Site (LNCS). They noted that Scottish Planning Policy (SPP) supports buffer zones to protect important habitats (paragraph 196). However, they suggested views from NatureScot may be required as the Strategic Environmental Assessment (SEA) stated that bid sites MR038 and MR039 would have little or no impact on habitat and biodiversity (RD0136.A) (PP0769).</p> <p>BCC has highlighted that the core path passing through R3 and links Woodend with Upper Lochton is not shown and needs protection as part of R3 and adjoining allocations. There is a need to update the Core path network at the recycling centre to the former railway at East Mains, and the three missing connections at Corsee Road and the main east/west paths (RD0136.A) (PP0769).</p> <p>BCC has raised concerns with the lack of specialised housing (affordable or sheltered housing) as limited new housing is proposed and queried whether planning law allows for a site specifically for special needs. They noted that the Banchory Community Action Plan (BCAP) identified a need for affordable, sheltered and other special needs housing, but the Inchmarlo Continuing Care development does not meet the need in Banchory itself or in an affordable way (RD0136.A) (PP0769).</p> <p><u>Vision</u></p> <p>A representee has requested that the overall planning strategy should ensure that the north of Banchory does not become a vast urban sprawl, particularly in relation to site OP2, with little or no amenity space (PP0014).</p> <p>BCC has indicated that the Vision remains largely apt but should assume the protection of heritage assets and paths (riverside, Deeside Way, Scolty, Crathes Castle, Corsee and other woods) as a new priority after lockdown has given a greater appreciation of the surrounding environment. The core path network needs updating to make better provision</p>	

to these areas (RD0136.A) (PP0769).

A representee has highlighted the need for commitments to improve the multi-use paths between Aboyne, Banchory, Torphins, Lumphanan, and Tarland to support a circular route connecting with the Deeside Way supporting active travel, health and wellbeing and environment but there is nowhere in the Plan that specifically improves this, unless part of a new housing development. There has been a significant increase in the use of e-bikes, which helps meet the need and makes changes to help the Climate Emergency (PP0773).

BCC has expressed that a permanent plan for regeneration of an already struggling town centre is required as it adapts to a more pedestrian friendly layout and is threatened by job losses. Public projects may lead the way in stimulating recovery but there needs to be a focus on measures that stimulate sustainable economic recovery (RD0136.A) (PP0769).

BCC has suggested replacing, “No additional major new development is proposed.” with “No additional major new housing developments are proposed.” considering the lack of new housing. The provision of a new academy and health centre are major new developments, and the Vision should make a distinction between providing for public services and housing (RD0136.A) (PP0769).

Site P1 – To protect the cricket and sports ground as local amenities and for their contribution towards the green-blue network and character

A representee has expressed support for site P1. No modification sought (PP0440).

Site P2 – To protect the area of woodland for its contribution to the character, as an amenity and forming part of the green-blue network

Two representees have expressed support for site P2. No modification sought (PP0148 and PP0149).

BCC has requested extending site P2 at Upper Arbeadie Road to protect fields omitted from this designation that were subject to bids. They are concerned that despite the countryside policy protection further protection from development is needed (RD0136.A) (PP0769).

BCC suggested a more general description of site P2, such as P4's, which is more appropriate (RD0136.A) (PP0769).

A representee has requested reducing site P2 north of Burnett Road to exclude garages and a playpark, thereby only including woodland. They note that some garages are within the settlement boundary but are classed as ‘white land’ rather than being included in the designation. They suggest a more logical and defensible boundary of the P2 site would be to go by ownership, i.e., the woodland owned by Forestry and Land Scotland and the Leys estate land (see representee's site plan). They argue only the woodland requires to be protected and the other land should just be located within the settlement boundary. The representee has included an Appendix (RD0142) in their representation which provides further detail to support their position (PP0791).

A representee has requested the field to the south side of Upper Lochton (see the representee's plan 1) to be excluded from site P2 and be included within the settlement

boundary as white land. They state it is not woodland and other fields have been excluded from site P2. The representee has included an Appendix (RD0143.A) in their representation, which provides further detail to support their position (PP0792).

Site P16 – To protect the area of woodland as an amenity and forming part of the green-blue network

A representee has requested the removal of site P16 as planning permission has been granted for five homes on this site (APP/2017/1919) and a planning application for Matters Specified in Conditions (MSC) is pending (APP/2020/1399). They add that this site is appropriate for infill development (PP0492).

Site R1 – For potential use as a visitor centre and heritage hub

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Site R2 – For a cemetery extension

SEPA has requested that text is added to the allocation summary requiring a detailed groundwater assessment to fully assess the suitability of this site as a cemetery (RD0214.B) (PP1219).

A representee has objected to site R2 on the basis that as sole owners of the site, the representee would not make the site available for the proposed use, thus making the site undeliverable and contrary to SPP. In addition, the representee has concerns regarding impacts on amenity, parking provision and implications on the operations of the food store (PP0389).

Site R3 – For potential educational facilities

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R3 (RD0214.B). No modification sought (PP1219).

Representees, including BCC, have expressed support for site R3. No modification sought (PP0166 and PP0769).

BCC has sought clarification as to the impact of the new learning plaza and the limited future housing in the Plan has on the quality of the school/school roll and potential diminished requirement for a replacement/slippage in terms of the need for a replacement. The Delivery Programme should set out responsibility for and the timetable for delivery of identified projects, including land reserved for public projects (RD0136.A) (PP0769).

A representee has suggested that the northern part of site R3 should be identified as protected land to link site P7 and P9. The removal of well-used woodlands would have an impact on Banchory's open spaces and woodland walks (PP0234).

A representee has objected to site R3 on the basis that development of it is likely to cause damage and/or loss to areas of ancient woodland. Removal of woodland is contrary to SPP paragraphs 216 and 218. It is also contrary to the Control of Woodland Removal Policy (RD0161.A) (PP0878).

A representee has requested removing site R3 and allocating the site for housing for the following reasons:

- Site R3 was also reserved in the 2012 and 2017 LPDs for educational purposes, and it will sterilise the site for 20 years as the Council have made no intentions of acquiring the site and there is no mention of its delivery in the Delivery Programme 2020.
- The site was previously allocated in the Aberdeenshire Local Plan 2006 for 200 homes. Some development has happened on the site leaving capacity for 154 homes. There remains live consent to build a further 17 homes on the site as part of Phase 12 of the Hill of Banchory development.
- No objections were made to change the allocation to a school as land was proposed to be developed at Lochside and there was an understanding that the site would progress in the Plan period rather than sitting for 10 years with no interest.
- Banchory Community Council developed a Community Action Plan in 2015/2016 where improvement of local education facilities was the most important, but there has been no commitment to developing a new Academy.
- The site would need to be bought at residential value from the landowner so alternatives should be looked at including developing on the playing fields then demolishing the Academy or relocating Banchory Primary School, which is next to the Academy to another site and using this space for the Academy.
- The 2019 school roll forecasts show the school close to capacity next year before falling back to 80% capacity in 2027.
- In the 2017 LDP there were 490 new homes allocated but in the 2021 LDP there are only 40 new homes on site OP6.
- The MIR did not support reverting the site back to housing due to the woodland, referring to SPP. This is a coniferous plantation under rotational thinning and SPP paragraph 216 focuses on protecting ancient semi-natural woodland which this site is not, and while paragraph 218 includes a presumption in favour of protecting woodland and notes it will only be permitted when there is a clearly defined public benefit, but it is not noted what this is. It also states that if trees were to be removed, they should be replanted elsewhere which the Council would not have land to, but the landowner would.
- SPP notes that allocations should make efficient use of existing capacities of land, buildings and infrastructure so it would be a waste and not sustainable not to use this land as it is serviced.
- Banchory is a key settlement in the Local Growth area and if housing need is to be met over the next 10 years site OP6 needs to be supplemented.
- The Delivery Programme does not mention how the school site will be delivered despite the legislative requirement to set this out.
- SPP notes that all sites need to be deliverable and this site is largely serviced and within single ownership ready to be delivered.

The representee has included an Appendix (RD0146.A) in their representation which provides further detail to support their position (PP0795).

Site R4 – For potential use as a health centre

NHS Grampian has expressed support for site R4. No modification sought (PP1223).

Flood Risk

SEPA has requested that a separate 'Flood Risk' bullet point is provided for site R4 due to a significant issue with surface water flooding that may be difficult to manage. However, they state a Flood Risk Assessment is not required (RD0214.B) (PP1219).

SEPA has requested that the second 'Flood Risk' bullet point states that a Flood Risk Assessment will be required for site OP4 (RD0214.B) (PP1219).

SEPA has requested that site OP5 be added to the second 'Flood Risk' bullet point and that additional wording added to the third bullet point (RD0214.B) (PP1219).

SEPA has requested that a new sentence is added at the end of the third 'Flood Risk' bullet point on site BUS1 to state that buffer strips will be required alongside the watercourses (RD0214.B) (PP1219).

Services and Infrastructure

In relation to sites OP2, OP3 and OP4, a representee has requested that road safety initiatives are considered to improve pedestrian safety on Raemoir Road between Hill of Banchory West and Upper Lochton roads. They noted the recent reduction in traffic during the Coronavirus showed how Raemoir Road would benefit from a reduction in traffic. They are concerned the current road is too narrow, fast, a danger to pedestrians and very frightening especially when further residential development along this route is included within the PLDP at OP2, OP3 and OP4 (PP0415).

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

BCC has commented that with education suffering during (Covid-19) lockdown there should be a new focus on delivering the range of education estate improvements (RD0136.A) (PP0769).

Site OP1 – East Banchory/Eco village

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

NatureScot has requested that the allocation summary be amended to clarify that future development proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee Special Area of Conservation (SAC), and that a Construction Method Statement (CMS) may only be required, i.e., if significant effects are likely and an adequate CMS is required to avoid adverse effects on integrity of the River Dee SAC (RD0255.B) (PP1300).

A representee has requested removal of reference to a park and ride scheme (PP0014).

Sites OP2 and OP3 – Lochside of Leys

A representee has expressed support for inclusion of site OP2. The allocation supports the existing construction at Phase 1A and the live planning application (at time of writing) at Phase 1B. It also supports the development of the land consented for the wider Lochside

of Leys Masterplan where there has been considerable infrastructure investment by the landowner. Site OP2 is an important component of housing land supply within Banchory which is a key settlement within the identified Local Growth and Diversification part of the Aberdeen Housing Market Area which has sustained a good level of completions throughout challenging conditions. No modification sought (PP0945).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for sites OP2 and OP3 (RD0214.B). No modification sought (PP1219).

NatureScot has suggested removing text in the fifth paragraph of the allocation summary for sites OP2 and OP3 that refers to the River Dee SAC, given that it has planning permission and is under construction, unless future proposals could come forward and then they should be subject to a Habitats Regulations Assessment in the first instance (RD0255.B) (PP1300).

A representee has requested that a clearer statement and map of the Future Distributor Road is provided. They argue the blue dotted line does not represent the line shown in the masterplan for Lochside of Leys and the amendments to the line of the road put forward by the developer (PP0415).

A representee has requested that the proposed distributor road between the two OP2 sites is removed, as it was determined that there is no requirement or support for this link road. They stated it was removed from a revised masterplan, which was agreed by Marr Area Committee on 18 February 2020, and was supported by an up-to-date Transport Assessment (PP0943).

A representee has requested the allocation summary removes the reference to requiring additional Transport Assessments, as these were approved as part of the revised masterplan revision, which was supported by an up-to-date Transport Assessment. Instead, the allocation summary should state that access and connectivity should be via a system of core roads as included within the revised masterplan (PP0943).

A representee has requested the allocation summary is updated to refer to the revised masterplan, which was approved on 18 February 2020 by Marr Area Committee (PP0943).

Several representees have requested reducing the scale and number of homes on site OP2 (PP0493, PP0609 and PP0804). One representee has requested that no development takes place near the Site of Special Scientific Interest (SSSI) to avoid wetlands and loss of habitats and wildlife (PP0493). It is also requested that the wooded area to the west is excluded from site OP2 to avoid loss of habitat, wildlife, including protected species, historic landscape features, and a popular recreation area (PP0609 and PP0804), and to maintain it as a carbon sink (PP0493). One representee argued that the scale of the site is too big when Banchory is not in a Strategic Growth Area, the population is predicted to fall due to the oil and gas downturn, and developers should be re-developing existing housing stock to be more low carbon (PP0493).

A representee has requested, as site OP2 will remove woodland and linkages to Lochton of Leys, that wooded areas to the south and east be designated as protected land. The removal of well used woodlands would have an impact on Banchory's open spaces and woodland walks (PP0234).

Site OP4 – Hill of Banchory

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

NatureScot has requested that the allocation summary is amended to clarify that future development proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC, and that a Construction Method Statement (CMS) may only be required as part of this process, i.e., if significant effects are likely and an adequate CMS is required to avoid adverse effects on the integrity of the River Dee SAC (RD0255.B) (PP1300).

Site OP5 – Hill of Banchory East

A representee has expressed support for the allocation but has requested that the allocation is for both convenience and comparison floorspace, and not just “bulky goods” for the following reasons:

- The original bid site, MR014, was a preferred site in the MIR for both convenience and comparison goods.
- There is no justification for the restriction to bulky goods, it would nullify the benefit of the allocation and not maximise the opportunity to improve retail provision and reduce travel.
- The restriction appears to be based on a desire to appease objectors as opposed to limiting impact on the existing town centre; a blanket bulky goods restriction would not achieve this.
- The 2013 Aberdeen City and Aberdeenshire Retail Study (ACARS) was updated in 2018, which continued the support for the allocation in retail capacity terms (both convenience and comparison).
- The Retail Impact Assessment requirement is irrelevant as the LDP has predetermined the outcome due to the bulky goods restriction.
- The restriction is not appropriate for the LDP process, is premature and unjustified and should be addressed through a planning application.
- The restriction would not pass the 6 tests for conditions set out in Circular 4/1998.
- ACARS indicates the town is not meeting the needs of the town for convenience and has a clear deficiency for general and bulk goods comparison retail.
- The greatest deficiency is in general comparison not bulky goods.
- There will be a rising deficiency in general comparison during the LDP plan period.
- It is not sustainable for rural locations to rely solely on larger settlements for retail.
- A mixed retail development proposal would not have significant impact on the town centre as the convenience retail diversion would focus on Tesco and Morrisons (outwith the centre) and limited floorspace for comparison in the centre and most expenditure is outwith the catchment, not the town centre.
- The original bid submission included provision for some ancillary uses such as restaurant/drive thru uses that would complement the main retail function of the site.
- A mixed retail development would deliver economic benefits, improve retailing facilities, develop long term vacant land and provide employment opportunities.

The representee has included an Appendix (RD0016.A) in their representation which provides further detail to support their position (PP0162).

SEPA has requested that the third sentence in the last paragraph of the allocation summary is removed as the site does not have a watercourse flowing through it (RD0214.B) (PP1219).

NatureScot has requested that the allocation summary is amended to clarify that future development proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC, and that a Construction Method Statement (CMS) may only be required as part of this process, i.e., if significant effects are likely and an adequate CMS is required to avoid adverse effects on the integrity of the River Dee SAC.” (RD0255.B) (PP1300).

Site OP6 – Land at former Glen O’Dee Hospital

BCC has expressed support for the development of OP6 as it is derelict land and a much-visited area of Banchory. The development should not be unrestricted as the access needs improvement and over development should not impact detrimentally on the woodland environment. There is a concern about pollution from the redevelopment of the site (RD0136.A) (PP0769).

A representee has welcomed that site OP6 has been reduced from 100 homes to 40 homes, but the latter number is still in excess of the 29 homes that was approved. They have requested certainty that the numbers are not indicative but, are a maximum (PP0414).

A representee has requested removing reference to Corsee Road and substitute it by stating a suitable access to this site requires to be determined. They stated that Corsee Road from the entrance to Roscobie Park to the hospital is a private road. They suggested access must be determined through the planning process to determine if Corsee Road is suitable given the current volume of traffic to the existing hospital and the lack of public transport (PP0414).

A representee has noted that the narrative does not make reference to the settlement boundary extension to accommodate site OP6 (PP0414).

A representee has requested that clarity is provided that states any woodland loss will be offset in accordance with PLDP paragraph PR1.8 (PP0414).

A representee has welcomed the recognition within the summary text that redevelopment of the site for residential use would assist with the remediation of this fire damaged and contaminated brownfield site. However, the representee has requested the allocation reflect the boundary and number of homes sought through bid site MR061 for the following reasons:

- There is a long history of planning consents associated with the redevelopment of the site, which have allowed up to 54 homes, as part of an ‘enabling’ development for the redevelopment of the former listed hospital building, which has since been completely destroyed by fire.
- The former hospital is now derelict and contaminated (asbestos), lying adjacent to a functioning NHS facility.
- An indicative masterplan for 99 homes has been produced for the site, which is

attached to their representation as Appendix 3. It identifies the boundaries associated with the previous planning consents, thereby demonstrating that the land sought within bid site MR061 broadly aligns with these, without encroaching into surrounding woodland.

- The remediation costs are high as contaminated debris has spread across the site and 100 homes are required to make the development of this site viable.
- The bid site was reduced to land identified as site OP6 due to community concerns regarding road access and impacts to ancient woodland, but they argue there is widespread support within the local community, including BCC, who wish to see Glen O' Dee come forward for development.
- An emergency access is proposed to the west, leading onto Glassel Road, which would adopt a rural design and finish to reflect the surrounding woodland character, and prevent any associated negative visual impacts or amenity concerns.
- Impacts on the surrounding ancient woodland would be negligible and appropriately mitigated.
- Concerns about the risk of the number of homes increasing if the whole bid site is allocated are dismissed as much work has gone in to avoid the ancient woodland, including discussions with the Council's Planning and Environment Service.
- Concerns about designating ancient woodland setting a dangerous precedent are dismissed given the unique circumstances and planning history of this site.

The representee has included a number of Appendices (RD0022.A – RD0022.G) in their representation which provides further detail to support their position (PP0186).

A representee has noted that site OP6 is disconnected from the settlement, surrounded by forestry and would open up the possibility of development of a clear-felled area to the southeast of the site (PP0014).

SEPA has confirmed that a FRA is not required as only surface water issues affect this site. They note the SFRA states the surface water flooding can be addressed through SuDS and recommend the Council's FPU confirm if this is the case or whether a FRA is required. If not, this requirement should be removed, or the allocation summary state that the site is at risk from surface water flooding that should be addressed through appropriate SuDS measures (RD0214.B) (PP1219).

NatureScot has highlighted that site OP6 includes Ancient Woodland Inventory – Long Established Plantation Origin and mixed semi-natural/planted mixed broadleaved/conifer woodland. The allocation summary should emphasise that planting should be sensitive to the local landscape character to help ensure the site retains existing landscape structure and biodiversity of value (RD0255.B) (PP1300).

NatureScot has also requested that the allocation summary is amended to clarify that future development proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC, and that a Construction Method Statement may only be required as part of this process, i.e., if significant effects are likely and an adequate CMS is required to avoid adverse effects on the integrity of the River Dee SAC (RD0255.B) (PP1300).

Settlement Map

A representee has requested that the settlement boundary to the southeast of site OP6

excludes the Forest Scotland land. They stated this area of Forestry Scotland land is outwith the proposed allocated site and should be shown as outwith the settlement boundary to avoid any future applications (PP0414).

A representee is concerned that it is not clear if the west of Burnett Park is within site P1 or site P2 and have requested that the settlement boundary is amended to include the west of Burnett Park. The representee has included an Appendix (RD0145.A) in their representation, which provides further detail to support their position (PP0794).

A representee has requested that the settlement boundary is amended to include land at the Cow Shed Restaurant. They stated the inclusion of this site was discussed at the 2017 LDP Examination where the Reporter recognised the potential of the land and indicated it would be appropriate to include them in the settlement boundary when other planned sites (OP2 and OP3) were progressing. These sites are now under construction. The representee has included an Appendix (RD0144.A) in their representation, which provides further detail to support their position (PP0793).

(Map changes in relation to the distributor road between site OP2 are addressed above under 'Sites OP2 and OP3 – Lochside of Leys' as it relates to this allocation.)

Non-Allocated Site – Bid Site MR029 – North of the B974, Deebank

A representee has requested the allocation of bid site MR029 for 10 homes and to amend the settlement boundary or include the area in the settlement boundary as white land suitable for infill development. They disagree that the proposed scale of development is a substantial extension, nor would the development erode rural character, cause ribbon development, or lead to car dependency. They argue the principle of development has already been accepted in this area. The site is also in an appropriate and popular location providing a modest residential development contributing to meeting the needs of the community and adding choice of location and housing type to meet SPP, paragraph 119. It is accepted that the trees have biodiversity and amenity value, but trees would be retained and enhanced where possible, with mitigations for any tree loss. The representee has included a number of Appendices (RD0060.A and RD0060.B) in their representation which provides further detail to support their position (PP0403).

Non-Allocated Site – Bid Site MR030 – North of the B974, Deebank

A representee has requested including bid site MR030 within the settlement boundary as white land for infill development – either housing or a visitor centre. They argue the PLDP has failed to ensure there is flexibility in the land uses delivered for this site, which should be identified as white land for infill. This modification would allow the potential for either a visitor centre/heritage hub or housing on the site should site R1 not prove viable for a visitor centre. A visitor centre/heritage hub on the site would not erode the character and amenity of the surrounding area, although housing would be the most suitable use. They disagree the location is unsustainable, the principle of development has already been accepted in the area, and an additional small-scale development would not have a significant impact. It is accepted that the trees have biodiversity and amenity value, but trees would be retained and enhanced where possible, with mitigations for any tree loss. The representee has included a number of Appendices (RD0061.A and RD0061.B) in their representation which provides further detail to support their position (PP0404).

Non-Allocated Site – Bid Site MR038 – Site at Lochside of Leys

Representees have welcomed the non-allocation of bid site MR038 to safeguard local biodiversity (PP0609 and PP0804).

A representee has requested the allocation of bid site MR038 for 100 homes. They note that this site was identified as a preferred site in the MIR but was not supported at Committee due to concerns regarding biodiversity impacts and drainage, which they contest. They argue that SPP paragraph 196 states that “buffer zones should not be established around areas designated for their natural heritage importance” and that a Drainage Impact Assessment submitted as part of the revised Masterplan for Lochside of Leys highlighted no issues to development of sites across the area. They also asserted that ongoing growth around the Lochside of Leys area of Banchory is logical given the infrastructure investment to the north of the town in terms of services, retail and business uses and enhancement to the local environment. Furthermore, they expect the existing allocations to be completed within the Plan period and that further housing is required to meet the SDP housing supply allowance in the Aberdeen Housing Market Area (PP0944).

Non-Allocated Site – Bid Site MR039 – Site at Lochside of Leys

A representee has requested the allocation or reservation of bid site MR039 for 100 houses. They note that site MR039 was supported as a reserved site in the MIR to provide longer-term clarity for the Local Authority and developers, but that it was not supported at Committee due to concerns regarding biodiversity impacts, which they contest. They argue that SPP paragraph 196 states that “buffer zones should not be established around areas designated for their natural heritage importance”. They also asserted that ongoing growth around the Lochside of Leys area of Banchory is logical given the infrastructure investment to the north of the town in terms of services, retail and business uses and enhancement to the local environment. Furthermore, they expect the existing allocations to be completed within the plan period and that further housing is required to meet the SDP housing supply allowance in the Aberdeen Housing Market Area (PP0944).

Non-Allocated Site – Bid Site MR040 – Land adjacent to Wood of Arbeadie

Two representees have supported the non-allocation of site MR040 in favour of designating land as part of site P2. No modification sought (PP0148 and PP0149).

A representee has requested the allocation of bid site MR040 for 50 homes for the following reasons:

- Banchory is a key settlement within the identified Local Growth and Diversification part of the Aberdeen Housing Market Area, which sustains good completions.
- Allowing further allocations could support Banchory’s expansion, changing its role from a dormitory town.
- Banchory offers better prospects of housing delivery while sites across Aberdeenshire remain undelivered.
- Tillynarb is well related to the settlement.
- The site meets the test criteria of PAN2/2010.
- Scottish Water investment (water supply and drainage) in Banchory puts the site in good prospects of being delivered.
- Waste water and education constraints are noted, but both primary and secondary

school roll forecasts indicate ongoing spare capacity and Scottish Water are underway with a growth project to be completed by the time of the LDP adoption.

- Development would be contained within the woodland setting and would have regard to TPOs at Arbeadie.
- Retention of the woodland would help the site meet its open space obligations while ensuring any development sits well within the context.
- The site is not isolated but sits within a part of Banchory that has a lower density spread, and the surrounding woodland would help 'square off' this corner of Banchory (PP0946).

Non-Allocated Site – Bid Site MR041 – Land adjacent to Wood of Arbeadie

Two representees have supported the non-allocation of site MR041 in favour of designating land as part of site P2. No modification sought (PP0148 and PP0149).

A representee has requested the allocation of bid site MR041 for 50 homes for the following reasons:

- Banchory is a key settlement within the identified Local Growth and Diversification part of the Aberdeen Housing Market Area which sustains good completions.
- Allowing further allocations could support Banchory's expansion, changing its role from a dormitory town.
- Banchory offers better prospects of housing delivery while sites across Aberdeenshire remain undelivered.
- Wood of Arbeadie is well related to Banchory.
- The site meets the test criteria of PAN2/2010.
- Scottish Water investment (water supply and drainage) in Banchory puts the site in good prospects of being delivered.
- Waste water and education constraints are noted, but both primary and secondary school roll forecasts indicate ongoing spare capacity and Scottish Water are underway with a growth project to be completed by the time of the LDP adoption.
- Development would be contained within woodland setting and in particular have regard to TPOs.
- Retention of woodland would help the site meet its open space obligations while ensuring any development sits well within the context (PP0947).

Non-Allocated Site – Bid Site MR056 – Land at Upper Arbeadie Road

Two representees have supported the non-allocation of site MR056 in favour of designating land as part of site P2. No modification sought (PP0148 and PP0149).

A representee has requested the allocation of bid site MR056 (but reduced to 45 homes), as it is in a highly sustainable location with links to the core path network, town centre and facilities. It is deliverable and it was supported in the MIR 2013 as a suitable housing location. It has been scaled back to retain and enhance existing woodland, and it would assist in meeting the increased SDP housing requirement and local housing need. The representee has included an Appendix (RD0127.A) in their representation, which provides further detail to support their position (PP0750).

Non-Allocated Site – Bid Site MR062 – Land at Hillcroft Road

Two representees have supported the non-allocation of site MR062 in favour of designating

land as part of site P2. No modification sought (PP0148 and PP0149).

Non-Allocated Sites – Bid Site MR077 – Land at Upper Lochton and New Site – N024 Land west of site OP3

A representee has requested the allocation of bid site MR077 and new site N024 for residential development for the following reasons:

- Bid site MR077 was identified in the MIR as a reserved site/having future development potential, but as this approach was abandoned, it means no consideration was given to the site for immediate release. The SEA notes that there would be no significant impact on biodiversity as a result of development on the site. The site is deliverable with no issues with services (water, waste water, education or roads infrastructure). Only one new site is proposed (OP6) for 40 homes and with existing sites under construction there is a demand for housing within Banchory.
- New site N024, as shown in the representee’s plan 2, is a field and scrub woodland and was within the settlement boundary in the LDP 2017. There have been discussions with the Planning and Environment Service to develop the site and planning permission was granted for one house (APP/2016/2276). This site should remain within the settlement boundary and remain as white land or allocated as part of site OP3.
- Site R2 that is allocated in the LDP 2017 for a cemetery (see the representee’s plans 3 and 5) should be retained within the settlement boundary as white land or included as part of site OP3. It was within the settlement boundary in the LDP 2017 and there is no justification to amend the settlement boundary to exclude this site. The Strategic Environmental Assessment (SEA) states there would be no significant impact on biodiversity should the site be developed. With only one new site (OP6), there is a clear need for more housing.

The representee has included five plans in their representation (RD0143.A), which provides further detail to support their position (PP0792).

Non-Allocated Site – New Site N023 – Land at The Mews, Banchory Lodge

The representee has sought clarity as to why the open area to the east of site P5, which was advertised as a development plot, was not included in the development plan (PP0014).

Modifications sought by those submitting representations:

General

Modify the PLDP to confirm TPOs at Upper Arbeadie (PP0148 and PP0149).

Modify the PLDP to reduce housing allocations in Banchory (PP0608 and PP0745).

Modify the PLDP to consider ways to promote sustainable travel, decentralised offices and home working to help address climate change and meet emissions targets (PP0608 and PP0745).

Modify the PLDP to consolidate the Protected Land designations into a wider green space network protection (PP0769).

Modify the PLDP to clarify the need for 'buffer zones' at Loch of Leys LNCS (PP0769).

Modify the PLDP to show the core path passing through site R3 and links Woodend with Upper Lochton and to include additional Core Paths at the recycling centre to the former railway at East Mains, and the three missing connections at Corsee Road and the main east/west paths (PP0769).

Modify the PLDP to review the possibility of allocating land for specialised housing (affordable or sheltered housing) in Banchory (PP0769).

Vision

Modify the PLDP to ensure the overall planning strategy should ensure that the north of Banchory does not become a vast urban sprawl, with little or no amenity space (PP0014).

Modify the PLDP to amend the Vision to recognise natural heritage assets as a new priority and highlight the need to update the core path network (PP0769).

Modify the PLDP to provide specific support to enable paths plans to be implemented (PP0773).

Modify the PLDP to include a plan for the regeneration of Banchory town centre (PP0769).

Modify the PLDP to amend the last sentence in paragraph one from: "No additional major new development is proposed." to "No additional major new housing developments are proposed." (PP0769).

Site P2 – To protect the area of woodland for its contribution to the character, as an amenity and forming part of the green-blue network

Modify the PLDP to extend site P2 at Upper Arbeadie Road to protect omitted fields that were subject to bids (PP0769).

Modify the PLDP to changing the description of site P2 to that like site P4 (PP0769).

Modify the PLDP to reduce site P2 to exclude garages and a playpark to the north of Burnett Road and include them in the settlement boundary (PP0791).

Modify the PLDP to reduce site P2 to exclude the field on the south side of Upper Lochton (PP0792).

Site P16 – To protect the area of woodland as an amenity and forming part of the green-blue network

Modify the PLDP to remove site P16 to allow for infill development (PP0492).

Site R2 – For a cemetery extension

Modify the PLDP to add text to read, "Due to the close proximity and likely hydraulic connectivity of this site to the River Dee, a detailed groundwater assessment will be

required to fully assess the suitability of this site as a cemetery.” (PP1219).

Modify the PLDP to remove site R2 (PP0389).

Site R3 – For potential educational facilities

Modify the PLDP to clarify the impact of the new learning plaza and limited future housing in the Plan has on the quality of the school/school roll and potential diminished requirement for a replacement/slippage in terms of need for a replacement (PP0769).

Modify the PLDP to amend the northern part of site R3 as protected land to link site P7 and P9 (PP0234).

Modify the PLDP to remove site R3 (PP0878).

Modify the PLDP to remove site R3 and allocate for housing (PP0795).

Flood Risk

Modify the PLDP to add a new ‘Flood Risk’ bullet point to read, “Site R4 is at significant risk from surface water flooding. A Flood Risk Assessment will be required to determine how this can be managed.” (PP1219).

Modify the PLDP to add site OP5 to the second ‘Flood Risk’ bullet point to read, “Part of OP1, OP2, OP3, OP4 and OP5 are ... A Flood Risk Assessment ... may be required for OP1, OP3 and OP5.” (PP1219).

Modify the PLDP to amend the second sentence in the second ‘Flood Risk’ bullet point to, “A Flood Risk Assessment ... will be required for OP2 and OP4 ...” (PP1219).

Modify the PLDP to add a new sentence at the end of the third ‘Flood Risk’ bullet point to read, “Buffer strips will be required alongside the watercourses.” (PP1219).

Services and Infrastructure

Modify the PLDP to consider road safety initiatives to improve pedestrian safety on Raemoir Road between Hill of Banchory West and Upper Lochton Roads in relation to sites OP2, OP3 and OP4 (PP0415).

Modify the PLDP to provide a new focus on education estate improvements in Banchory (PP0769).

Site OP1 – East Banchory/Eco village

Modify the PLDP to amend the sixth paragraph of the allocation summary to read, “A Drainage Impact Assessment will be required with a new pumping station or upgrade to the existing station required. Demand for water and waste water capacity for the non-domestic element of this development will depend on the business uses proposed. Early engagement with Scottish Water is encouraged. Proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.”

(PP1300).

Modify the PLDP to remove reference to a park and ride scheme (PP0014).

Sites OP2 and OP3 – Lochside of Leys

Modify the PLDP to amend the fifth paragraph of the allocation summary to read, “A Construction Method Statement may be required.” (PP1300).

Modify the PLDP to provide a clearer statement and route of the Future Distributor Road (PP0415).

Modify the PLDP to remove the proposed distributor road between the two OP2 sites (PP0943).

Modify the PLDP to remove the reference to requiring additional Transport Assessments and replace it with text stating that access and connectivity should be via a system of core roads as included within the revised masterplan (PP0943).

Modify the PLDP to amend the allocation summary to refer to the revised masterplan that was approved on 18 February 2020 (PP0943).

Modify the PLDP to reduce the scale and number of homes on site OP2 (PP0493, PP0609 and PP0804).

Modify the PLDP to designate the wooded areas to the south and east of site OP2 as protected land (PP0234).

Site OP4 – Hill of Banchory

Modify the PLDP to amend the second paragraph of the allocation summary to read, “A Drainage Impact Assessment will be required with a new pumping station or upgrade to the existing station required. A Flood Risk Assessment will be required. A buffer strip will be required adjacent to the watercourse and should be integrated as a positive feature of the development. Enhancement of the watercourse and removal of any redundant features should be investigated. Proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.” (PP1300).

Site OP5 – Hill of Banchory East

Modify the PLDP to amend the second sentence of the first paragraph to read, “It is expected that development would comprise of class 1 retail and ancillary uses with a floorspace of over 6000m² where town centre sites are not available.” (PP0162).

Modify the PLDP to remove the third sentence in the last paragraph, “Enhancement and removal of any redundant features should be investigated.” (PP1219).

Modify the PLDP to amend the third paragraph of the allocation summary to read, “A Flood Risk Assessment may be required. A buffer strip will be required which should allow for no development within the natural river corridor of the Burn of Bennie.

Enhancement and removal of any redundant features should be investigated. Proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.” (PP1300).

Site OP6 – Land at former Glen O’Dee Hospital

Modify the PLDP to restrict development of the site (PP0769).

Modify the PLDP to provide certainty that the numbers are not indicative but, are a maximum (PP0414).

Modify the PLDP to remove the reference to Corsee Road and substitute it by stating a suitable access to this site requires to be determined (PP0414).

Modify the PLDP to acknowledge that the settlement boundary has been extended to include this site (PP0414).

Modify the PLDP to amend the allocation summary for site OP6 to state that any woodland loss will be offset in accordance with PLDP paragraph PR1.8 (PP0414).

Modify the PLDP to amend the allocation boundaries and number of homes to that sought through bid site MR061 for 100 homes. Omit site P2 from the area of bid site MR061 (PP0186).

Modify the PLDP to remove the allocation (PP0014)

Modify the PLDP to investigate if a FRA is required, following confirmation with the Council’s FPU, and if not, amend the first sentence in the last paragraph from, “A Flood Risk Assessment may also be required.” to “This site is at risk from surface water flooding that should be addressed through appropriate SuDS measures.” (PP1219).

Modify the PLDP to add text at the end of the fourth paragraph to read, “Planting as part of a landscape framework should be sensitive to the local landscape character and be proportionate in scale and extent relative to the scale of development.” (PP1300).

Modify the PLDP to amend the fifth paragraph replacing the final sentence with, “Proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.” (PP1300).

Settlement Map

Modify the PLDP to amend the settlement boundary to the southeast of site OP6 to exclude the wooded area in site P2 (PP0414).

Modify the PLDP to amend the settlement boundary to include the west of Burnett Park (site P1) (PP0794).

Modify the PLDP to amend the settlement boundary to include land at the Cow Shed Restaurant (PP0793).

Non-Allocated Site – Bid Site MR029 – North of the B974, Deebank

Modify the PLDP to include bid site MR029 for 10 homes and amend the settlement boundary or amend the settlement boundary to retain the area as white land suitable for infill (PP0403).

Non-Allocated Site – Bid Site MR030 – North of the B974, Deebank

Modify the PLDP to include bid site MR030 within the settlement boundary as white land for infill development – either housing or a visitor centre (PP0404).

Non-Allocated Site – Bid Site MR038 – Site at Lochside of Leys

Modify the PLDP to include bid site MR038 for 100 homes (PP0944).

Non-Allocated Site – Bid Site MR039 – Site at Lochside of Leys

Modify the PLDP to include bid site MR039 for 100 houses either as an allocation or as a reserved site (PP0944).

Non-Allocated Site – Bid Site MR040 – Land adjacent to Wood of Arbeadie

Modify the PLDP to include bid site MR040 for 50 homes (PP0946).

Non-Allocated Site – Bid Site MR041 – Land adjacent to Wood of Arbeadie

Modify the PLDP to include bid site MR041 for 50 homes (PP0947).

Non-Allocated Site – Bid Site MR056 – Land at Upper Arbeadie Road

Modify the PLDP to include bid site MR056 for 45 homes (PP0750).

Non-Allocated Sites – Bid Site MR077 – Land at Upper Lochton and Non-Allocated Site – New Site N024 - Land west of site OP3

Modify the PLDP to include bid site MR077 for residential development (PP0792).

Modify the PLDP to include new site N024 within the settlement boundary as white land or allocated as part of site OP3 (PP0792).

Modify the PLDP to include LDP 2017 site R2 within the settlement boundary as white land or included as part of site OP3 for residential development (PP0792).

Non-Allocated Site – New Site N023 – Site at The Mews, Banchory Lodge

Modify the PLDP to include the area to the east of P5 as an opportunity site (PP0014).

Summary of responses (including reasons) by planning authority:

General

Comments on the TPOs are noted, but this is not a matter for the LDP. No change is required.

The Council does not agree with reducing the number of homes allocated in Banchory. Only one new allocation for 40 homes has been added, with the remaining opportunity sites carried forward from the LDP 2017 progressing. The number of homes allocated in Banchory is appropriate and sufficient to serve the settlement's needs. Banchory is on a regular bus route to Aberdeen, which connects to the wider area and employment land is safeguarded or proposed on sites BUS and OP2. Other active travel and homeworking suggestions are welcomed and are encouraged in various PLDP policies and objectives. No change is required.

The Council does not agree with consolidating the 16 Protected Land designations. Each one has their own unique function, and it allows for easier referencing and identification of the different sites. No change is required.

There is not a requirement for a buffer zone surrounding the Loch of Leys LNCS as the designation represents the identified area requiring protection. Policy E1 Natural Heritage supports its protection. There are no allocations or bid sites within the LNCS. Site OP2, adjacent to the LNCS, also requires planning applications to be accompanied with an updated Habitat and Ecological Survey and Mitigation Plan to assess the potential for impacts on the designation. In response to the PLDP consultation, NatureScot did not raise any concerns regarding this LNCS. No change is required.

The concerns regarding the core path are noted. Core paths are not provided for through the LDP process but through a separate statutory process as part of producing a Core Path Plan. The PLDP only shows the existing core paths network around settlements. This means that the areas that are currently only of a proposed status will not feature on the maps. The area will remain under review and should there be a time that a particular part of the paths network becomes an established part of the core network then the area could show on future LDPs. Development proposals would also be assessed against Policy P2 Open Space and Access in New Developments that seeks to protect access routes and promote walking/cycling means of transport. No change is required.

The Council notes BCC's request for more specialised housing (affordable or sheltered housing), but unless a proposer submits a bid site for this, the PLDP is limited to what a housing opportunity site can be promoted for. However, the allocation summary of these opportunity sites does expect each site to contribute towards affordable housing in line with Policy H2 Affordable Housing. No change is required.

Vision

The concern about developing north of Banchory is noted. The growth of Banchory has been managed through LDP allocations to control its development and policies, such as Policy P2 Open Space and Access in New Development requires new development to be accompanied by adequate public open space appropriate to the standards set out in Appendix 10. The Loch of Leys to the north of Banchory is also recognised as a LNCS and thereby Policy E1 Natural Heritage supports its protection. No change is required.

The Council does not agree with naming specific paths and heritage assets as paragraph

two sufficiently captures the numerous assets within and adjacent to the settlement and highlights how important the natural environment is for conservation and recreation. The 'Natural and Historic Environment' section and protected land designations also identify many of these assets. Other policies in the PLDP also protect important assets such as Policy P2 and policies HE1 and HE2. Updating the core path network is not a matter for the LDP but the Core Paths Plan. No change is required.

The provision of paths networks within identified settlements would be supported through connectivity required as part of a planning application for residential development or if outwith settlements, policy also supports such projects, subject to compliance with relevant policies. However, as noted in Issue 7: Section 9 Shaping Places and Appendix 8, 9 and 10, the PLDP is not a framework or tool to promote footpaths, cycleways, and active travel networks both within communities and between adjacent communities. No change is required.

The Council notes BCC's request to regenerate the town centre, but this is outwith the scope of the PLDP. The PLDP helps to promote the town centre first principle with its sequential test, need for a Retail Impact Assessment and support for active travel in Policy B1 Town Centre Development. No change is required.

The Council agrees that the Vision could specify that no major new housing developments are proposed as the sentence before it relates to housing development. If the Reporter is minded, the Council recommend the representee's modification is made to the Vision.

Site P1 – To protect the cricket and sports ground as local amenities and for their contribution towards the green-blue network and character

Support for this site is noted. No change is required.

Site P2 – To protect the area of woodland for its contribution to the character, as an amenity and forming part of the green-blue network

Support for this site is noted. No change is required.

The P2 designation recognises open space contained within the Open Space Audit 2010 and previously identified as green network within the LDP 2017. Woodland in the west of Banchory is recognised as a key feature for protection, for its contribution to character, amenity and part of the green-blue network. The adjacent areas of land have not been identified as part of the review of open space (AD0162). Bid sites MR041 and MR056 are partly covered by woodland and therefore the P2 designation protects these environment assets. To seek further protection of the surrounding areas from development is not considered necessary as proposals would be subject to Shaping Development in the Countryside policies. Notwithstanding this, whilst allocations are not currently promoted in the Upper Arbeadie area, development within these non-wooded sections of these two bid sites would form a natural extension to the settlement which is acknowledged in the Main Issues Report 2019 (MIR) (AD0038.G, pages 22-25). No change is required.

The Council does not support amending the description of site P2 in light of BCC's comments. However, to provide clarity on what is meant by "character" in the description of site P2, the Council proposes a technical change to state the purpose of this designation is to "To protect the area of woodland for its contribution to the character of place, ...". This correction of "character of place" will also apply to sites P1, P7, P10, P12 and P13. The

Council confirms that it intends to address these through several non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

The Council disagrees with reducing the area of site P2 at Burnett Road and amending the settlement boundary. Given the scale of the play park and the few standalone garages included, trees cover much of this area therefore it is appropriate to maintain them within the designation. No change is required.

The Council agrees with reducing the area of site P2 to exclude the narrow field on the south side of Upper Lochton as there are no trees or other vegetation on it. However, the Council does not agree with amending the settlement boundary to include it as white land. The area forms part of an unsuccessful bid site MR077 and whilst the MIR recognises the development potential of the site, the LDP promotes development of settlements of this scale through a planned approach. This also allows for a considered approach to resolving site constraints. This field is served only by a single-track road with no footpaths. If the Reporter is minded, to make an amendment, then the Council recommend removing the narrow field to the south of Upper Lochton from site P2 that is within bid site MR077.

Site P16 – To protect the area of woodland as an amenity and forming part of the green-blue network

The Council note this site has planning permission approved in May 2018 (planning application reference APP/2017/1919) establishing the site is appropriate for development. If the Reporter is minded, to make an amendment, then the Council recommend removing site P16 reverting it back to white land status as per the LDP 2017.

Site R1 – For potential use as a visitor centre and heritage hub

Comments from SEPA are noted. No change is required.

Site R2 – For a cemetery extension

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The LDP 2017's reserved land designation for a new cemetery site was no longer considered suitable for such use (AD0038.G, page 20 and AD0040.G, page 56). An alternative option, through bid site MR078 at Crathes, was not preferred in the MIR as it had a number of constraints associated with it (AD0038.G, page 33). It remains prudent for the Proposed LDP to safeguard a site for cemetery provision and at this time, the reserved site R2 is identified as the most appropriate location for cemetery provision. The Council's Landscape Services (RD0128) regards the identification of additional cemetery provision in Banchory as high priority with an extension to the existing site considered a favourable option. Banchory Cemetery is almost full, with only around 3 years of coffin lair availability remaining therefore a new site for the Banchory area is being actively looked into. As it is recommended as a reserved site, rather than an allocation, there is a reduced need for certainty over its delivery. No change is required.

Site R3 – For potential educational facilities

Comments from SEPA and comments in support are noted. No change is required.

The Council does not agree with the removal of site R3, changing part of the site to a protecting land designation or changing the site to housing. Substantial support was received at the MIR consultation for maintaining the reserved status and against bid site MR053 for housing (AD0040.G, page 54).

At the Examination of the LDP 2017 (AD0036, page 835), it was noted that the Annual School Condition and Suitability Return 2014 records the existing academy ranks as poor (showing major problems and/or not operating optimally) for suitability and satisfactory for condition (performing adequately but with minor problems). This was the last Return reported for the school however, the Council's Learning Estates (AD0129) will include the impact on the new Learning Plaza in the Return to the Scottish Government in April/May 2021. They note that the likely impact will only be seen in the gradings for collaborative space and pupil social areas and may not affect the overall ranking of Banchory Academy for suitability. The capacity of the school is yet to be assessed.

It is maintained that the position that it is prudent to continue to safeguard a site for educational purposes, stated in the MIR (AD0038.G, page 22) and as noted by the Reporter at the LDP 2017 Examination (AD0035, page 841), remains an appropriate course of action. No change is required.

As it is recommended as a reserved site, rather than an allocation, there is a reduced need for certainty over its delivery. At present, the Delivery Programme generally does not include reserved sites because these sites are reserved for a particular use in the future as opposed to being specifically allocated for development in the Plan period. The purpose of the reserved land designation is to retain the site for a potential future use rather than any development being actively programmed – the land is safeguarded rather than proposed for development. The Reporter previously recognised this difference (AD0036, page 841). No change is required.

New development must include appropriate opportunities to promote walking/cycling and protect access routes in accordance with Section 9 Shaping Places policies. This would be relevant during the formulation and determination of any detailed proposal. The consideration of land for protection in the LDP would be undertaken at the time of any proposal progressing. No change is required.

SPP paragraph 218 notes the removal of woodland "...should only be permitted where it would achieve significant and clearly defined additional public benefits" (AD0012). This position is also continued by the PLDP Policy E1 Natural Heritage and Policy PR1 Protecting Important Resources. The use of the site for a potential key facility such as an academy may be capable of satisfying this SPP public benefit requirement. It is unlikely the change to housing could satisfy SPP in this regard. There are existing opportunity sites provided to meet housing need for the settlement with the MIR acknowledging alternative preferable development sites which would not result in woodland loss. No change is required.

The Council does not agree that there is a requirement or need to revert the site back to housing use. It is acknowledged that the school site has been reserved since the LDP 2012 in the place of a residential area within the Hill of Banchory Masterplan. At the time of the proposed reservation the land was offered by developers as a potential site for a new Academy with a request that additional replacement residential land was allocated at

Banchory North (site OP2) or North West (site OP3). The Issues and Actions paper for the LDP 2012 (AD0033, page 23, paragraph 3) agreed the housing numbers from this site could be included on the proposed Banchory North site that was subsequently allocated as site M2 in the LDP 2012. The LDP 2012 Supplementary Guidance Marr (AD0031.G, page 13) noted site M2 included the housing from site R3 that was in the previous Local Plan. It is not agreed that the site should revert back to housing land and that sufficient replacement land was allocated directly north at the time of the revision to the reserved land designation. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area.

The representee highlighted that the 'phase 12' housing on this site has a partially implemented planning permission granted in 2008 (planning application reference APP/2007/5031). However, the eastern part of 'phase 12' was built under a latter permission from 2011 (planning application reference APP/2011/0656) and there is no evidence of the earlier permission itself having been implemented, having not fulfilled pre-commencement conditions. The 2011 permission was a standalone full planning permission and not a variation of the 2007 application. No change is required.

Site R4 – For potential use as a health centre

Support from NHS Grampian is noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comments through non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Road safety concerns are noted however this would be a matter to be considered at the planning application stage where proposals would be assessed against Policy Section 14 The Responsibilities of Developers which requires developments to provide appropriate access arrangements for any development. No change is required.

Comments from SEPA are noted. No change is required.

The Settlement Statement sets out where contributions may be sought as part of development proposals and safeguards land through site R3 for potential educational purposes. It would not be a matter for the PLDP to provide further details on the education estate. No change is required.

Site OP1 – East Banchory/Eco village

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not agree with the removal of the park and ride element of the allocation.

The bid site MR075 sought the removal of it however, it is an identified project within Nestran's Regional Transport Strategy Refresh 2014 (AD0028, page 10 and 34) and the Council supports maintaining a sustainable transport option within the settlement (AD0040.G, page 56). No change is required.

Sites OP2 and OP3 – Lochside of Leys

Comments from SEPA and comments in support are noted. No change is required.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in document the List of Non-Notifiable Modifications.

The indicative preferred line of the future distributor road on the Settlement Statement Map reflected the approved 2015 Masterplan for these allocations. Since then, a revised Loch of Leys Masterplan Sites OP2 and OP3 November 2019 was approved in February 2020 which agreed that a full distributor road was no longer required (AD0088, page 34, section 4.9). The Transport Assessment undertaken also included potential future sites (bid sites MR038/MR039) for the access strategy to be 'future proofed'. A future core road link as a result is shown in Appendix G of the Masterplan however, this road does not form part of the agreed Masterplan (AD0159, paragraph 4.5). In light of the agreed revised Masterplan, if the Reporter is minded, to make an amendment, the Council recommend the removal of the indicative preferred line of the future distributor road from the Settlement Statement map.

The Council agrees the third sentence of the allocation summary requires to be updated given the approval of the revised Masterplan and intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not agree that reference to the Transport Assessment should be removed. The Council's Transportation Service (AD0135) note that numerous changes to the site have been made since the original permission for development was granted therefore a reference to the Transportation Assessment should be kept. Future applications could be sought to amend proposals on the site that may differ from what is agreed. If the Reporter is minded, to make an amendment, the Council recommend updating the second paragraph to state, "The Transport Assessment detailing the connectivity and infrastructure provision may need to be updated should future phases of development differ from what is contained within the Masterplan or currently consented applications."

The Council does not agree to amend the scale of the allocation or the indicative number of homes stated within the allocation summary. This is a committed site, masterplanned, with planning permission and currently under construction. The site OP2 is considered effective within the Housing Land Audit 2019 (HLA) and will be delivered during the Plan period (AD0022, page 87). No change is required.

In terms of woodland and habitat loss within and surrounding site OP2, protected land designation P7 protects the woodland along the south of the site. For clarity, the Loch of Leys is a LNCS not a SSSI. The Loch of Leys LNCS is protected through Policy E1 Natural Heritage and protected land designation P9 where it lies within the settlement boundary. The allocation summary for site OP2 includes the matter of woodland loss and any planning applications as part of OP2 require to be assessed against Policy E1 Natural

Heritage and Policy PR1 Protecting Important Resources to consider the impact on these environment assets. No change is required.

Site OP4 – Hill of Banchory

Comments from SEPA are noted. No change is required.

Planning permission was approved July 2020 (application reference APP/2018/2493). The Council intends to add an additional sentence to highlight this update through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

There is no way of knowing if future applications will be submitted on the site, to amend the existing approval or require resubmission if it is not implemented. On this basis, the Council confirms that it intends to address NatureScot's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP5 – Hill of Banchory East

Through bid site MR014 this site was a preferred option in the MIR (AD0038.G, pages 18-19). In response to the MIR 2019, concern was raised in relation to the health of the town centre (AD0040.G, page 53). The restriction to bulky goods comparison uses of the site is promoted as a strategy to protect the town centre in line with the PLDP 'town centre first' stance as set out in Section 6 Shaping Business Development and again highlighted in the Settlement Statement Vision.

The representee refers to the ACARS 2018 Aberdeen City Update which was commissioned by Aberdeen City Council to provide an assessment of retail and related floorspace provision within Aberdeen City and this area's potential future demand and supply. Whilst this Study had regard to principal settlements in Aberdeenshire (this included Banchory) located in the Aberdeen Housing Market area, it did not set out recommendations for Aberdeenshire settlements (RD0116.A, paragraphs 1.5 – 1.8, and AD0116.B and AD0116.C).

The ACARS 2013's Executive Summary paragraph 5.2 (AD0094) notes there is limited potential for additional convenience floorspace in Banchory, only from 2022 onwards, but there is potential for additional comparison floorspace (paragraph 5.3). The ACARS 2013 states for convenience goods there is no quantitative retail deficiency identified (AD0094, Final Report Vol 2, paragraphs 3.15 – 3.17). Whilst there is a lack of mid and large-sized retail units (for both comparison goods and also certain convenience) it is unlikely the retail market would support new retail units of this size and the recommended retail strategy proposes no additional floorspace in/near Banchory. The Council consider it appropriate to maintain a precautionary approach to any proposed use in this instance, with additional information required at the planning application stage. No change is required.

The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP6 – Land at former Glen O'Dee Hospital

Support for the site is noted.

The number of the homes set out in the allocation summary are indicative as per Policy H1 Housing Land and as such it cannot be set as a maximum or be restricted. It would be through any planning application that the appropriateness of the scale of the proposal would be determined. No change is required.

Any on-going pollution relating to the potential contamination on site would not be a matter for the PLDP. No change is required.

Where amendments are sought to the allocation summary regarding the access arrangement and compensatory planting, the allocation summary provides an appropriate indication of what any proposal would be expected to address through the planning application process. All relevant policies of the PLDP would be used to assess any proposal in addition to the information set out in the allocation summary. No change is required.

The settlement boundary is extended to include this site and adjoining woodland to the south and south-east as through development of the allocation, this area would become integrated through improved connectivity. The woodland and clear-felled areas adjacent to site OP6 that are within the settlement boundary are included within protected land site P2. The Settlement Statement Map provides sufficient clarity to the extent of the settlement boundary. No change is required.

The Council does not support the amendment to site OP6 housing numbers and boundary. Through bid site MR061 this site was a preferred option at the MIR 2019 (AD0038.G, page 20) and agreed as an allocation for 40 homes with a reduced developable area (AD0040.G, pages 55-59). As highlighted in the MIR, the planning history on the site was enabling development related to the Category A Listed Glen O'Dee Hospital. This building was unlisted in 2016 and consequently, proposals would now be considered as the redevelopment of a brownfield site rather than an enabling proposal. Increasing the allocation to 100 homes to align with bid site MR061 was further considered in terms of the impact on woodland at the meeting of Aberdeenshire Council on 5 March 2020 (AD0165, paragraphs 4.15 – 4.20 and AD0104, page 13). The bid site contains Ancient Woodland for which there is a presumption against its removal through SPP paragraph 218 (AD0012). The Council consider that the impact of the development should not outweigh the benefits of the redevelopment of the site and thereby the allocation is reduced to exclude the woodland surrounding the brownfield areas. Allocating Ancient Woodland for development would mark a dangerous precedent for other sites that have not been allocated for very similar reasons. Any potential higher density proposal and its impacts can be assessed as part of any planning application. No change is required.

In response to comments from SEPA, the Council's Flood Risk and Coast Protection (AD0162) confirm flood risk can be addressed by appropriately designed site levels and SuDS, however, a Drainage Impact Assessment (DIA) would be required. The Council confirms that it intends to address SEPA's comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot's comments through non-notifiable modifications, as set out in the List of Non-Notifiable Modifications.

Settlement Map

The Council do not agree to remove Forestry Scotland land to outwith the settlement boundary. As noted under OP6 above, this area would become integrated into the settlement through improved connectivity. The woodland and clear-felled areas adjacent to site OP6 that are within the settlement boundary are included within protected land site P2. No change is required.

The Council agrees the adjustment to the settlement boundary at Burnett Park is reasonable. The settlement boundary at Burnett Park was adjusted northwards to incorporate Glen O'Dee however the western boundary was not amended along with the revision of protected land adjoining the park. If the Reporter is minded, the Council recommends the boundary adjustment is made according to the representee's Appendix.

The Council does not agree to the amendment of the settlement boundary to include the Cow Shed Restaurant and adjacent property of 'Woodfield' included with the representee's appendix. The matter was raised through the consultation for the MIR, to which the Council responded that these areas would be more appropriately considered for inclusion once the allocations are built out, when there would be more clarity as to the relationship of these properties with the settlement (AD0040.G, page 51). This is consistent with the position of the Reporter at the Examination of the LDP 2017 (AD0036, page 842). No change is required.

Non-Allocated Site – Bid Site MR029 – North of the B974, Deebank

The Council does not support allocating bid site MR029 for 10 homes or amending the settlement boundary to include it as white land. There are a number of constraints noted within the MIR (AD0038.G, page 21) relating to impact on the rural character, scale, unwelcome ribbon development of Deebank and loss of mature trees. Additionally, the bid site and Deebank are in close proximity to Banchory, which provides sufficient housing opportunity to serve the local area. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site MR030 – North of the B974, Deebank

The Council does not support allocating bid site MR030 or an amendment to the settlement boundary to include it as white land. There are a number of constraints noted within the MIR (AD0038.G, page 21) relating to it being an unsustainable location for a visitor centre which would be more appropriate use in the town centre. There was also concern for impact on the rural character and amenity of Deebank and loss of mature trees. Including the site as white land within the settlement would allow for flexibility in the uses proposed on site, including housing which as discussed above is not supported. No change is required.

Non-Allocated Site – Bid Site MR038 – Site at Lochside of Leys

Support for the non-allocation of the site is noted. No change is required.

The Council does not support allocating bid site MR038 for 100 homes. It was put forward as a preferred site as an extension to site OP2 however, at the Infrastructure Services Committee 3 October 2019 it was agreed to not allocate the site after giving consideration to the Marr Area Committee's request to remove it (AD0151, pages 14 and 15). At the Marr Area Committee on 17 September 2019, it was unanimously agreed to remove the site due to concerns relating to biodiversity impacts, the need to protect local woodlands and concerns regarding drainage issues within the site (AD0158, page 17).

It is considered that there will not be a shortfall in housing development opportunities in Banchory with the exclusion of this site. The HLA 2019 projects a steady rate of development tailing off in 2028 (AD0022, page 38). The new allocation site OP6 will supplement the housing supply. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site MR039 – Site at Lochside of Leys

The Council does not support allocating bid site MR039 for 100 houses. The MIR (AD0038.G, page 19) identified the site as 'reserved' although not preferred for immediate development. The Issues and Actions papers noted the sites in Banchory identified as 'reserved' housing in the MIR would not be brought forward as allocations (AD0040.G, page 51). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. Future opportunity sites (or strategic reserve for housing) are not included within the PLDP as detailed within Schedule 4 Issue 2: Section 5 - Spatial Strategy. No change is required.

Non-Allocated Site – Bid Site MR040 – Land adjacent to Wood of Arbeadie

Support for the non-allocation of the site is noted. No change is required.

The Council does not support allocating bid site MR040 for 50 homes. The MIR did not identify this as a preferred site as it has a number of constraints, particularly that it does not relate well to the existing settlement and as such would not be a natural extension (AD0038.G, page 22). Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site MR041 – Land adjacent to Wood of Arbeadie

Support for the non-allocation of the site is noted. No change is required.

The Council does not support allocating bid site MR041 for 50 homes. The MIR did not identify this as a preferred site although it was noted in the conclusion that the site could be considered an additional option for sites provided the woodland was excluded (AD0038.G, page 22 and 25). However, Banchory has sufficient housing land identified to meet need and as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is

an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site MR056 – Land at Upper Arbeadie Road

Support for the non-allocation of the site is noted. No change is required.

The Council does not support allocating bid site MR056 for 45 homes. This was not a preferred site in the MIR (AD0038.G, page 23). The Issues and Actions (AD0040.G, page 54) noted the Reporter at the Examination of the LDP 2017 (AD0036, page 839, (Part) site MA058) recognises the development potential of the site. However, Banchory has sufficient housing land identified to meet need and as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site – Bid Site MR062 – Land at Hillcroft Road

Support for the non-allocation of the site is noted. No change is required.

Non-Allocated Sites – Bid Site MR077 – Land at Upper Lochton and New Site – N024 Land west of site OP3

The Council does not support allocating bid site MR077. The MIR (AD0038.G, page 20) identified the site as ‘reserved’ although not preferred for immediate development. The Issues and Actions papers noted the sites in Banchory identified as ‘reserved’ housing in the MIR would not be brought forward as allocations (AD0040.G, page 51). Banchory has sufficient housing land identified to meet need and as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. Future opportunity sites (or strategic reserve for housing) are not included within the PLDP as detailed within Schedule 4 Issue 2: Section 5 Spatial Strategy. No change is required.

The area of new site N024 the representee has sought for inclusion as white land, or part of site OP3, is already included within the settlement boundary as such. The settlement boundary change at Upper Lochton removed the LDP 2017 R2 designation only. No change is required.

The Council does not agree to the amendment of the settlement boundary to include part of the bid site identified as site R2 in the LDP 2017 as white land, or for its inclusion as part of site OP3. The area forms part of the unsuccessful bid as discussed above. The settlement boundary in the LDP 2017 was aligned to include the cemetery site. Given the cemetery site will no longer proceed in this location it is reasonable to adjust the boundary to exclude this area of land. No change is required.

Non-Allocated Site – New Site N023 – Site at The Mews, Banchory Lodge

The Council does not support allocating new site N023 within the PLDP. The site at the Mews has planning permission for 5 homes and a community playing field. It was granted

planning permission in permission under APP/2008/4366 (approved March 2013) and a subsequent application for matters specified in condition APP/2014/0428 (approved July 2014) addressed a number of conditions relating to access, pitch provision and natural heritage. The housing element received planning permission under individual plot application references APP/2019/1170 – 1174 in June 2020. The LDP supports infill proposals such as this through Shaping Places policy however, as this is a relatively small proposal for the settlement, it would be expected to be deliverable within a short period of time and thereby it is not necessary to provide an allocation in the PLDP. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 54. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

General

3. I agree with the council that comments made in relation to tree preservation orders and proposed core paths are not matters to be addressed through the local development plan. The council has explained that if proposed core paths are confirmed, these would be shown in future local development plans. No change is required.
4. The comments made by Deeside Climate Action Network about the relationship between additional housing, increased commuting traffic and carbon emissions are valid concerns. One of the challenges of the local development plan is achieving a balance between meeting housing needs and addressing sustainable development and climate change objectives. Banchory is one of the larger settlements in the western part of Aberdeenshire, with a range of retail and other local services and existing and proposed business opportunities. Whilst I note the comments regarding poor interconnectivity with large employment centres, Banchory is located on a regular bus route to central Aberdeen. Within this context, I do not consider there is any justification to reduce the contribution that Banchory makes to meeting the housing land requirements identified through the strategic development plan. No modification is required.
5. I note the comments made by the community council regarding the specific needs of Banchory, including in relation to improved pedestrian and cycle access, open space protection, and local needs housing growth. I consider that these matters are covered in the proposed plan through its policies, allocations and safeguards. Whilst it would be permissible for the plan to identify sites specifically for special needs housing, no such proposals in Banchory are included in unresolved representations. No modifications to the

plan are required in relation to this matter.

6. The table on pages 781 and 782 of the proposed plan describes the particular characteristics of 16 areas of protected land. Whilst a single green space network designation may be more straightforward, I consider the approach taken in the proposed plan provides a clear explanation regarding the value of each area and the reason why it is identified as protected land. Planning circular 6/2013 “Development Planning” indicates that my role is to consider whether the approach taken in the plan is sufficient. In this regard, I conclude that no changes are necessary.

7. Appendix 12 of the proposed plan provides detailed plans of the 113 local natural conservation sites located across the local development plan area, with a short description of the interest of each site. The detailed plan for Loch of Leys is provided on map 102 (page 1024). The community council has referred to paragraph 196 of Scottish Planning Policy. However, this states that “buffer zones should not be established around areas designated for their natural heritage importance”. It also indicates that “plans should set out the factors which will be taken into account in development management”. I consider that the approach taken in the proposed plan to the protection of Loch of Leys local nature conservation site, through policy E1 Natural Heritage and the allocation summary for site OP2, is in accordance with Scottish Planning Policy. No change is required.

Vision

8. The vision section of the settlement statement provides a summary of the current planning issues affecting Banchory, which I note the community council generally supports. It includes reference to the protection of the natural and historic environment, improved footpaths and cycle routes and providing support for the town centre, which cover the matters raised in the unresolved representations, albeit in more general terms. I consider the level of detail provided in the vision to be appropriate and do not consider it necessary to specifically refer to particular routes and areas of growth in this section of the plan.

9. General representations regarding the protection and promotion of access routes are addressed in Issue 7. We agree with the council that the local development plan is not a framework or tool to promote footpaths, cycleways and active travel networks within and between settlements. There are other council documents, such as the Core Path Plan and the Outdoor Access Strategy, which would fulfil this role. The local development plan can protect existing routes, promote good access from new development to these routes and, where appropriate, promote the enhancement or extension of existing routes as part of development proposals. It is within this context, that planning applications may be able to support the work of local paths development initiatives. No modification is required to the proposed plan.

10. I agree with the council that the preparation of a regeneration plan for the town centre is beyond the scope of the local development plan. However, the proposed plan does promote and support the town centre through its policies and allocations.

11. I note that the council supports the community council’s request to refer to major housing development in the last sentence of the first paragraph. I agree that this change would more accurately reflect the wishes of the community in relation to future development. A modification to this effect is recommended.

Protected Land

Site P2

12. A number of representations seek changes to the boundaries of site P2. The table on page 781 of the proposed plan indicates that the purpose of site P2 is “to protect the area of woodland for its contribution to the character, as an amenity and forming part of the green-blue network”.

13. The areas of “white land” to the east and west of Upper Arbeadie Road, which are next to, but not included within, site P2, do not form part of the woodland. Given the stated purpose of site P2 is to protect the area of woodland, it would not be appropriate to include these areas within this designation. For the same reason, I agree with the council that the narrow rectangular field on the south side of Upper Lochton should be removed from the P2 designation. The field is open in character and is clearly distinct from the neighbouring woodland. A modification to this effect is recommended. The comments regarding the development potential of this site and its inclusion within the settlement boundary are covered below under “Non-allocated Bid Site MR077”.

14. The description of site P2 reflects the contribution the extensive woodland area to the north and west of Banchory makes to the setting and character of the settlement. I consider that the reason given for the designation in the proposed plan is clear and readily understood. Reverting to a more general description, as suggested by the community council, would not recognise the importance of the woodland.

15. The P2 designation reflects the characteristics of the site not ownership boundaries. From my site inspection, I observed that some of the garages to the north of Burnett Road are located amongst trees and there is not a definitive boundary on the ground between the woodland and the garages and play area. I agree with the council that, given the scale of the play area and positioning of the garages, it is appropriate for them to be included within the P2 designation.

16. Comments from Forbes Homes in relation to the boundaries between site P2 and allocation OP6 – Land at former Glen O’Dee Hospital are addressed below, alongside other representations to allocation OP6.

Site P16

17. Protected land designation P16 covers land to the east of Provost Black Drive. The council has indicated that planning permission for housing was granted on this site in May 2018. Furthermore, I note that an application for matters specified in conditions was approved in April 2021 (reference APP/2021/0736). I agree with the council that the protected land designation on this site should be removed from the settlement map, with the site reverting to white land within the settlement boundary. The reference to P16 would also require to be removed from the table on page 782. Modifications to this effect are recommended.

Reserved Land

Site R2

18. Site R2 is located to the south east of the cemetery at Banchory Ternan Church Yard and could be served by the existing access road from the A93. The car park for Morrison's supermarket lies to the north east, with the rear gardens of housing on Leys Road to the north west. There are trees within the site, a core path (part of The Deeside Way) to the south and a footpath link to Morrison's running along the north eastern boundary of the site.

19. The council has indicated that the site at Upper Lochton, which was reserved for cemetery use in the adopted local development plan, is no longer considered suitable. The supporting documents referred to in the council's response do not provide any further explanation. However, it is not the role of this examination to assess options for a cemetery site, but instead to consider the matters raised in the representation to site R2.

20. Whilst the site is currently in the ownership of Wm Morrison Supermarkets, this does not preclude it being reserved for cemetery use in the local development plan. The council could potentially gain ownership of the land, either through negotiation or using its compulsory purchase powers, if necessary. I agree with the council that the reservation of a site for a particular use does not imply that it will be delivered within the plan period.

21. Policy RD2 (paragraph PR2.1) in the proposed plan states that alternative development will not be allowed on sites that may reasonably be needed for cemetery use in the future. I consider that this policy would apply to site R2. Whilst Morrisons does not wish to make the site available for cemetery use, its representation does not suggest any alternative use for the land.

22. Concerns have been raised about the suitability of locating a cemetery next to a supermarket car park in terms of noise disturbance from the service yard, potential restrictions on supermarket operations and visitors to the cemetery using the supermarket car park. I recognise the potential for conflict between noise arising from the supermarket service yard and a cemetery use on site R2. However, I consider that any such conflict could be mitigated through site layout and landscaping proposals. Given the residential properties located immediately to the southwest of the supermarket, I do not consider the introduction of a cemetery use would place any additional restrictions on supermarket operations. The management and control of the supermarket car park is not a local development plan matter.

23. Site R2 would form an extension to the existing cemetery, which would bring benefits in terms of a shared access and efficiencies in management and maintenance arrangements. I consider that the potential adverse effects raised by Morrisons could be addressed at detailed design stage. There is no justification to recommend the deletion of this safeguard.

24. I agree that reference should be made in the table on page 782 to the need for a detailed ground water assessment to fully assess the suitability of site R2 for use as a cemetery, as suggested by the Scottish Environment Protection Agency (SEPA). A modification to this effect is recommended.

Site R3

25. Land at Hill of Banchory West was first reserved for educational purposes to

accommodate a replacement for Banchory Academy in the 2012 local development plan. The reservation was continued in the adopted local development plan. The council has indicated that additional housing land was identified through the 2012 local development plan to compensate for the site being reserved for educational purposes. North Banchory Company has queried the council's commitment to deliver a replacement school, whether it is needed and whether it can be delivered given extant consents for housing on part of the site. There may be other options for the provision of a new school which do not require purchasing land at residential value. The site is serviced for residential development and could contribute 154 homes towards meeting housing needs.

26. I note that there is no commitment to deliver a replacement for Banchory Academy in the council's capital plan 2021 – 2036. However, whilst the council is unable to confirm that the site will be required for educational purposes, it still wishes to reserve the site given the importance of balancing the demand for housing with the needs of the community.

27. Matters relating to the delivery programme and acquisition of the site are beyond the scope of this examination. I recognise the contribution that this serviced site could make to meeting housing needs. However, there are other options available to address the shortfall in the housing land provision to meet the strategic development plan allowance for the Aberdeen Housing Market Area. These are identified in Issue 5. Where there are extant permissions for housing, these can be implemented regardless of whether the land is reserved for education purposes.

28. The Main Issues Report (page 23 of appendix G) states that "the site is ideally placed for pedestrian and cycle connectivity with immediate links to the core path network, existing safe routes to school, and for connecting the site to the wider path networks throughout and beyond the Banchory settlement area". Given the relatively central location of the site in relation to existing and proposed housing, I agree that it is well placed to accommodate a replacement secondary school, if required. I also note that the community council and academy parent council support the reservation for educational purposes. If the reservation in the plan was removed, the opportunity to use this site for educational purposes is likely to be lost.

29. The Woodland Trust Scotland has objected to the reservation because the whole site is included in the ancient woodland inventory. The council considers that the loss of woodland on the site would be justified because of the significant public benefit from educational uses, in line with paragraph 218 of Scottish Planning Policy. However, North Banchory Company has indicated that the woodland on the site is a crop of coniferous trees, which are under rotational thinning and management as part of a management plan agreed with Forestry Scotland. It has submitted a certificate of approval for tree felling dated September 2015.

30. Notwithstanding the information provided regarding the existing tree management plan, I agree with the council that the provision of a secondary school would bring significant public benefits, which may justify the loss of trees. Where possible, the impact on existing woodland should be minimised and compensatory planting provided in line with the Scottish Government Control of Woodland Policy and consistent with paragraphs PR1.7 and PR1.8 in policy PR1 (protecting important resources).

31. Based on the information before me, I consider that it would be prudent to continue to

reserve the site for education facilities. However, I recommend a modification to indicate that the impact on the existing woodland should be minimised and compensatory planting provided.

Flood Risk

32. The detailed comments made by SEPA identify some omissions in the information provided in the flood risk section of the Banchory settlement statement. I agree with the modifications sought by SEPA, in order to provide clarification on the risk of flooding for some sites and how this should be addressed in future planning applications.

Services and Infrastructure

33. The allocation summary for sites OP2 and OP3 refers to the need for further transport assessments. This would address the transport implications of development on these sites, including pedestrian safety. The first bullet point under the services and infrastructure section on page 783 of the proposed plan indicates that development may be required to contribute to local transport infrastructure, which could include pedestrian safety measures, if necessary.

34. For site OP4, the need to address the effects of development on the visibility and access for pedestrians to Raemoir Road is specified in the allocation summary. I note that planning permission has now been granted for 15 homes on the site.

35. The proposed plan includes a safeguarded site for potential education facilities (site R3) and indicates that developer contributions may be required towards additional primary and secondary school capacity. I agree with the council that it is not the purpose of the local development plan to set out the details of proposals to improve the existing education estate.

36. I do not consider that any modifications are required to address the representations to the services and infrastructure section of the settlement statement.

Site OP1- East Banchory/Eco village

37. I consider that the amendment requested by NatureScot, in relation to habitats regulations appraisal, would provide clarification on the appraisal process. A modification to this effect is recommended.

38. An area for a park and ride facility is to be reserved within allocation OP1. I consider that this requirement should be retained in line with the Nestrans Regional Transport Strategy Refresh 2014 and the local development plan objective to promote public transport. No modification is required.

Sites OP2 and OP3 – Lochside of Leys

39. Sites OP2 and OP3 are allocated in the current local development plan and a revised masterplan for these sites was approved in February 2020. From my site visit, I observed that the eastern portion of site OP2 is under construction.

40. I agree that the fourth sentence in the allocation summary for sites OP2 and OP3

should be updated to refer to the revised masterplan. On the basis that the revised masterplan indicates that a full distributor road is no longer required, I agree that the hatched blue line which shows the indicative preferred line of the future distributor road should be removed from the settlement statement maps. Modifications to this effect are recommended.

41. The allocation summary in the proposed plan indicates that further transport assessment may be required. I consider the additional text suggested by the council would clarify the circumstances in which this may be necessary. A modification is recommended.

42. According to the 2020 housing land audit, sites OP2 and OP3 have full planning permission or planning permission in principle. There is therefore no reason for me to reduce the scale and number of homes. The council's response provides additional information in relation to the Loch of Leys local nature conservation site and the measures in place to minimise tree loss and provide compensatory planting. No change is required to the proposed plan.

43. NatureScot has indicated, that given the planning status of sites OP2 and OP3, there is no need for further assessment on the impact on the River Dee Special Area of Conservation. On this basis, I agree that the fifth paragraph of the allocation summary should be modified.

Site OP4 – Hill of Banchory

44. Whilst I note that planning permission has now been granted for 15 homes on site OP4, there is no representation requesting that the allocation summary be updated to reflect this permission. The modification suggested by the council is therefore outwith the scope of this examination.

45. I agree with the council that the site may be the subject of further applications. Consistent with other allocations in the plan, the amendment requested by NatureScot would provide clarification on the habitats regulations appraisal process. A modification to this effect is recommended.

Site OP5 – Hill of Banchory East

46. Site OP5 is located at the eastern end of the settlement, immediately to the north of the existing Tesco superstore.

47. The Main Issues Report describes the potential allocation as a retail park, which Ediston Real Estate has indicated comprises a mixed retail development to include both convenience and comparison floorspace. It seeks to address the significant leakage in expenditure from Banchory, identified in the 2013 Aberdeen City and Aberdeenshire Retail Study. A 2018 update of this retail study is now available, which also supports the proposal in retail capacity terms.

48. The council has explained that it has restricted the retail uses on the site to bulky comparison outlets, in response to concerns raised about the impact of the allocation on the town centre.

49. Paragraph 58 of Scottish Planning Policy states: “Town centres are at the heart of their communities and can be hubs for a range of activities. It is important that planning supports the role of town centres to thrive and meet the needs of their residents, businesses and visitors.” The town centre first approach set out in policy B1 (Town Centre Development) of the proposed plan is consistent with paragraph 60 of Scottish Planning Policy. Within this context, I can understand why the council is taking a precautionary approach to retail development on site OP5.

50. However, the information from the 2018 update of the 2013 retail study suggests that there are deficiencies in the convenience and comparison retail provision in Banchory, resulting in shoppers travelling to other locations. I note that the deficiency in relation to bulky goods expenditure is much lower than in these other two categories.

51. The Banchory Key Map in the proposed plan reserves a site for a visitor centre and heritage centre within the town centre. Whilst the vision section of the settlement statement states that “retail /business opportunities should be supported and promoted, particularly within the town centre”, there are no allocations for additional retail floorspace within or adjacent to the town centre. Paragraph 64 of Scottish Planning policy states that: “Local authorities, working with community planning partners, businesses and community groups as appropriate, should prepare a town centre health check.” Its purpose would be to assess the strengths, vitality and viability, weaknesses and resilience of the town centre and would be used to inform development plans and decisions on planning applications. However, no evidence has been provided to indicate that a town centre health check has been undertaken for Banchory.

52. I observed from my visit to Banchory that the town centre comprises mainly traditional, relatively small retail units and a range of other uses located along the A93 road and Bridge Street. I did not see any obvious opportunity sites to provide new larger scale retail units in or on the edge of the town centre.

53. I consider that site OP5 is conveniently located, next to the Tesco superstore and existing bus stops and pedestrian/cycle paths on Hill of Banchory East, to allow for linked trips by sustainable modes of transport. On the basis of the information before me, I consider that there may be a justification for additional convenience and/or comparison floorspace on site OP5. I agree that this would be a matter for a retail impact assessment at planning application stage.

54. I recommend a modification to indicate that the provision of convenience and/or comparison floorspace may be supported, provided a retail impact assessment demonstrates that the proposal accords with policy B1 Town Centre Development. Proposals for ancillary uses to complement the main retail function of the site could be assessed against relevant policies and do not require a further modification to the plan.

55. The deletion requested by SEPA is supported, as there is no watercourse within the site. I consider that the amendment requested by NatureScot in relation to the Habitats Regulation Appraisal would be appropriate in the interests of clarification. Modifications on these matters are recommended.

Site OP6 – Land at former Glen O’Dee Hospital

56. Site OP6 comprises two areas of land with an indicative capacity of 40 homes,

located towards the north western edge of the settlement. The northernmost part of the site was previously occupied by the category A listed Glen O’Dee Hospital. The building was destroyed in a fire in 2016 and subsequently delisted. The smaller, southernmost part of the site relates to land occupied by the former nurses’ home. With the exception of the remaining healthcare facilities at the northern end of Corsee Road, the land surrounding allocation OP6 lies within protected site P2 in the proposed plan.

57. The representation on behalf of Forbes Homes explains the planning history of the site. The 2019 housing land audit refers to 29 homes on the site, which reflects the planning permission and listed building consent granted in 2011. Forbes Homes seeks an increase in the allocation from 40 to 100 homes and to extend the allocation boundary to cover a 4.9 hectare site. It states that an allocation of 100 homes is required to make the development viable, given the extent of contaminated debris.

58. The council indicates that the additional land being promoted for inclusion in the allocation contains ancient woodland. It considers that limiting the allocation to 40 homes would ensure the impact of development does not outweigh the benefits of the redevelopment of the site. In order to address the council’s concerns, Forbes Homes submitted a pre-application enquiry based on an indicative master plan, which shows 99 homes located to the north and south of an area of protected woodland in the central part of the site. It indicates that, whilst development would result in the loss of woodland in the southern section of the site, this is high density commercial conifer woodland, which has the lowest natural heritage value.

59. The council’s response to the pre-application enquiry suggests a level of support from its natural heritage team and NatureScot, subject to further detailed considerations, including retaining as much woodland as possible and compensatory planting.

60. Paragraph 218 of Scottish Planning Policy states that: “The Scottish Government’s Control of Woodland Removal Policy includes a presumption in favour of protecting woodland. Removal should only be permitted where it would achieve significant and clearly defined additional public benefits.” The council is concerned that allocating an area of ancient woodland for development would set a dangerous precedent. However, I note that there are other housing allocations in the proposed plan which coincide with areas of ancient woodland. A key consideration in relation to site OP6 is whether the public benefits associated with the remediation of a derelict brownfield site would justify the loss of woodland.

61. I note that the community council supports allocation OP6, but indicates that overdevelopment should not impact detrimentally on the woodland environment. Similar concerns are raised in other representations. One representee seeks the removal of the allocation from the plan and another requests that the indicative capacity is expressed as a maximum number of homes.

62. Paragraph 4.8 in the strategic development plan states that brownfield sites and regeneration areas should be given priority in bringing forward land for housing. In this regard, the principle of housing on site OP6 is consistent with the strategic development plan. The allocation provides the opportunity to remediate a derelict site and I do not consider its deletion from the plan would be justified. The council has explained that, the site capacities noted in the plan are indicative. I agree that it is only at planning application stage, that the exact number of homes would be known. Proposals would be assessed against relevant policies and, as such, there is no reason to set an upper limit on the

number of homes in the plan.

63. I now turn to the request to increase the size and indicative capacity of the allocation. Forbes Homes has indicated that an allocation of 40 homes would not be deliverable on viability grounds. The responses to the pre-application enquiry suggest that some development on land to the southwest of the southernmost part of allocation OP6 may be supported. However, the loss of ancient woodland would be contrary to Scottish Planning Policy and the community council and others have raised concerns about further development at this location.

64. Based on the evidence before me, I am unable to reach a conclusion on whether a development of 40 homes would be unviable or if the public benefits associated with an increased allocation would support the loss of woodland. I therefore do not consider that a modification to increase the number of homes to 100 or amend the boundaries of sites OP6 and P2 is justified.

65. Some representations have referred to this allocation as one which should not contribute towards the strategic development plan allowance for the Aberdeen Housing Market Area. The site is identified as constrained in the 2019 housing land audit and it remains uncertain whether a development of 40 homes would be deliverable. I therefore do not consider that this allocation should be counted towards meeting the strategic housing requirements in the period up to 2032. No modification to the allocation summary is necessary. However, the relevant tables in appendix 6 should be amended to indicate that site OP6 for 40 homes does not contribute towards the strategic development plan allowance for the Aberdeen Housing Market Area. The implications of this deduction for the overall housing land provision are addressed in issue 5.

66. In response to the concern regarding the proposed access from Corsee Road, I note that some other allocation summaries refer to the need for a transport assessment to provide details on access and connectivity. However, given the location of site OP6 in relation to the local road network, there do not appear to be any reasonable alternatives to taking access from an upgraded Corsee Road. No modification is required.

67. I agree with the council that there is no need for the plan to indicate that the settlement boundary has been amended to include site OP6. This is a reasonable consequence of the allocation being identified in the plan. No modification is required.

68. The representation from SEPA seeks clarification from the council in relation to flooding matters. The council has confirmed that a drainage impact assessment, rather than a flood risk assessment, would be required. It has also suggested additional text in relation to surface water flooding. I agree that these changes would provide clarification on flood matters. A modification to this effect is recommended.

69. I consider the additional text suggested by NatureScot would be appropriate to reflect the presence of ancient woodland and may also help address the concerns raised in other representations. As with other allocations, the amendment requested by NatureScot in relation to the Habitats Regulation Appraisal would be appropriate in the interests of clarification. Modifications on these matters are recommended

Settlement Map

70. The Forestry Scotland land to the south east of the former nurses' home is not included in the bid submission from Forbes Homes and is covered by protected land allocation P2. I note that the areas of open space at Burnett Park and Alexander Park are included within the settlement boundary in the existing and proposed plan. Given the extension of the settlement boundary to include site OP6, I consider it logical to also include the land to the south west of Corsee Road. No modification is required.

71. A representation seeks an amendment of the settlement boundary to include the area of woodland which forms the western part of Burnett Park and the tree lined core path on the west side of Glassel Road. Whilst I agree that there is some ambiguity in the key map as to whether the western part of Burnett Park lies within P1 or P2, clarification is provided by the description of each on page 781 of the proposed plan. Given the wooded nature of the western part, I conclude that it lies within protected designation P2.

72. I note that the council would support the suggested adjustment of the settlement boundary. However, the local community has not been given the opportunity to comment on this suggested change. Given the location and rural character of the woodland and tree lined path, I do not consider that including these areas within the settlement boundary would be appropriate. The adjustment of the settlement boundary to include site OP6 does not require a further westward extension of the settlement boundary. No modification is recommended.

73. The Cow Shed restaurant and adjacent property are located to the north of the settlement boundary which runs along the northern edge of allocations OP2 and OP3 in the existing and proposed plan. As sites OP2 and OP3 have not yet been developed, these properties currently appear physically separate from the built up area. I agree with the council that there is no justification to amend the settlement boundary at this time. No modification is required.

Non-allocated Bid Sites MR029 and MR030 – North of the B974, Deebank

74. The site is located on the eastern edge of Deebank, which lies on the south side of the River Dee. The Banchory settlement boundary at this location runs along the north bank of the river. The representations in relation to this site wish it to be allocated for 10 homes, or a visitor centre/heritage hub (should site R1 not prove viable) or be included in the settlement boundary as white land.

75. This is a wooded greenfield site, which is located within the Dee Valley Special Landscape Area and adjacent to the River Dee Special Area of Conservation. Given the sense of containment provided by existing trees, I do not consider that development would have an adverse landscape impact. However, I note that the strategic environmental assessment identifies post mitigation negative effects on biodiversity and I agree with the council that the development of 10 houses would alter the rural character of the site.

76. I observed on my site visit that there are pockets of residential development on the south side of the River Dee. However, these are physically separate from the main part of the settlement. I do not consider that extending the Banchory settlement boundary to include land to the south of the river would be appropriate.

77. I note that the site is located closer to the town centre than some areas located within the settlement boundary. However, it is not well integrated with the settlement as a whole

and I consider that housing development at this location is likely to be car dependent.

78. Development on this site could contribute to meeting the shortfall the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. However, given the matters raised above and the availability of other suitable sites, the allocation of this site is not justified.

79. I do not consider the site to be a reasonable alternative location for a visitor centre/heritage hub, as such a use would be expected to attract a significant number of people. Paragraph 60 in Scottish Planning Policy indicates that “the planning system should apply a town centre first policy when planning for uses which attract significant numbers of people”. This site is in an out of centre location and would rely on car based travel.

80. No modifications are recommended.

Non-allocated Bid Site MR038 – Site at Lochside of Leys

81. Bid site MR038 lies immediately to the east of the western part of allocation OP2, which forms phases 2a and 2b of the Lochside of Leys masterplan. The site does not form part of the masterplan, but has been included in the associated transport assessment.

82. I note that the site was identified as a preferred option in the Main Issues Report and an allocation of 100 homes was recommended for inclusion in the proposed plan by officers. The reasons given by the Marr Area Committee for not including site MR038 in the proposed plan relate to impact on biodiversity, woodland protection and concerns regarding drainage.

83. The strategic environmental assessment of the site identified negative effects in relation to the loss of woodland and proximity of the site to the Loch of Leys Local Nature Conservation Site. The map in section 12 of the proposed plan indicates that there is protected woodland to the south of the site, but not within its boundary.

84. As pointed out by Bancon Homes, paragraph 196 of Scottish Planning Policy states that: “Buffer zones should not be established around areas designated for their natural heritage importance”. The eastern section of existing allocation OP2 also borders this local nature conservation site which suggests that, subject to a habitat and ecological survey, mitigation of biodiversity impacts may be possible. Bancon Homes has indicated that a drainage impact assessment was undertaken as part of the revised Lochside of Leys masterplan and no concerns were raised in relation to drainage matters in the strategic environmental assessment.

85. Matters relating to overall housing provision in the Aberdeen Housing Market Area are covered in issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area.

86. I recognise that site MR038 could form a logical extension to site OP2 and note that the ongoing growth of the Lochside of Leys area would be supported by recent infrastructure investment in this part of the settlement. However, the 2020 housing land audit indicates that sites OP2 and OP3, which relate to phases 1 and 2 of the Lochside of

Leys masterplan, will not be completed until around 2029 (66 homes are noted as being built in the period after 2027). This would suggest that development on site MR038 would be unlikely to commence until towards the end of the plan period.

87. I consider that it may be possible to mitigate the concerns raised by the council in relation to trees, biodiversity and drainage. However, in the absence of detailed evidence, I am unable to reach a conclusion on these matters. Furthermore, any delay in the completion of sites OP2 and OP3 may limit the contribution site MR038 would make to delivering homes in the period up to 2032. Given the availability of other suitable sites to meet the shortfall in the strategic development plan allowance for the Aberdeen Housing Market Area, I consider that site MR038 should not be included as a housing allocation. No modification is required.

Non-allocated Bid Site MR039 – Site at Lochside of Leys

88. Bancon Homes is also seeking the allocation of site MR039 for 100 homes, either in the period up to 2032 or as a future reserve. The site lies to the north of site MR038 and to the north east and north west of the two areas of land which make up allocation OP2. I note that site MR039 was identified as a future housing reserve in the Main Issues Report. However, the council decided not to include future reserves in the proposed plan and site MR039 was not identified as a housing allocation for the period up to 2032.

89. General representations regarding the identification of future housing opportunity sites are addressed under issue 2. This concludes that, whilst the strategic development plan allows local development plans to identify additional strategic reserves beyond 2032, there is no requirement to do so. The council's decision not to identify future opportunity sites is in accordance with the strategic development plan. There is therefore no justification to identify the site as a future reserve.

90. I also need to consider whether it would be appropriate to allocate site MR039 for development in the period up to 2032. Allocating site MR039, but not site MR038, would result in development which is poorly integrated with the rest of the settlement. I note from the approved master plan that development of site MR039 would require the provision of a core road to link the two parts of allocation OP2. Whilst this would bring connectivity benefits, I have no information regarding the timescales for delivery.

91. The strategic environmental assessment indicates that development of site MR039 would raise similar issues as site MR038, in terms of negative effects on woodland and biodiversity. Whilst it may be possible to mitigate these negative effects, I am unable to reach a conclusion on these matters based on the information before me.

92. As I have already indicated, there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. However, given the identified constraints and road infrastructure requirements, I am unclear whether site MR039 would be deliverable within the plan period. As I have already indicated, there are other sites available to meet strategic housing needs.

93. I conclude that site MR039 should not be identified as a housing allocation or future reserve. No modification is required.

Non-allocated Bid Sites MR040 and MR041 – Land adjacent to Wood of Arbeadie

94. The two sites sit either side of Upper Arbeadie Road, which provides access to existing individual properties, but is not a vehicular route between Woodside Road and Upper Lochton. The strategic environmental assessment of the proposed plan indicates that any negative effects arising from the development of these sites can be mitigated.

95. Bancon Homes considers that these sites should each be allocated for 50 homes. Matters relating to overall housing provision in the Aberdeen Housing Market Area are covered in issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I consider that these sites could contribute to meeting this shortfall, if allocated.

96. Bid site MR040 comprises two areas of open grassland bisected by a driveway to two houses. The site is not adjacent to the settlement boundary and is surrounded by woodland which is covered by protected land designation P2 in the proposed plan. I consider that housing on this site would not be well integrated with the remainder of the settlement and would introduce urban development into an area of predominantly rural character. No information is provided on the impact that works to upgrade Upper Arbeadie Road would have on protected woodland.

97. Bid site MR041 lies immediately to the west of the existing settlement boundary and housing at Provost Black Drive. There is woodland on the western part of the site which lies within protected land designation P2 in the proposed plan. The remainder of the site is more open in character with some shrubs and trees.

98. Paragraph 218 of Scottish Planning Policy indicates that the Scottish Government's Control of Woodland Removal Policy includes a presumption in favour of protecting woodland. Removal should only be permitted where it would achieve significant and clearly defined additional public benefits. Given the availability of other sites to meet the shortfall in housing land provision in the Aberdeen Housing Market Area, I do not consider the loss of woodland on the western part of the site to be justified.

99. I note that the Main Issues Report concludes that an amended site boundary, which excludes the protected woodland to the west, may be supported. However, this option has not been promoted in any representation to the proposed plan.

100. I conclude that bid sites MR040 and MR041 should not be identified as housing allocations. No modifications are required.

Non-allocated bid site MR056 – Land at Upper Arbeadie Road

101. Bid site MR056 is located to the west of Upper Arbeadie Road, immediately to the north of existing housing at Hillview Road. A core path runs diagonally through the site and most of the land to the south west of the path is included in protected land designation P2 in the proposed plan, due to the presence of woodland. This part of the site is also covered by a tree preservation order. The remainder of the site is flat, open grassland and is not covered by a protected designation in the proposed plan.

102. Mactaggart and Mickel Homes submitted a bid for 61 homes on this 3.5 hectare site. Whilst the main issues report highlighted a number of positive aspects of the proposal, it

also identified some constraints, including the protection of woodland. The Issues and Actions Paper indicates that responses in support and against bid site MR056 were received following the consultation on the main issues report.

103. The concerns raised include the loss of woodland and open space and impact on trees protected by a tree preservation order, impact on biodiversity, impact on amenity and landscape character, overdevelopment, traffic issues, impact on infrastructure and flood risk. NatureScot indicated that if the site was allocated, development should ensure the retention and enhancement of existing woodland. Mactaggart and Mickel Homes' representation to the proposed plan is based on a revised proposal and seeks an allocation for up to 45 homes. However, I note that the revised indicative site layout dated July 2017 shows only 42 homes. The supporting submission dated April 2019 provides information which seeks to address the matters raised by the council and other respondents at Main Issues Report stage.

104. I agree with the council that the site would act as a natural extension to the town, with the potential for access to be taken from Hillview Road and Upper Arbeadie Road. The submitted transport assessment concludes that there is no transport related reason why the site cannot be allocated for residential development. Matters relating to the provision of services and infrastructure, including education and waste water treatment are addressed in the Banchory settlement statement and I am not aware of any other site specific infrastructure constraints.

105. The revised site layout for 42 homes, which has been informed by an updated tree survey, shows the majority of the land to the southwest of the core path retained as managed woodland. It is stated that only six trees would be removed due to their poor health and condition. Of the land included in site P2 in the proposed plan and covered by a tree preservation order, only the south eastern corner is now proposed for built development. I observed, from my site visit and the submitted phase one habitat survey, that the south-eastern corner of the site is semi-improved natural grassland rather than woodland. I found it to be similar in character and appearance to the land immediately to the north east of the core path, which is not included in site P2.

106. Paragraph 216 in Scottish Planning Policy indicates that woodland should be protected from adverse impacts resulting from development. Based on the information before me, including my site inspection, I am satisfied that development in the south eastern corner of site MR056 would be unlikely to have an adverse impact on existing trees. Further detailed assessment would be required at planning application stage, which may have implications for the final site layout.

107. The strategic environmental assessment identified potential negative effects on biodiversity. However, the ecology survey undertaken in 2017 did not identify the presence of any protected species and the proposal would provide the opportunity to increase biodiversity value through the retention and enhancement of existing woodland. The strategic environmental assessment states that the site is not within an identified flood risk area and SEPA did not raise any issues in this regard in response to the main issues report. Furthermore, the proposal would retain and enhance the core path which passes through the site.

108. The only reason given by the council for not including the site in the proposed plan is that sufficient land has been identified to meet housing needs. However, as we have

concluded in issue 5, this is not the case and there is shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area.

109. I consider that the representation submitted by Mactaggart and Mickel Homes addresses the concerns raised by the council at Main Issues Report stage. Subject to the retention and enhancement of the woodland located to the southwest of the core path, I consider that a development of around 42 homes (as shown on the indicative layout) would respect the landscape character and biodiversity value of the site. I consider that development of this site would be well integrated with the neighbouring residential area and would not have an adverse landscape impact. Furthermore, the scale of the allocation would be consistent with the community council's views that no additional major housing development should be proposed.

110. Matters relating to impact on amenity and privacy are more appropriately addressed at planning application stage, when the proposal would be assessed against relevant policies such as P1(Layout Siting and Design). The site is in the control of a housebuilder, who has indicated that development can come forward in the early part of the plan period. Taking account of the above considerations, I conclude that the site should be allocated for housing and identified as contributing towards the strategic development plan allowance for the Aberdeen Housing Market Area. Whilst it may be demonstrated at planning application stage that the site can accommodate 45 homes (as requested in the representation from Mactaggart and Mickel Homes), the indicative layout before me shows only 42. I consider that this figure should be used as the indicative capacity of the allocation.

111. I recommend that the plan be modified to identify bid site MR056 as allocation OP7: Land at Upper Arbeadie Road for 42 homes and include an allocation summary, as set out in the recommendations section below. The allocation summary should include reference to the need to protect and enhance the existing woodland and core path. Further assessments would be required to support a planning application, which provides further opportunity to address the matters raised by respondents at the main issues report stage.

112. As a result of this recommended modification, the settlement maps should be amended to include site MR056 within the settlement boundary and remove the south eastern corner of the site from protected land designation P2. No change is proposed to the core path route or to the remainder of the P2 designation, where it overlaps with site MR056. This new allocation should be included in the revised version of Appendix 6 and shown as contributing 42 homes to the strategic development plan allowance for the Aberdeen Housing Market Area. Modifications to this effect are set out below.

Non-allocated Bid Site MR077 – Land at Upper Lochton and New Site N024 – Land west of site OP3

113. The representation from North Banchory Company comprises four components, three of which relate to individual sites and one which encompasses the other three plus some additional land, all at Upper Lochton. The removal of the agricultural field to the south of Upper Lochton from protected designation P2 has already been addressed.

114. The second component relates to land to the west of allocation OP3 and to the south of the road to the recycling centre (referred to as new site N024). This site is within the settlement boundary in both the existing local development plan and the proposed

plan. It therefore already has the status of “white land” within the settlement. The potential extension of site OP3 has not been the subject of strategic environmental assessment or any consultation with key agencies or the public. I have therefore insufficient information before me to properly assess the effects of including the land within site OP3. I conclude that there is no justification to include new site N024 within allocation OP3. However, such a proposal could be progressed through a planning application. No modification is required.

115. Land to the north of the road to the recycling centre is reserved in the existing local development plan for a cemetery. The proposed plan identifies an alternative site for a cemetery and therefore the reserved designation is no longer required. Given the rural character of the site, I agree with the council that it should not be included within the settlement boundary, unless it is identified for development. No modification is required.

116. North Banchory Company seeks the allocation of all of the above sites plus land to the north west of the settlement boundary for housing. I note that this site (with the exception of new site N024) was proposed as a future reserve for 40 homes in the Main Issues Report. Concerns were raised in relation to loss of woodland and open space, biodiversity and landscape effects and impact on transport and other infrastructure.

117. In response to the points raised regarding the availability of housing sites in Banchory, I note that the strategic development plan identifies housing land requirements by housing market area and not by individual settlement. Banchory lies within the Aberdeen Housing Market Area and the council considers that sufficient land has been identified in the proposed plan to meet the requirements of the strategic development plan. However, as explained in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area.

118. The strategic environmental assessment does not identify any negative environmental effects arising from development of the land included in bid site MR077. Whilst I recognise that these sites could contribute towards meeting the shortfall in housing land provision, I consider that their location on the north western edge of the settlement makes them less accessible to local facilities and services than bid site MR056. No information has been provided to show how the layout of the individual parcels of land would relate to each other or integrate with existing and proposed development in the surrounding area. Furthermore, I am concerned that allocation of these sites would result in development which is likely to be car dependent.

119. As there are other suitable sites (including one in Banchory) to meet the shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area, I conclude that sites MR077 and N024 should not be allocated. No modification is required.

Non-allocated New Site N023 – Site at The Mews, Banchory Lodge

120. The council has explained the planning history relating to site N023, which lies within the settlement boundary. An allocation could have been included in the proposed plan to reflect the proposal for five houses. However, there is no requirement to do so and its omission does not affect the implementation of the current permission. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

1. Replacing the last sentence in the first paragraph of the vision section on page 781 with: "No additional major new housing development is proposed."
2. Removing the narrow rectangular field on the south side of Upper Lochton from the P2 designation on the settlement map on pages 788 - 790.
3. Removing protected land designation P16 from the settlement map on pages 788 and 790 and deleting P16 from the protected land table on page 782.
4. Adding the following new second sentence to reserved land R2 in the table on page 782:
"Due to the close proximity and likely hydraulic connectivity of this site to the River Dee, a detailed groundwater assessment will be required to fully assess the suitability of this site as a cemetery."
5. Adding the following new second sentence to reserved land R3 in the table of page 782:
"Proposals should seek to minimise the loss of or damage to existing trees on the site. Compensatory planting may be required in line with the Scottish Government Control of Woodland Policy."
6. Replacing the second flood risk bullet point on page 782 with:
"• Parts of OP1, OP2, OP3, OP4 and OP5 are located adjacent to SEPA's indicative 1 in 200 year flood risk area, or have a small watercourse running through or adjacent to the site. A Flood Risk Assessment is required for OP2 and OP4 and may be required for OP1, OP3 and OP5."
7. Adding the following sentence to the end of third flood risk bullet point on page 782:
"Buffer strips will be required alongside the watercourses."
8. Adding the following new fourth bullet point to the Flood Risk section on page 782:
"• Site R4 is at significant risk from surface water flooding. A Flood Risk Assessment will be required to determine how this can be managed."
9. Replacing the last sentence in the sixth paragraph of the allocation summary for OP1 (East Banchory/Eco village) on page 784 with the following two sentences:
"Proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required."
10. Replacing the fourth sentence of the first paragraph of the allocation summary for OP2 and OP3 (Lochside of Leys) on page 785 with:
"A revised Masterplan for these sites was approved by the Marr Area Committee in February 2020."
11. Deleting the blue hatched line which shows the indicative preferred line of the future distributor road from the settlement maps on page 788 and 790.

12. Replacing the first sentence in the second paragraph of the allocation summary for OP2 and OP3 on page 785 with:

“The Transport Assessment detailing the connectivity and infrastructure provision may need to be updated, should future phases of development differ from what is contained within the masterplan or current planning permissions.”

13. Deleting the words “to take account of the potential impacts to the qualifying interest of the River Dee SAC” from the fifth paragraph of the allocation summary for OP2 and OP3 on page 785.

14. Replacing the last sentence of the second paragraph in the allocation summary for OP4 (Hill of Banchory) on page 786 with the following two sentences:

“Proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.”

15. Inserting the following additional sentence to the end of the first paragraph in the allocation summary for OP5 (Hill of Banchory East) on page 786 with:

“The provision of convenience and/or comparison floorspace may also be supported, provided a retail impact assessment demonstrates that the proposal accords with policy B1 - Town Centre Development.”

16. Deleting the third sentence (Enhancement and removal of any redundant features should be investigated.) from the last paragraph in the allocation summary for OP5 on page 786.

17. Replacing the last sentence of the last paragraph in the allocation summary for OP5 on page 786 with: “Proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.”

18. Adding the following new sentence at the end of the fourth paragraph in the allocation summary for OP6 (Land at former Glen O’Dee Hospital) on page 787:

“Planting as part of a landscape framework should be sensitive to the local landscape character and be proportionate in scale and extent relative to the scale of development.”

19. Replacing the fifth paragraph in the allocation summary for OP6 on page 787 with:

“A Drainage Impact Assessment is required. This site is at risk from surface water flooding that should be addressed through appropriate SuDS measures. Proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.”

20. Amending the entry for Banchory OP6 in the relevant table in Appendix 6 (housing land allocations) to show that the site is not identified as contributing towards the strategic development plan allowance for the Aberdeen Housing Market Area. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report.)

21. Inserting the following new allocation after OP6 on page 787:

“OP7: Land at Upper Arbeadie Road

Allocation: 42 homes

This is a newly allocated site located to the west of Upper Arbeadie Road, close to its junction with Highfield Avenue. The core path which runs diagonally across the site and existing woodland to the south-west of the core path (part of site P2) should be incorporated into the proposals and enhanced.

Early discussions should take place with the council to identify the assessments required to inform and support development proposals. These are expected to include a transport assessment; a drainage impact assessment; a landscape appraisal and tree survey; and a habitat and ecological survey and mitigation plan.

Woodland loss should be avoided unless necessary, with equivalent compensatory planting provided. Suitable landscaping should be undertaken and open space provided within the site.

Proposals will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.

It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and integrated into the design of the development to provide a mix of houses types and sizes to meet local needs.”

22. Amending the Banchory settlement map on pages 788 – 791 (as relevant) to show bid site MR056 as housing allocation OP7; include the site within the settlement boundary; and remove the south eastern corner of the site (the area which is shown as semi-improved natural grassland in Figure 3 of the habitat survey dated March 2017 and incorporates built development on the indicative site layout dated July 2017) from designation P2.

23. Adding Banchory OP7 for 42 homes to the table showing new sites which contribute towards the strategic development plan allowance for the Aberdeen Housing Market Area in Appendix 6. (Note – a revised version of Appendix 6, incorporating all the recommended modifications, is provided at the end of this report).

Issue 55	Other Settlements AHMA (Marr) – Crathes and Inchmarlo	
Development plan reference:	Proposed LDP, Appendix 7F Marr, Page 798-799 – 2860 Proposed LDP, Appendix 7F Marr, Page 822-826 – 2760	Reporter: Alison Kirkwood
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Crathes PP1219 Scottish Environment Protection Agency</p> <p>Inchmarlo PP0013 Jane Innes PP0015 James Ian Edwards PP0272 Scottish Water PP0532 Bryan McNay PP0878 The Woodland Trust Scotland PP1137 Skene Enterprise (Aberdeen) Ltd PP1138 Skene Enterprise (Aberdeen) Ltd PP1139 Skene Enterprise (Aberdeen) Ltd PP1140 Skene Enterprise (Aberdeen) Ltd PP1169 Ian Chapman PP1186 Kirkwood Homes Limited and Inchmarlo Farms Limited PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage) PP1415 David and Zenab Erskine and Carolyn Irvine</p>		
Provision of the development plan to which the issue relates:	Crathes Settlement Statement Inchmarlo Settlement Statement	
Planning authority’s summary of the representation(s):		
<p>Crathes</p> <p><u>Services and Infrastructure</u></p> <p>Scottish Environment Protection Agency (SEPA) has recommended that the ‘Strategic drainage and water supply’ bullet point be amended to state that any future development will be expected to connect to the public waste water infrastructure in Banchory (RD0214.B) (PP1219).</p> <p>Inchmarlo</p> <p><u>General</u></p> <p>A representee has stated that there is no provision for an increase in the facilities or retail at Inchmarlo House which will lead to a high dependency on private cars. There is also no</p>		

provision for a doctor's surgery which will put pressure on the existing medical practice in Banchory. There should not be a concentration of older people as it is better to have a mix of old and young in the general population. The developments are unlikely to be integrated with Banchory (PP0015).

Vision

A representee requested amending the wording of the Vision as Inchmarlo is not a retirement village, as other homes can be found within the settlement boundary (PP1169).

Site P1 – To protect the setting of Inchmarlo House as a contribution to the character of the place including the specimen trees that form the characteristic element of local design

A representee has sought that the layout, boundary and wording of site P1 is changed back to as it is within the LDP 2017. No justification has been provided regarding this alteration, and existing policies are in place to provide adequate protection to the setting of the listed building, woodland and character of the area (PP1139).

Site P2 – To protect the golf course as part of the green-blue network and provide a setting for the community

A representee has requested that proposed site P2 be removed from the Settlement Statement as no justification has been provided as to why this allocation was made and why it is necessary. The role of the protected land designation and the wording is vague. Policies are in place to protect the continued use of the golf course and other policy provisions are present to ensure active sports uses are not lost to developments. The wording of site P2 may conflict with other policy provisions (PP1140).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Scottish Water has commented that under 'Strategic drainage and water supply' the wording should be amended to include, "The Inchmarlo retirement community is connected via private network to the Inchmarlo Waste Water Treatment Works which currently has insufficient capacity. Development outwith the retirement community is required to connect direct to Waste Water Treatment Works. A growth project will be initiated once development meets Scottish Water's five growth criteria. Recommend early engagement with Scottish Water." (PP0272).

Site OP1 – Inchmarlo Continuing Care Community

Support has been expressed for the continued allocation of site OP1 as it enables the sustainable delivery of housing programmed for the continuing care retirement community in the context of an aging population. The representee has included an Appendix

(RD0201.A) in their representation which provides further detail to support their position (PP1138).

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

NatureScot has recommended that the allocation summary is amended to clarify that any proposal will be subject to a Habitats Regulations Appraisal (HRA) and that a Construction Method Statement may be required as part of this process (RD0255.B) (PP1300).

Site OP2 – Land Southeast of Glencommon Wood

SEPA has recommended amending the second sentence in the fourth paragraph to state that a small watercourse is adjacent to the site, due to the boundary change from the Main Issues Report (MIR) to the Proposed Local Development Plan (PLDP) stage (RD0214.B) (PP1219).

NatureScot has recommended that the allocation summary be amended to clarify that any proposal will be subject to a HRA and that a Construction Method Statement may be required as part of this process (RD0255.B) (PP1300).

A representee has expressed support for the allocation of site OP2 but has requested that the boundary is amended to allow greater integration with the existing continuing care retirement community and give flexibility to be integrated into the long-term delivery of the extension of the retirement community. A revised boundary would provide choice for secondary access points and the incorporation of landscaped areas as a buffer to new development. The site was a preferred site in the Main Issues Report (MIR), Appendix 6 for 120 homes, however the allocation of 200 homes were sought through bid site MR050. Inclusion was sought for the woodland area on the western part of the site, to incorporate the landscape features. The allocation summary states to exclude the woodland to the west. The area of site OP2 has been altered and reduced significantly in the PLDP, at the western edge of the site and justification was not provided as to why the land south of the woodland area was excluded. The inclusion of a larger site boundary within the PLDP will allow the masterplan process to establish appropriate access and layout. The representee has included a number of Appendices (RD0200.A, RD0200.B and RD0220.C) in their representation which provides further detail to support their position (PP1137).

Site OP3 – Land at East Mains and Auldeer Wood

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

A representee has expressed support of the allocation of site OP3 but requests the inclusion of additional land for landscaping and land forming the northern boundary. The representee has included an Appendix (RD0210.A) in their representation which provides further detail to support their position (PP1186).

NatureScot has requested that the allocation summary for site OP3 includes additional wording on the landscape to help shape development that fits better within its woodland setting. They also request that it includes additional wording on active travel to promote safe and convenient active travel opportunities to and from Banchory (RD0255.B)

(PP1300).

NatureScot has recommended that the allocation summary is amended to clarify that any proposal will be subject to a HRA and that a Construction Method Statement may be required as part of this process (RD0255.B) (PP1300).

A number of representees have objected to inclusion of site OP3 (PP0013, PP0532, PP0878, PP1169 and PP1415). A range of reasons were cited including:

- The enabling element of the proposal is no longer included and therefore not an economic/tourism development, the project is now unviable (PP0532).
- It was approved on the basis that it was an employment and tourism opportunity with provision for this in the S75 with home building only for financing (PP1169 and PP1415).
- The developer seeks to build more homes than originally approved without building the hotel. Not a single house in excess of that approved should be allowed to be built or any relaxation of the stipulation of occupying homes before the hotel is built and operating. There was never a need for this housing with the approval entirely linked to the hotel given it was on land outwith the Local Plan (PP1415).
- The west side of Banchory lacks the necessary infrastructure, this side should be preserved as amenity space (PP0532).
- Does not offer long-term employment opportunities (PP0532).
- The inclusion of site OP3 as an allocation will have a significant impact on the landscape of the Dee Valley Special Development Area and cannot be mitigated by woodland (PP1169).
- Planning permission has previously been granted, however the site has never progressed and therefore is unlikely to be deliverable (PP1169).
- The site will be dependent on cars as public transport is limited and has poor footpath connections to Banchory, with the development having long-term negative environmental impact (PP0532, PP1169 and PP1415).
- There are no facilities or amenities available at the west side of Banchory other than those associated with care homes, this will increase traffic through Banchory (PP1169 and PP1415).
- There are infrastructure and services constraints including sewage, drainage and healthcare (PP1415).
- There are inadequate roads in the surrounding area, leading to safety concerns, upgrading is required to accommodate more traffic (PP1169 and PP1415).
- There is an education constraint, particularly in Banchory Academy (PP1169 and PP1415).
- The development is a significant departure from the self-contained continuing care facility (PP0013).
- Concerns relate to lack of connectivity with the existing facility at Inchmarlo and Banchory, increasing traffic on Glassell Road (PP0013).
- Site OP3 is 'opportunistic' overdevelopment causing urban sprawl into the countryside (PP0013).
- The Woodland Trust Scotland object as the inclusion will cause damage and/or loss of ancient woodland, contrary to SPP and the Control of Woodland Removal Policy (PP0878).

Representees have included an Appendix (RD0161.A and RD0272.A) in their

representation which provides further detail to support their position (PP0878 and PP1415).

Inclusion of site OP3 should be contingent on the current or any future developer meeting the existing S75 provisions for APP/2015/2262 and consequently should not be relied upon to meet housing targets (PP1169).

Modifications sought by those submitting representations:

Crathes

Services and Infrastructure

Modify the PLDP to add to the end of the 'Strategic drainage and water supply' bullet point, "Any future development will be expected to do the same." (PP1219).

Inchmarlo

General

Modify the PLDP to remove large scale development proposed in this area (PP0015).

Vision

Modify the PLDP to remove the reference to "care retirement village" from the Vision statement (PP1169).

Site P1 – To protect the setting of Inchmarlo House as a contribution to the character of the place including the specimen trees that form the characteristic element of local design

Modify the PLDP to amend the layout of site P1 to the layout adopted within the LDP 2017 and amend the wording of P1 to, "Conserve the setting of Inchmarlo House." (PP1139).

Site P2 – To protect the golf course as part of the green-blue network and provide a setting for the community

Modify the PLDP to remove site P2 (PP1140).

Services and Infrastructure

Modify the PLDP to include under 'Strategic drainage and water supply', "The Inchmarlo retirement community is connected via private network to the Inchmarlo Waste Water Treatment Works which currently has insufficient capacity. Development outwith the retirement community is required to connect direct to Waste Water Treatment Works. A growth project will be initiated once development meets Scottish Water's five growth criteria. Recommend early engagement with Scottish Water." (PP0272).

Site OP1 – Inchmarlo Continuing Care Community

Modify the PLDP allocation summary changing the third paragraph to read, "Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement

may be required. A Flood Risk Assessment may also be required.” (PP1300).

Site OP2 – Land Southeast of Glencommon Wood

Modify the PLDP to amend the second sentence in the fourth paragraph, “A Flood Risk Assessment ... due to a small watercourse adjacent to the site.” (PP1219).

Modify the PLDP allocation summary to replace the first sentence of the fourth paragraph with, “Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.” (PP1300).

Modify the PLDP to increase the boundary of allocated site OP2 (PP1137).

Site OP3 – Land at East Mains and Auldeer Wood

Modify the PLDP to allocate additional land for landscaping and land forming the northern boundary (PP1186).

Modify the PLDP to add a sentence at the end of the second paragraph of the allocation summary, “The existing site has an overriding wooded character, and the woodland/trees should be retained to act as a framework for the hotel and hotel lodges. The scale of any development should be carefully designed to reflect the largely rural and wooded character, with siting and design of the development of a scale that is contained by, rather than dominating this woodland setting. Open space should be biodiverse and native species should be used in landscaping as far as possible.” (PP1300).

Modify the PLDP to add a sentence at the end of the third paragraph of the allocation summary, “The active travel plan should consider provision for links to Banchory.” (PP1300).

Modify the PLDP to replace the fourth paragraph of the allocation summary with, “Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required. Buffer strips will be required adjacent to the watercourses and should be integrated as positive features of the development.” (PP1300).

Modify the PLDP to remove site OP3 from the Inchmarlo Settlement Statement (PP0013, PP0532, PP0878, PP1169 and PP1415).

Summary of responses (including reasons) by planning authority:

Crathes

Services and Infrastructure

The Council confirms that it intends to address SEPA’s comment through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Inchmarlo

General

The Council does not agree with the issues raised by the representee. Appropriate contributions to local infrastructure and services will be sought on the submission of a planning application through consultation with and assessments carried out by Developer Obligations. The Inchmarlo Settlement Statement outlines contributions may be required to secondary education and health and care facilities within Banchory. The continuing care community contains an onsite facility for care although it is acknowledged that residents will likely travel to Banchory for other facilities. However, continuing care communities are supported, and the location is sufficiently accessible. No change is required.

Vision

It is acknowledged that there are residents of Inchmarlo who, are not part of the retirement community. Subsequently, the wording in the Vision states Inchmarlo is a “largely self-continuing care retirement village”, rather than the Vision definitively stating all dwellings are part of the retirement village and therefore, it is not considered necessary to modify this statement. No change is required.

Site P1 – To protect the setting of Inchmarlo House as a contribution to the character of the place including the specimen trees that form the characteristic element of local design

The boundary of site P1 has been extended and the additional wording, which also protects the specimen trees, is considered important to reiterate the need for their protection. Through review of open space, this site has been identified as being an important area of open space that should be identified within the Settlement Statement (AD0162). Planning Advice Note (PAN) 65: Planning and Open Space (AD0007, table 1) sets out the open space typology that has been used to identify areas of protected land. Protected land is primarily included in the PLDP for its contribution to character, amenity or place. The extended area of site P1 is a vital landscape feature for the setting and character of Inchmarlo House and Inchmarlo village. No change is required.

Site P2 – To protect the golf course as part of the green-blue network and provide a setting for the community

As stated above, protected land has been identified as part of a review of open space using PAN 65 open space typologies and included within the PLDP for its contribution to character, amenity or place. Site P2 recognises the golf course’s contribution as part of the green-blue network and setting. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council has confirmed that it intends to address Scottish Water’s comments though a non-notifiable modification, set out in the List of Non-Notifiable Modifications.

Site OP1 – Inchmarlo Continuing Care Community

Comments received in support of site OP1, including from SEPA are noted. No change is required.

The Council has confirmed that it intends to address NatureScot comments through a non-notifiable modification, set out in the List of Non-Notifiable Modifications.

Site OP2 – Land Southeast of Glencommon Wood

The Council has confirmed that it intends to address SEPA's comments through a non-notifiable modification, set out in the List of Non-Notifiable Modifications.

The Council has confirmed that it intends to address NatureScot comments through a non-notifiable modification, set out in the List of Non-Notifiable Modifications.

The area of site OP2 was reduced to exclude the woodland to the west, this is considered appropriate to retain and protect this important landscape feature and the wider environmental benefits this woodland brings to Inchmarlo. The allocation also sets out the initial first three phases indicated by bid MR050, which is of an appropriate scale for the continued delivery of the care community throughout the PLDP Plan period. MR050 indicated two access points are available adjoining these initial phases. No change is required.

Site OP3 – Land at East Mains and Auldeer Wood

Comments received in support of site OP1, including from SEPA the development are noted. No change is required.

The Council has confirmed that it intends to address NatureScot comments through a non-notifiable modification, set out in the List of Non-Notifiable Modifications.

The Council note that there are concerns surrounding this allocation. The site is subject to an extant planning permission (Planning Permission in Principle under APP/2011/2402 with subsequent Matters Specified in Conditions applications). Concerns relating to impact on infrastructure, services, landscaping and the environment will continue to be assessed through subsequent planning applications. The allocation summary sets out a number of requirements relating to these matters to provide clarity. No change is required.

In terms of the enabling development and this element of the planning permission being removed, the allocation of site OP3 has been made to reflect the extant permissions in the Inchmarlo area and therefore sets out to provide clarity to the community over the scale of future development approved. If the Reporter is minded, then the Council recommend at the end of the first paragraph of the allocation summary adding the following text, "Planning permission on this site has been granted as an enabling development proposal. Thereby, the proposal must be delivered in accordance with APP/2011/2402 and its associated S75 to ensure the development in the countryside is outweighed by the economic benefits".

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 55. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Crathes

3. The Scottish Environment Protection Agency (SEPA) has requested a modification to indicate that future development in Crathes will be expected to connect to waste water infrastructure in Banchory. Whilst there are no sites allocated for development in Crathes in the proposed plan, this advice would apply to any future planning applications. I agree that this change would be appropriate and recommend a modification to that effect.

Inchmarlo

General

4. Concerns have been raised regarding the absence of local facilities within the Inchmarlo retirement village and that the concentration of housing for older people results in a development which is not well integrated with Banchory. I note that the services and infrastructure section of the Inchmarlo settlement statement indicates that developer contributions may be required towards sports and recreation and other community facilities. However, I agree that residents at Inchmarlo are likely to rely on local facilities and services in Banchory.

5. I consider that the comments made by the representee are valid concerns. However, no modifications to the plan have been suggested and I do not consider any to be necessary.

Vision

6. Whilst I note that there is general housing in Inchmarlo, I consider that the predominant use and overall character is a retirement settlement. I agree with the council that the wording of the vision acknowledges that parts of Inchmarlo do not form part of the retirement community. No modification is required.

Protected Land Designation P1

7. The purpose of designation P1 in the proposed plan is “to protect the setting of Inchmarlo House as a contribution to the character of the place including specimen trees that form a characteristic element of local design”. In addition to the parkland area to the south of the house, covered by P1 in the adopted plan, it includes woodland to the north and east.

8. The purpose of designation P1 in the adopted plan is described as “to conserve the setting of Inchmarlo House”, with no reference made to the contribution that the trees make to the character of the place. I agree that policies in the plan provide protection for the setting of listed buildings and the woodland character of the area. However, I consider it entirely appropriate to reflect the implications of these policies for Inchmarlo in the settlement statement. From my site inspection, I observed that the woodland to the north and west of Inchmarlo House contributes to the character of the house and its wider landscape setting. No modification is required

Protected Land Designation P2

9. Policy PR1.6 in the proposed plan states that “development will not normally be permitted on any area of open space” and that “important areas of open space are identified as ‘protected land’ within Appendix 7 settlement statements”. Golf courses are specifically mentioned in Planning Advice Note 65 as an example of sports areas, which are described as “large and generally flat areas of grassland...used primarily for designated sports”.

10. The purpose of designation P2 in the proposed plan is “to protect the golf course as part of the green-blue network and provide a setting for the community”. I disagree that this wording is vague. The definition of green-blue network provided in the glossary of the proposed plan includes reference to green infrastructure and open space functions. I consider that the golf course at Inchmarlo should be shown as protected land in the settlement statement, in recognition of its recreational value and contribution to the landscape setting of the settlement. No modification is required.

Services and Infrastructure

11. I consider that the wording of the strategic drainage and water supply bullet point should be amended to reflect the advice from Scottish Water on this matter. A modification is recommended.

Site OP1 (Inchmarlo Continuing Care Community)

12. I consider that the modification requested by NatureScot, in relation to Habitats Regulations Appraisal, would provide clarification on the appraisal process. A modification to this effect is recommended.

Site OP2 (Land southeast of Glencommon Wood)

13. Similar to site OP1, I consider that the modification requested by NatureScot, in relation to Habitats Regulations Appraisal, would provide clarification on the appraisal process. A modification to this effect is recommended.

14. SEPA has indicated that a small watercourse runs adjacent to the site and not through it as indicated in the proposed plan. I agree that this factual reference should be corrected and a modification is recommended.

15. I note that the bid proposal submitted by Skene Enterprises (Aberdeen) Limited comprises five sub areas, marked as A1 - A5 on their submitted plan. Allocation OP2

only covers sub areas A1 – A3, which represent the first three phases of development. Skene Enterprises request that sub areas A4 and A5 are also included within the OP2 site boundary, to allow a flexible approach to placemaking and landscaping, and provide for access and better connections with existing development. The council's reasons for excluding these areas are, to protect the woodland on the western part of the site, and that sub areas A1 – A3 represent an appropriate scale of development for the plan period.

16. Skene Enterprises state that the majority of area A5 was plantation woodland, which has now been felled. Whilst reference is made to this area having potential for replacement planting, no information has been provided in relation to a specific proposal. I observed on my site inspection that there are trees remaining on the site. Area A4 is an open field which slopes upwards from south to north, with trees along its edges but not within the site itself. I agree with the council that existing trees in areas A4 and A5 should be protected. However, I consider that the retention of trees on these sites would not necessarily preclude development.

17. Allocation OP2 covers an area of 14.2 hectares, compared to the larger bid proposal which extends to 19.3 hectares. The indicative capacity of 120 homes on allocation OP2 represents a density of just over eight homes per hectare, which is already much lower than the 25 homes per hectare sought generally on greenfield sites.

18. The council and Skene Enterprises agree that the delivery of 120 homes would be a realistic achievement in the plan period. The implications of distributing this level of development over the wider 19.3 hectare site would lower the density to around six homes per hectare, which would represent inefficient use of land.

19. Site OP2 has been identified as contributing towards the strategic development plan allowance for the Aberdeen Housing Market Area for the period up to 2032. The proposed plan does not identify any future allocations beyond this period and, as concluded under issue 2, there is no requirement for it to do so. Whilst I accept that the inclusion of areas A4 and A5 would provide more flexibility in relation to access arrangements and landscaping proposals, I do not consider that this would justify a change to the proposed plan. No modification is required.

Site OP3 (Land at East Mains and Auldeer Wood)

20. There are a number of representations seeking the deletion of allocation OP3. However, as the proposal has planning permission which has been implemented but not yet completed, I consider the allocation to be justified.

21. I agree with the council that the plan should be modified to include reference to the enabling relationship between the housing and the hotel elements. The wording initially suggested by the council would require development to comply with a particular planning permission. Given that a more recent permission has now been granted and the site may be the subject of future planning applications, I asked the council if an alternative wording would be appropriate (FIR009). It has suggested that the following sentences be added to the allocation summary for OP3, "Planning permission for housing on this site has been granted as an enabling development proposal to fund the construction of a hotel. The development shall be delivered as approved in relation to the fulfilment of the obligation for the site as an enabling development, unless otherwise agreed." Subject to minor edits, I consider this wording to be appropriate and recommend a modification accordingly.

22. NatureScot has requested some additional text be included in the allocation summary for site OP3 to highlight the need for development to reflect its woodland setting and incorporate biodiverse and native species within areas of open space. It indicates that the active travel plan should consider provision for links to Banchory and suggest text in relation to the Habitats Regulations. I consider that the changes in relation to woodland and open space are consistent with the relevant policies on these matters and the suggested wording in relation to Habitats Regulations Appraisal would provide clarification on the appraisal process. Modifications to this effect are recommended.

23. Kirkwood Homes and Inchmarlo Farms Limited have requested that the boundary of the eastern parcel of allocation OP3 be amended to include a strip of land to the north for landscaping and land forming purposes. In response to a further information request (FIR009), the council has explained that the boundary of site OP3 has been drawn to align with the rear boundaries of the proposed housing as set out in the landscape and infrastructure masterplans approved under application APP/2015/2262. It states that the open space to the rear of the housing will bleed into the woodland without a clear discernible boundary.

24. Based on the information before me, I am unable to assess the environmental impact of extending the site boundary into the area of woodland. Given that the existing boundary is consistent with the approved planning permission, I do not consider an amendment would be justified. No modification is required.

Reporter's recommendations:

Modify the local development plan by:

Crathes

1. Adding the following sentence at the end of the strategic drainage and water supply bullet in the services and infrastructure section of the Crathes settlement statement on page 798:

“Any future development will be expected to do the same.”

Inchmarlo

2. Replacing the second bullet point in the services and infrastructure section of the Inchmarlo settlement statement on page 822 with:

“• Strategic drainage and water supply: The Inchmarlo retirement community is connected via private network to the Inchmarlo Waste Water Treatment Works, which currently has insufficient capacity. Development outwith the retirement community is required to connect directly to the Waste Water Treatment Works. A growth project will be initiated once development meets Scottish Water's five growth criteria. Early engagement with Scottish Water is recommended.”

3. Replacing the third paragraph of the allocation summary for OP1 (Inchmarlo Continuing Care Community) in the Inchmarlo settlement statement on page 823 with:

“Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required. A Flood Risk Assessment may also be required.”

4. Replacing the first two sentences in the fourth paragraph of the allocation summary for OP2 (Land southeast of Glencommon Wood) in the Inchmarlo settlement statement on page 824 with:

“Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required. A Flood Risk Assessment may be required due to a small watercourse adjacent to the site.”

5. Adding the following sentences to the end of the first paragraph of the allocation summary for OP3 (Land at East Mains and Auldeer Wood) on page 825:

“Permission for housing has been granted as an enabling development proposal to fund the construction of a hotel. The development shall be delivered as approved in relation to the fulfilment of the obligation for the site as an enabling development, unless otherwise agreed.”

6. Adding the following sentences to the end of the second paragraph of the allocation summary for OP3 (Land at East Mains and Auldeer Wood) on page 825:

“The existing site has an overriding wooded character and the woodland/trees should be retained to act as a framework for the hotel and hotel lodges. The scale of any development should be carefully designed to reflect the largely rural and wooded character, with siting and design of the development of a scale that is contained by, rather than dominating this woodland setting. Open space should be biodiverse and native species should be used in landscaping as far as possible.”

7. Adding the following sentence to the end of the third paragraph of the allocation summary for OP3 (Land at East Mains and Auldeer Wood) on page 825:

“The active travel plan should consider provision for links to Banchory.”

8. Replacing the fourth paragraph of the allocation summary for OP3 (Land at East Mains and Auldeer Wood) on page 825 with:

“Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on * the qualifying interests of the River Dee SAC. A Construction Method Statement may be required. Buffer strips will be required adjacent to the watercourses and should be integrated as positive features of the development.”

<p>Issue 56</p>	<p>Other Settlements RHMA (Marr) North – Cairnie, Clatt, Drumblade, Forgue, Gartly, Glass, Huntly, Kennethmont, Rhynie and Ruthven</p>	
<p>Development plan reference:</p>	<p>Proposed LDP, Appendix 7F Marr, Page 792-793 Proposed LDP, Appendix 7F Marr, Page 794-795 Proposed LDP, Appendix 7F Marr, Page 800-802 Proposed LDP, Appendix 7F Marr, Page 806-808 Proposed LDP, Appendix 7F Marr, Page 809-810 Proposed LDP, Appendix 7F Marr, Page 811-812 Proposed LDP, Appendix 7F Marr, Page 815-821 Proposed LDP, Appendix 7F Marr, Page 829-832 Proposed LDP, Appendix 7F Marr, Page 851-853 Proposed LDP, Appendix 7F Marr, Page 854-855</p>	<p>Reporter: Alison Kirkwood</p>
<p>Body or person(s) submitting a representation raising the issue (including reference number):</p>		
<p>Cairnie PP1219 Scottish Environment Protection Agency</p> <p>Clatt PP1118 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Drumblade PP1219 Scottish Environment Protection Agency</p> <p>Forgue PP1219 Scottish Environment Protection Agency</p> <p>Gartly PP1219 Scottish Environment Protection Agency PP1408 c a s e CONSULTING Limited</p> <p>Glass PP1219 Scottish Environment Protection Agency PP1409 c a s e CONSULTING Limited</p> <p>Huntly PP0025 Mr and Mrs Duncan PP0069 Mr Ian Cooper PP0127 Miss Kathleen MacPherson</p>		

<p>PP1219 Scottish Environment Protection Agency PP1228 United Auctions PP1241 Nestrans PP1300 NatureScot (Scottish Natural Heritage)</p> <p>Kennethmont PP1033 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Rhynie PP1219 Scottish Environment Protection Agency</p> <p>Ruthven PP1219 Scottish Environment Protection Agency</p>	
<p>Provision of the development plan to which the issue relates:</p>	<p>Cairnie Settlement Statement Clatt Settlement Statement Drumblade Settlement Statement Forgue Settlement Statement Gartly Settlement Statement Glass Settlement Statement Huntly Settlement Statement Kennethmont Settlement Statement Rhynie Settlement Statement Ruthven Settlement Statement</p>
<p>Planning authority's summary of the representation(s):</p>	
<p>Cairnie</p> <p><u>Services and Infrastructure</u></p> <p>Scottish Environment Protection Agency (SEPA) has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).</p> <p><u>Site OP1 – Land Opposite Hall Cottages</u></p> <p>SEPA has highly recommended that the allocation summary for site OP1 includes a requirement for a suitable buffer from the sewage works on the eastern side of the site. SEPA are concerned that the proximity of the existing sewage works may cause odour issues and that the Council's Environmental Health colleagues should advise on a suitable buffer width for the site (RD0214.B) (PP1219).</p> <p>Clatt</p> <p><u>Flood Risk</u></p> <p>SEPA has recommended for consistency that a new 'Flood Risk' section and bullet point is added to state that parts of Clatt are at possible risk from flooding from the Gadie Burn and Flood Risk Assessments may be required (RD0214.B) (PP1219).</p>	

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

A representee has requested that reference to 'Services and Infrastructure' in the Clatt Settlement Statement is deleted, as no residential allocations are identified in the Settlement Statement (PP1118).

Drumblade

Site OP1 – Land to southwest of Drumblade Primary School

SEPA has requested for site OP1, replacement of the last paragraph in the allocation text (RD0214.B) (PP1219).

Forgue

Flood Risk

SEPA has recommended for consistency that a new 'Flood Risk' section and bullet point is added to state that parts of Forgue are at possible risk from flooding from the Burn of Forgue and Flood Risk Assessments may be required (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has requested that the 'Strategic drainage and water supply' bullet point refers to public waste water 'infrastructure' rather than waste water 'treatment' (RD0214.B) (PP1219).

Site OP1 – Land to East of the Rectory

SEPA has requested for site OP1, replacing the second paragraph in the allocation text that refers to consulting with SEPA for a private Waste Water Treatment Works to simply state a single private water treatment plant, built to an adoptable standard, will be required and that one plant should serve sites OP1 and OP2 (RD0214.B) (PP1219).

Site OP2 – Chapelhill (Land to West and South of Forgue school)

SEPA has requested for site OP2, replacing the second paragraph in the allocation text that refers to consulting with SEPA for a private Waste Water Treatment Works to simply state a single private water treatment plant, built to an adoptable standard, will be required and that one plant should serve sites OP1 and OP2 (RD0214.B) (PP1219).

Gartly

Flood Risk

SEPA has recommended for consistency that a new 'Flood Risk' section and bullet point is added to state that parts of Gartly are at possible risk from flooding from the Bogie Water

and Flood Risk Assessments may be required (e RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

A representee has requested that reference to 'Services and Infrastructure' in Gartly Settlement Statement is deleted. No residential allocations have been identified in the settlement, and therefore, there are no impacts arising from development that will need to be mitigated by Developer Obligations. These sections are considered superfluous and unnecessary (PP1408).

Glass

Site R1 – For a community park and car park associated with the community hall

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has recommended for consistency that a 'Flood Risk' section and bullet point is added to state that parts of Glass are at possible risk from flooding from Markie Water and a Flood Risk Assessment may be required (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

A representee has requested that reference to 'Services and Infrastructure' in Glass Settlement Statement is deleted. There are no impacts arising from development and therefore, will not need to be mitigated by Developer Obligations. These sections are considered superfluous and unnecessary (PP1409).

Huntly

Site R1 – For community use and recreation

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Site BUS1 – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS1 (RD0214.B). No modification sought (PP1219).

Site BUS2 – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS2 (RD0214.B). No modification sought (PP1219).

Site BUS3 – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS3 (RD0214.B). No modification sought (PP1219).

A representee has expressed support for the land at Huntly Auction Mart being retained as BUS3 which will enable the scope to expand in the future. No modification sought (PP1228).

Site BUS4 – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS4 (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Nestrans has stated they continue to seek clarity from Transport Scotland regarding the proposed programme for consideration of the A96 dualling options around Huntly. Nestrans is also keen to see further improvements to Huntly's rail service as part of the next phase of Aberdeen to Inverness rail improvements (RD0227.A). No modifications sought (PP1241).

Site OP1 – Land at Steven Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A number of representees object to or are concerned regarding the inclusion of site OP1 (PP0025, PP0069 and PP0127). A range of reasons were cited including:

- The capacity of Huntly's drainage infrastructure for additional housing is a concern, as it does not cope with current housing capacity (PP0025 and PP0127).
- Lack of facilities or local services for new housing, with no increase of education and health care provision (PP0025 and PP0127).
- Insufficient broadband, decline in local businesses, lack of facilities in Huntly town centre to attract people to the area (PP0127).
- Lack of need for more affordable housing in Huntly and there are empty properties/properties for sale in Huntly (PP0025, PP0069 and PP0127).

- Inadequate viable and safe access from Steven Road to accommodate the increase of traffic next to the school/nursery and impact on children's safety. In addition, clarity is sought regarding access as Depot Road/Clashmach View/Forest Way does not cope with the current volume of traffic, with parked cars creating a single lane road access (PP0069 and PP0127).
- Covid-19 has demonstrated the need for green space for mental health benefits and development will result in a loss of recreation land and cause a visual impact, diminishing the view of Clashmach Hill. The development will also affect wildlife (PP0069).

Site OP2 – Deveron Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

Site OP3 – Land Adjacent to Linnorie

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

Site OP4 – Land Adjacent to Linnorie Business Park

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP4 (RD0214.B). No modification sought (PP1219).

Site OP5 – The Ward

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP5 (RD0214.B). No modification sought (PP1219).

NatureScot has requested that the allocation summary for OP5 in Huntly includes text to help minimise landscape and visual impacts on the setting of Tullochbeg, which contributes to the wider uplands of Clashmach Hill and forms part of the highly sensitive landscape and visual setting to Huntly to the south and west. They note that it has planning permission, but the site is located on sloping ground on the lower slopes of Tullochbeg (RD0255.B) (PP1300).

Kennethmont

Site R1 – To accommodate a car park for the cemetery

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land South of B9002

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

A representee has requested the removal of site OP1's contribution to the allowances of 32 homes. It is stated that an alternative effective allocation should be identified in the Local Growth Area (LGA) of the Rural Housing Market Area (RHMA) or, if marketability constraints preclude this, in the LGA of the adjacent Aberdeen Housing Market Area (AHMA). This is on the basis that the site has not been granted permission yet, there is no confirmation that there is capacity in the Kennethmont waste water treatment plant and it remains to be seen that the remote rural settlement can attract market interest for a site this size. The capacity should not contribute to the allowances given that it is marketability constrained at the base date of the Plan with little confidence of its delivery during the Plan period given the modest build rate seen on other sites in the settlement (PP1033).

Site OP2 – Land Opposite the School

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

Rhynie

Site BUS – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land at Essie Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Ruthven

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the

Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – School Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Modifications sought by those submitting representations:

Cairnie

Site OP1 – Land opposite Hall Cottages

Modify the PLDP to include within the allocation summary a requirement to provide a suitable buffer from the sewage works on the east side of the site (PP1219).

Clatt

Flood Risk

Modify the PLDP to add in a 'Flood Risk' section and bullet point, "Parts of Clatt are at possible risk from flooding from the Gadie Burn. Flood Risk Assessments may be required." (PP1219).

Services and Infrastructure

Modify the PLDP to delete the section titled 'Services and Infrastructure' (PP1118).

Drumblade

Site OP1 – Land to southwest of Drumblade Primary School

Modify the PLDP to replace the last paragraph with, "A single private waste water treatment plant, built to an adoptable standard, will be required for this site." (PP1219).

Forgue

Flood Risk

Modify the PLDP to add in a 'Flood Risk' section and bullet point, "Parts of Forgue are at possible risk from flooding from the Burn of Forgue. Flood Risk Assessments may be required." (PP1219).

Services and Infrastructure

Modify the PLDP to amend the 'Strategic drainage and water supply' bullet point to, "There

is no public waste water infrastructure in Forgue.” (PP1219).

Site OP1 – Land to East of the Rectory

Modify the PLDP to replace the second paragraph with, “A single private waste water treatment plant, built to an adoptable standard, will be required for this site. It will be preferable for the provision of one treatment plant to service both OP1 and OP2.” (PP1219).

Site OP2 – Chapelhill (Land to West and South of Forgue school)

Modify the PLDP to replace the last paragraph with, “A single private waste water treatment plant, built to an adoptable standard, will be required for this site. It will be preferable for the provision of one treatment plant to service both OP1 and OP2.” (PP1219).

Gartly

Flood Risk

Modify the PLDP to add in a ‘Flood Risk’ section and bullet point, “Parts of Gartly are at possible risk from flooding from the Bogie Water. Flood Risk Assessments may be required.” (PP1219).

Services and Infrastructure

Modify the PLDP to delete the ‘Services and Infrastructure’ section (PP1408).

Glass

Flood Risk

Modify the PLDP to add in a ‘Flood Risk’ section and bullet point, “Parts of Glass are at possible risk from flooding from the Markie Water. Flood Risk Assessments may be required.” (PP1219).

Services and Infrastructure

Modify the PLDP to delete the reference to ‘Services and Infrastructure’ in the Glass Settlement Statement (PP1409).

Huntly

Site OP1 – Land at Steven Road

Modify the PLDP to remove site OP1 (PP0025, PP0069 and PP0127).

Site OP5 – The Ward

Modify the PLDP to add after the second sentence of the allocation summary for site OP5, “To minimise landscape and visual impacts the development of industrial units typically

requiring larger footprints should be avoided on the majority of this site, especially in the central and southern portions. More scope exists to develop the north of the site, consolidating the existing industrial development.” (PP1300).

Kennethmont

Site OP1 – Land South of B9002

Modify the PLDP to remove site OP1 contribution of 32 homes to the allowances and identify an alternative effective allocation in the LGA of the RHMA or, if marketability constraints preclude this, in the adjacent LGA of the AHMA (PP1033).

Rhynie

No modifications sought.

Ruthven

No modifications sought.

Summary of responses (including reasons) by planning authority:

Cairnie

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land opposite Hall Cottages

The Council confirms that it intends to address SEPA’s comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Clatt

Flood Risk

The Council confirms that it intends to address SEPA’s comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement which will require to be appropriately assessed by the Council in accordance with the relevant policies of the PLDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Drumblade

Site OP1 – Land to Southwest of Drumblade Primary School

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Forgue

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land to East of the Rectory

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Chapelhill (Land to West and South of Forgue school)

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Gartly

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement which will require to be appropriately assessed by the Council in accordance with the relevant policies of the PLDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Glass

Site R1 – For a community park and car park associated with the community hall

Comments from SEPA are noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement which will require to be appropriately assessed by the Council in accordance with the relevant policies of the PLDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Huntly

Site R1 – For community use and recreation

Comments from SEPA are noted. No change is required.

Site BUS1 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Site BUS2 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Site BUS3 – Safeguarded for business uses

Comments from SEPA and support from a representee are noted. No change is required.

Site BUS4 – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA and Nestrans are noted. No change is required.

Site OP1 – Land at Steven Road

Comments from SEPA are noted. No change is required.

Site OP1 is currently allocated for employment uses within the LDP 2017. This opportunity has not progressed and there is sufficient available employment land elsewhere in the

settlement. The site was not identified as recreational land however, open space is required to be provided as part of any new development. This site provides an opportunity to assist with meeting the high level of affordable housing need, as highlighted in Policy H2 Affordable Housing and fits in with surrounding residential and amenity uses.

The capacity in services and surrounding infrastructure will be assessed on the submission of an application, with developer obligations sought where necessary to offset any impact arising. A Drainage Impact Assessment and Transport Statement will be required to be provided at the application stage as set out in the allocation summary. Consultation with relevant consultees and an assessment will be in accordance with planning policies. No change is required.

Site OP2 – Deveron Road, Site OP3 – Land Adjacent to Linnorie and Site OP4 – Land Adjacent to Linnorie Business Park

Comments from SEPA are noted. No change is required.

Site OP5 – The Ward

Comments from SEPA are noted. No change is required. The Council confirms that it intends to address NatureScot comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Kennethmont

Site R1 – To accommodate a car park for the cemetery, Flood Risk and Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land South of B9002

Comments from SEPA are noted. No change is required.

The Council does not support the removal of site OP1 or the removal of the 32 homes contribution to the allowances. The site is allocated as site OP1 in the LDP 2017 and bid site MR064 was a preferred option in the MIR (AD0038.G, page 63). As set out in Appendix 6 Housing land allocations, allowances from existing constrained sites have contributed where a bid was submitted indicating delivery within the Plan period. Further to this, planning permission APP/2019/0711 for 32 homes was approved (September 2020) and thereby it would not be appropriate to remove this allocation. A growth project has been initiated by Scottish Water as indicated in the 'Services and Infrastructure' section of the Settlement Statement. As highlighted by the representee, there is housing being built within the settlement, albeit slowly. This is not unexpected for a rural area however it does not equate to the site being undeliverable. No change is required.

In light of the grant of planning permission since the publication of the PLDP, the Council intends to update sentence two of paragraph one, removing "subject to a Legal Agreement" from the allocation summary. The Council confirms that it intends to address this through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Land Opposite the School

Comments from SEPA are noted. No change is required.

Rhynie

Comments from SEPA are noted. No change is required.

Ruthven

Comments from SEPA are noted. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.
2. The council has indicated that it intends to make what it refers to as “non-notifiable modifications” in relation to the settlement statement matters covered in Issue 56. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Cairnie

3. Allocation OP1 is for eight houses on land to the south of Bin Avenue. The south eastern corner of the site lies adjacent to the Cairnie waste water treatment works. There are no unresolved representations seeking the removal of allocation OP1. However, the Scottish Environment Protection Agency (SEPA) has suggested a modification to require the provision of a suitable buffer next to the treatment works.
4. The allocation summary in the proposed plan states that planning permission has been approved for eight homes on the site. There were no signs of development at my site inspection. If the previous planning permission has lapsed, a new application would be necessary. Given the potential for odour from the treatment works to have an adverse effect on the amenity of future residents, I consider that a reference to the need for a buffer in the allocation summary for site OP1 would be appropriate. A modification is recommended based on the text suggested by the council.

Clatt, Drumblade, Forgue, Gartly, Glass

5. Comments from SEPA identify some omissions in relation to the information provided on flood risk for the settlements of Clatt, Forgue, Gartly and Glass. I agree with the council that the relevant settlement statements should be modified to include the information provided by SEPA.

6. SEPA has also requested some changes to clarify the information provided on waste water and drainage infrastructure in Drumblade (site OP1) and Forgue (in general and for sites OP1 and OP2). The council supports the suggested changes and I agree that these modifications would be appropriate, in order to provide accurate information for any future developers.

7. Case Consulting Limited considers that the services and infrastructure section in the settlement statements for Clatt, Gartly and Glass should be deleted because there are no development allocations identified in these settlements. The absence of any allocated sites in the proposed plan would not preclude the submission of planning applications for development on sites in or adjacent to these settlements. The potential need for relevant developer contributions towards services and infrastructure is as applicable to proposals on non-allocated sites as it is for those identified in the plan. I therefore consider the inclusion of this information in the settlement statements for Clatt, Gartly and Glass to be appropriate. No modification is recommended in relation to this matter.

Huntly

Allocation OP1 (Land at Steven Road)

8. There are only two housing allocations in Huntly identified in the proposed plan, 50 homes on land at Steven Road (OP1) and 52 homes at Deveron Road (OP2). These are new allocations and are identified as contributing towards the strategic development plan allowance in the Rural Housing Market Area for the period up to 2032. A number of housing allocations in the existing local development plan have not been included in the proposed plan, due to infrastructure constraints associated with the proposed dualling of the A96 road.

9. Allocation OP1 sits to the east of the A96 and other neighbouring uses include a Tesco superstore to the northwest, housing to the north and east and an industrial estate to the south. There is a children's nursery located to the south of the site within the Steven Road industrial area. The OP1 site currently forms part of allocation BUS 1 in the adopted local development plan. I note that representations to allocation OP1 do not raise any issues in relation to the loss of employment land.

10. There are general concerns regarding the impact of additional housing on services and infrastructure in Huntly. However, SEPA has raised no strategic drainage or water supply issues. Whilst the strategic environmental assessment report indicates that the local primary school is at capacity, the 2019 School Roll Forecast does not show any education capacity issues in Huntly. On the basis that policy RD2 Developer Contributions provides a mechanism for mitigating impact on education services, if there are issues in relation to school capacity, I consider that these can be overcome.

11. Huntly has a range of shopping, other local facilities and employment opportunities. Compared to the scale of development currently allocated in the adopted local development plan, a proposal for 50 homes would have much less impact on local infrastructure. I note that a drainage impact assessment would be provided at the planning application stage.

12. Representations have questioned the need for more affordable housing in Huntly. The council's response does not provide any information in support of its position that

there is a high level of affordable housing need. However, I note that the local housing strategy identifies Huntly as a medium priority settlement in terms of housing need based on a 2016/17 assessment of waiting list, turnover and stock data.

13. A number of representations raise concerns in relation to the impact of the allocation on traffic and road safety, including in relation to the children's nursery on Steven Road. Given that the site is currently allocated for business uses which would also generate traffic, I do not consider that these concerns would justify the removal of the allocation. Detailed matters relating to the two proposed points of access and footpath/cycleway connectivity would be addressed through the required transport assessment.

14. The Huntly Key Map shows a number of areas of land as protected open space for recreational and amenity purposes. Whilst I acknowledge that site OP1 may be used informally for recreational purposes, it is not currently allocated as open space or recognised for its wildlife value. Matters relating to site layout and impact on key views can be addressed at the planning application stage.

15. Within this context and the need for the plan to identify sites to meet the strategic development plan housing allowances, I consider that housing allocation OP1 should be retained. No modification is required.

Site OP5 – The Ward

16. Site OP5 is located to the southwest of the roundabout which forms the junction between the A96 and A97 roads. There are existing business uses and other business safeguards and allocations in the vicinity of the site. The allocation in the proposed plan reflects that planning permission has been granted for classes 2 and 4 business uses on the site. However, there were no signs of any development at my site inspection. If the previous planning permission has lapsed, a new application would be necessary.

17. NatureScot has requested a modification to the allocation summary to minimise the landscape and visual impacts of development upon the setting of Huntly. The implications of the requested change would be to prevent "the development of large industrial units on the central and southern portions of the site. The council has indicated that it supports this change.

18. I agree that development on site OP5 should seek to minimise landscape and visual impacts on Tullochbeg and the sensitive landscape setting to the south west of Huntly. However, the reason given by NatureScot for the requested modification is that the site "is located on sloping ground on the lower slopes of Tullochbeg". From my site inspection, I observed that site OP5 is relatively flat and that the ground only starts to slope upwards beyond the electricity pylons, which run to the south of the site. An existing wood yard and site OP4 are located closer to the slopes of Tullochbeg than site OP5. I consider that the low lying nature of the site and existing planting along the A96 and A97 would help mitigate the visual impact of development from these main roads. In long range views from the south and west, any development on the site would be likely to be seen within the context of the auction mart and other buildings to the west and the Asda supermarket to the north.

19. The modification sought by NatureScot would potentially reduce the development capacity of site OP5 and may have implications for the viability of the allocation. Given the

characteristics of the site and the nature of neighbouring uses, it may not be necessary to restrict development on parts of the allocation. I therefore do not consider the suggested change to the proposed plan is justified. Instead, I recommend a modification to the allocation summary for site OP5 to indicate that proposals should seek to minimise landscape and visual impacts on Tullochbeg and the sensitive landscape setting to the south west of Huntly. This would allow the landscape and visual impacts of the proposed layout to be assessed and mitigated at planning application stage.

Kennethmont

20. The council has indicated that planning permission has now been granted for 32 homes on site OP1. I note that the site is identified as effective in the 2020 Housing Land Audit, with completions anticipated in the period 2021 – 2023. I consider that the information contained in the 2020 Housing Land Audit provides evidence to justify the site's contribution towards the strategic development plan allowance for the Rural Housing Market Area. To provide clarification, I agree that the words "subject to a legal agreement" should be deleted from the allocation summary for site OP1.

Reporter's recommendations:

Modify the local development plan by:

Cairnie

1. Adding the following new sentence to the end of the allocation summary for site OP1 (Land Opposite Hall Cottages) in the Cairnie settlement statement on page 793:
"Liaison with the Council's Environmental Health Service is required to determine a suitable buffer from the sewage works on the eastern side of the site."

Clatt

2. Adding a new sub-heading "Flood Risk" to the Clatt settlement statement on page 794, with the following new bullet point:
"• Parts of Clatt are at possible risk from flooding from the Gadie Burn. Flood Risk Assessments may be required."

Drumblade

3. Replacing the third paragraph of the allocation summary for OP1 – Land to Southwest of Drumblade Primary School in the Drumblade settlement statement on page 801 with:
"A single private waste water treatment plant, built to an adoptable standard, will be required for this site."

Forgue

4. Adding a new sub-heading "Flood Risk" to the Forgue settlement statement on page 806, with the following new bullet point:
"• Parts of Forgue are at possible risk from flooding from the Burn of Forgue. Flood Risk Assessments may be required."

5. Replacing the second bullet point in the services and infrastructure section of the

Forge settlement statement on page 806 with:

“• Strategic and drainage water supply: There is no public waste water infrastructure in Forge.”

6. Replacing the second paragraph of the allocation summary for OP1 – Land to East of the Rectory and the last paragraph of the allocation summary for OP2 – Chapelhill in the Forge settlement statement on page 807 with the following text:

“A single private waste water treatment plant, built to an adoptable standard, will be required for this site. It will be preferable for the provision of one treatment plant to service both OP1 and OP2.”

Gartly

7. Adding a new sub-heading “Flood Risk” to the Gartly settlement statement on page 809, with the following new bullet point:

“• Parts of Gartly are at possible risk from flooding from the Bogie Water. Flood Risk Assessments may be required.”

Glass

8. Adding a new sub-heading “Flood Risk” to the Glass settlement statement on page 811, with the following new bullet point:

“• Parts of Glass are at possible risk from flooding from the Markie Water. Flood Risk Assessments may be required.”

Huntly

9. Adding the following new eighth sentence (after “...within and along the boundaries of the site.”) to the allocation summary for OP5 (The Ward) in the Huntly settlement statement on page 818:

“Proposals should seek to minimise landscape and visual impacts on Tullochbeg and the sensitive landscape setting to the south west of Huntly.”

Kennethmont

10. Replacing the second sentence of the first paragraph in the allocation summary for site OP1 (Land south of B9002) in the Kennethmont settlement statement on page 831 with:

“Planning permission for 32 homes has been approved.”

<p>Issue 57</p>	<p>Other Settlements RHMA (Marr) Central – Glenkindie, Keig, Kirkton of Tough, Lumsden, Montgarrie, Monymusk, Muir of Fowlis, Tillyfourie, Towie and Whitehouse</p>	
<p>Development plan reference:</p>	<p>Proposed LDP, Appendix 7F Marr, Page 813-814 Proposed LDP, Appendix 7F Marr, Page 837-838 Proposed LDP, Appendix 7F Marr, Page 845-846 Proposed LDP, Appendix 7F Marr, Page 847-848 Proposed LDP, Appendix 7F Marr, Page 849-850 Proposed LDP, Appendix 7F Marr, Page 827-828 Proposed LDP, Appendix 7F Marr, Page 867-869 Proposed LDP, Appendix 7F Marr, Page 870-871</p>	<p>Reporter: Alison Kirkwood</p>
<p>Body or person(s) submitting a representation raising the issue (including reference number):</p>		
<p>Glenkindie PP1219 Scottish Environment Protection Agency</p> <p>Keig PP0777 Mr and Mrs Gabriel PP0835 Mr Simon Timothy PP1131 Mr and Mrs Garden PP1219 Scottish Environment Protection Agency PP1231 Mrs Grant PP1411 c a s e CONSULTING Limited</p> <p>Kirkton of Tough PP1063 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Lumsden PP0720 Ms Sam Trotman PP1219 Scottish Environment Protection Agency</p> <p>Montgarrie PP1283 W & W Mackie</p> <p>Monymusk PP0055 Mrs Susan Pike PP0494 Monymusk Community Council PP0495 Monymusk Community Council PP0496 Monymusk Community Council PP0616 Monymusk Land Company PP1219 Scottish Environment Protection Agency</p>		

Muir of Fowlis

PP1219 Scottish Environment Protection Agency

Tillyfourie

PP0723 Mr and Mrs Charles Miller

Towie

PP1070 c a s e CONSULTING Limited
PP1219 Scottish Environment Protection Agency

Whitehouse

PP1219 Scottish Environment Protection Agency

Provision of the development plan to which the issue relates:

Glenkindie Settlement Statement
Keig Settlement Statement
Kirkton of Tough Settlement Statement
Lumsden Settlement Statement
Monymusk Settlement Statement
Muir of Fowlis Settlement Statement
Towie Settlement Statement
Whitehouse Settlement Statement
Other Marr (central) Settlements

Planning authority's summary of the representation(s):

Glenkindie

Flood Risk

Scottish Environment Protection Agency (SEPA) has recommended for consistency that a new 'Flood Risk' section and bullet point is added to state that, "Parts of Glenkindie are adjacent to the River Don 1 in 200-year flood area shown on SEPA's Indicative Flood Map. Flood Risk Assessments may be required." (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land to the West of Glenkindie Bowling Club

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Keig

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land North of Braehead

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Representees have objected to the work being carried out by the same developer, who leaves the site unkept impacting on the amenity of the residents of Keig. There should be a time limit on carrying out the development or enforcement for the developer to tidy the site (PP0777, PP0835, PP1131 and PP1231).

The consented capacity is 13 homes with 3 homes left as at, 1 January 2019. The site should reflect actual position as detailed within the Housing Land Audit (HLA) 2019 as the LDP is based to the 1 January 2019. This is to avoid the perception that the land bank is larger than it actually is (PP1411).

Kirkton of Tough

Services and Infrastructure

SEPA has requested that the 'Strategic drainage and water supply' bullet point refers to public waste water infrastructure rather than waste water treatment (RD0214.B) (PP1219).

A representee has requested that reference to 'Services and Infrastructure' in Kirkton of Tough Settlement Statement is deleted. No residential allocation has been identified so there will be no development impacts required to be mitigated by Developer Obligations. The section is considered unnecessary (PP1063).

Lumsden

Site BUS – Safeguarded for business uses

A representee has requested the removal of site BUS within Lumsden as it negatively impacts on the business at Scottish Sculpture Workshop (SSW), which attracts international visitors and is a meeting space for the local community. The recently granted planning permission for a new workshop within the SSW will be impacted on by any new buildings within the site BUS, it will cause a loss of natural light and diminish site lines (PP0720).

Flood Risk

SEPA has requested amending the 'Flood Risk' bullet point to include the need for buffer strips (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Montgarrie

Settlement Status and Non-Allocated Site – Bid Site MR032 – Land at Montgarrie East

A representee has requested the allocation of bid site MR032 and designation of Montgarrie as a settlement for the following reasons:

- The allocation would provide an appropriate extension on an unconstrained site, providing choice, suitable to local builders, potential self-build opportunity, and ensuring an effective supply.
- A mixed-use development could deliver services and facilities currently missing from the settlement.
- The uptake of 'organic growth' policy to its full capacity demonstrates the demand and desirability of the settlement.
- There are other smaller villages in more remote areas that are defined settlements.
- The PLDP sets out a welcome approach to development in the countryside but policies leave no scope for growth and opportunity to provide additional local services.
- The PLDP strategy appears to favour 'centralisation' by focussing allocations in larger settlements, and this does not allow for measured growth of smaller settlements such as Montgarrie which have more than 14 homes but are not an identified settlement, and therefore caught between policies.

The representee has included an Appendix (RD0239.A) in their representation which provides further detail to support their position (PP1283).

Monymusk

Vision

Monymusk Community Council has stated that there is no reference to Monymusk Church within the Settlement Statement with concern raised that it may be lost as it is not recorded. The Vision should give a more complete sense of place, significance and better recognition of its Historical Environment, particularly in respect of conservation and tourism potential (PP0494).

Flood Risk

SEPA has confirmed that they have no issues with the Flood Risk section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Monymusk Community Council has stated that the most recent housing was built with a SuDS scheme which contributes to surface water drainage to the sewer system and drainage network rather than a collection pond, which joins the Todlachie Burn which can back up. There have been previous incidents of flood water blocking the road during extreme weather. There is an issue with flood risk with Todlachie Burn and any further developments should take this into account and a Flood Risk Assessment may be required (PP0495).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Non-Allocated Site – Bid Site MR074 – Phase 3, Land South of Clyans Wood

A representee has requested the allocation of Phase 3a (46 units) of the Monymusk Masterplan as a reserved/future allocation of land for development within the Plan period. In the MIR the site was identified by Officers as a "reserved" site. The land has been included in the approved Monymusk Masterplan and as an "fh" site in the previous Local Plan. Matters raised at the MIR stage can be addressed through a planning application (sewage treatment capacity, water supply, impact on the River Don, natural habitat, primary school capacity and flood risk). The Masterplan includes provisions for footpath/cycle links to Millennium Wood providing a circular route. The classification of the land as prime agricultural is disputed. The previous phases of this development were both far closer to the Conservation Area and were not considered to have an adverse impact. Whilst the representee acknowledges that there is not perceived to be a need for new housing at this stage, this is a long-term plan, and the applicants are seeking a "reserve allocation" for development in the next Plan period. Nevertheless, if the Reporter decided that additional short-term land was required, this could be facilitated on this site. The representee has included an Appendix (RD0101.A) in their representation which provides further detail to support their position (PP0616).

A representee has objected to any inclusion of bid site MR074 for 46 homes. Concern is raised regarding increased vehicular traffic, preserving community feel by allowing it to absorb the two recent housing developments, concern regarding unsustainable waste water treatment issues, flooding, transportation and road safety, education limitations and the loss of prime agricultural land. No modification sought (PP0055).

Settlement Map

The Settlement Statement map does not show the latest housing within the settlement. There are 5 social houses north of St Andrews Street missing from the map and 6 social houses west of the school rather than 4 shown on the map. This is important for implications for population size and implications on services including water, the Waste Water Treatment Works (WWTW), transport and education (PP0496).

Muir of Fowlis

Flood Risk

SEPA has requested amending the 'Flood Risk' bullet point for BUS site to include the need for buffer strips, as any further development on this site will be required to provide a suitable buffer between the Leochel Burn to mitigate not only against flood risk but also against the possible natural migration of the Burn (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage

and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land Opposite the Manse

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

Tillyfourie

Settlement Status

A representee has requested that Tillyfourie's settlement status is reinstated from the Local Plan 2006 and included in the Marr Settlement Statements for the following reasons:

- The PLDP advocates a welcoming approach to development in the countryside, promoting different patterns of development within accessible and remote areas, and that rural living can reduce the need to travel.
- Due to changes to the settlement strategy in the PLDP and changes in housing outlook and local economy.
- Tying the definition of a settlement to the specific facilities in a report which is out of date is arbitrary and unreliable, facilities are not viable in settlements these days with the changing economy and facilities were not required for its previous designation as a settlement up to 2012.
- It should be considered a settlement in the broad sense of the LDP definition as it features urban characteristics such as street lighting, would bring environmental and social benefits, help to support the school roll and provide an opportunity for new community facilities.

The representee has included a number of Appendices (RD0121.A – RD0121.D) in their representation which provides further detail to support their position (PP0723).

Non-Allocated Site – New Site N025 – Land at Tillyfourie

A representee has requested the allocation of site N025 (the representee's plan 3) as it would round off a small housing development with public space and landscaping, link to the adjacent woodland and is serviced. It could be sensitively developed with no amenity impact or detrimental impacts upon the character, layout nor building pattern of the existing settlement. Planting on the site would provide a long-term defensible boundary adjacent to the felled woodland. It creates an opportunity for improvement by removing an existing commercial use of the site. It would bring environmental, visual, amenity and social benefits to the area. The representee has included a number of Appendices (RD0121.A – RD0121.D) in their representation which provides further detail to support their position (PP0723).

Towie

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has requested that the 'Strategic drainage and water supply' bullet point refers to public waste water infrastructure rather than waste water treatment (RD0214.B) (PP1219).

Site OP1 – Land Adjacent to the Hall

SEPA has requested, for site OP1, replacing the second paragraph in the allocation text (RD0214.B) (PP1219).

A representee has requested the removal of site OP1's contribution to the allowances of 5 homes. It is stated that an alternative effective allocation should be identified in the Local Growth Area (LGA) of the Rural Housing Market Area (RHMA) or, if marketability constraints preclude this, in the LGA of the adjacent Aberdeen Housing Market Area (AHMA). The site is marketability and ownership constrained with few homes built in the settlement over the past 11 years. There is no guarantee that the housing would be delivered during the Plan period. Given the scale of the settlement it would be more appropriate to accommodate development through organic growth if demand arises (PP1070).

Whitehouse

Site BUS – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has requested that the 'Strategic drainage and water supply' bullet point refers to public waste water infrastructure rather than waste water treatment (RD0214.B) (PP1219).

Modifications sought by those submitting representations:

Glenkindie

Flood Risk

Modify the PLDP to add in a 'Flood Risk' section and bullet point, "Parts of Glenkindie are adjacent to the River Don 1 in 200-year flood area shown on SEPA Indicative Flood Map. Flood Risk Assessments may be required." (PP1219).

Keig

Site OP1 – Land North of Braehead

Modify the PLDP to prohibit the developer who built the existing homes on site OP1 from building the remaining on the site. Seek a guarantee that the developer has the funds to build the remaining homes on site OP1, they will be built in a timely manner and that the site will be cleared of construction waste (PP0777, PP0835 and PP1231).
Modify the PLDP to remove site OP1 (PP1131).

Modify the PLDP to amend the allocation to 3 homes (PP1411).

Kirkton of Tough

Services and Infrastructure

Modify the PLDP to amend the 'Strategic drainage and water supply' bullet point to: "There is no public waste water infrastructure available." (PP1219).

Modify the PLDP to delete reference to 'Services and Infrastructure' in Kirkton of Tough Settlement Statement (PP1063).

Lumsden

Site BUS – Safeguarded for business uses

Modify the PLDP to remove site BUS (PP0720).

Flood Risk

Modify the PLDP to amend the 'Flood Risk' bullet point to read, "A small watercourse flows adjacent to the BUS site and buffer strips will be required alongside it. A Flood Risk Assessment may be required." (PP1219).

Montgarrie

Settlement Status and Non-Allocated Site – Bid Site MR032 – Land at Montgarrie East

Modify the PLDP to recognise Montgarrie as a settlement with a Settlement Statement (PP1283).

Modify the PLDP to include MR032 for 30 homes and community facility and/or retail unit (PP1283).

Monymusk

Vision

Modify the PLDP to amend the second sentence of the Vision to read, "The village has a Conservation Area where the square and historic 12th century church form the central area." (PP0494).

Flood Risk

Modify the PLDP to include a 'Flood Risk' section stating, "The Todlachie Burn runs

through the village and past the sewage works to an outfall at the River Don. There have been incidences of flooding and damage to riparian properties in the village, closure of road access to the village and overwhelming of the sewage works. A Flood Risk Assessment may be required.” (PP0495).

Non-Allocated Site – Bid Site MR074 – Phase 3, Land South of Clyans Wood

Modify the PLDP to include bid site MR074 in the Settlement Statement reflecting the approved Monymusk Masterplan (PP0616).

Settlement Map

Modify the PLDP to update Monymusk Settlement Statement map to show the block of social housing to the north of the street, St Andrews and to show there are six housing units west of the school (PP0496).

Muir of Fowlis

Flood Risk

Modify the PLDP to amend the ‘Flood Risk’ bullet point to, “Sites OP1 and BUS1 are adjacent to the indicative extent of the Leochel Burn. Buffer strips will be required alongside the watercourse. Flood Risk Assessments may be required” (PP1219).

Tillyfourie

Settlement Status

Modify the PLDP to recognise Tillyfourie as a settlement with a Settlement Statement with boundaries according to the 2006 Local Plan including the respresentee’s land, otherwise as a minimum include Plot 7 and its adjacent proposed landscaped area (PP0723)

Non-Allocated Site - New Site N025 – Land at Tillyfourie

Modify the PLDP to include site N025 as a development opportunity (PP0723).

Towie

Services and Infrastructure

Modify the PLDP to amend the ‘Strategic drainage and water supply’ bullet point to, “There is no public waste water infrastructure available.” (PP1219).

Site OP1 – Land Adjacent to the Hall

Modify the PLDP to replace the second paragraph of the allocation summary with, “A single private waste water treatment plant, built to an adoptable standard, will be required for this site.” (PP1219).

Modify the PLDP to remove site OP1, contribution of 5 homes to the allowances and apply the organic growth policy to the settlement (PP1070).

Whitehouse

Services and Infrastructure

Modify the PLDP to amend the 'Strategic drainage and water supply' bullet point to, "There is no public waste water infrastructure available." (PP1219).

Summary of responses (including reasons) by planning authority:

Glenkindie

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land to the West of Glenkindie Bowling Club

Comments from SEPA are noted. No change is required.

Keig

Flood Risk and Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land North of Braehead

Comments from SEPA are noted. No change is required.

Once development has commenced on site, this planning permission remains in perpetuity. It is not possible to control the timescales for implementation and completion, nor the time the developer takes to complete the site, this will be influenced by market demand. This is not an element that can be controlled through planning. No change is required.

Site OP1 was formerly allocated as OP2 within the LDP 2017. Planning permission has already been granted for 13 homes and construction is underway. Although progress on the site is slow, it is coming forward on a plot-by-plot basis. The site remains to be considered appropriate for development. No change is required.

The allocation total of 13 homes reflects the planning permissions granted within the site area. The site boundaries have not been adjusted with the site being carried forward and thereby totals are also representative of completed units within the allocated area. Housing completions are set out within Appendix 6 Housing Land Allocations. Details on the calculation of the housing land supply and contributions to the allowances are provided in the Schedule 4 Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing

Land Allocations. No change is required.

Kirkton of Tough

Services and Infrastructure

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Whilst there are no allocated sites identified within the settlement boundary, proposals for new development may still be submitted for sites within and adjacent to the settlement which will require to be appropriately assessed by the Council in accordance with the relevant policies of the PLDP. In such instances, developer obligations will require to be sought to ensure that development impacts are mitigated against. No change is required.

Lumsden

Site BUS – Safeguarded for business uses

Previously this site was allocated in the LDP 2017 which has been taken forward to the PLDP. It provides potential employment opportunities for Lumsden and its surrounding rural area. It remains to be appropriate to provide an employment opportunity. Matters relating to visual and amenity impacts of any proposal would be assessed at the planning application stage. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Montgarrie

Settlement Status and Non-Allocated Site – Bid Site MR032 – Land at Montgarrie East

The Council does not support allocating bid site MR032 for 30 homes and community facility and/or retail unit or a Montgarrie Settlement Statement within the PLDP. There are a number of constraints noted within the MIR (AD0038.G, page 106) relating to particularly to the overdevelopment of the settlement, impact on its character and issues of car reliance. The nearby settlement of Alford provides sufficient housing opportunity to serve the local area. Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

The matter of Montgarrie being defined as a settlement was raised through the MIR consultation where it was acknowledged as a settlement (AD0040.G, page 148). However, as there are no protected, reserved or opportunity sites identified there is no

need to include Montgarrie within Appendix 7 Settlement Statements. No change is required.

Monymusk

Vision

The Vision states that Monymusk is of historical significance and outlines the protection through its location within a Conservation Area. Any planning application would be required to ensure it is appropriate for the sensitive location and assessed in line with planning policy. However, the Council recognises the Category A-Listed Monymusk Parish Church within its centre forms a part of the sense of place. If the Reporter is minded, the Council recommend the representee's modification is made to the Vision.

Flood Risk

Comments from SEPA are noted. No change is required. SEPA have been consulted on the Settlement Statement and have confirmed that they have no comment in relation to 'Flood Risk' or the 'Strategic drainage and water supply' bullet point. However, on the submission of a planning application, if concern is raised with regard to flooding, relevant consultation will be undertaken and considered in accordance with planning policy. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Non-Allocated Site – Bid Site MR074 – Phase 3, Land South of Clyans Wood

The Council does not support allocating bid site MR074. There are a range of constraints and issues to be addressed if this site was to be brought forward. Following recent significant growth in Monymusk, it is maintained that the village requires time to consolidate (AD0040.G, pages 116-117). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is also an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Settlement Map

The Council does not agree that the map requires to be updated. Settlement Statement maps cannot be used as a reliable source for any population/household calculations and statistical information given that they are static maps, unable to be maintained. It is anticipated that many Settlement Statement maps may already have altered, for example, through ongoing progress of development sites. The Council periodically receives updates to the Ordnance Survey (OS) basemap, but land use change within settlements are separately recorded and do not rely on this OS basemap. No change is required.

Muir of Fowlis

Flood Risk

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land Opposite the Manse

Comments from SEPA are noted. No change is required.

Tillyfourie

Settlement Status

The Council does not support the inclusion of a Settlement Statement for Tillyfourie. As raised through the MIR 2019 consultation, Tillyfourie did not meet the definition of "settlement" as it lacks sufficient urban characteristics and facilities (AD0040.G, page 148). Further to this, it has no, allocated, protected or reserved sites therefore, there is no requirement to provide a Settlement Statement with Appendix 7 of the PLDP. It is also not considered necessary to identify opportunity for growth through identifying a settlement boundary thereby providing opportunity for infill development. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Non-Allocated Site - New Site N025 – Land at Tillyfourie

The Council does not support new site N025 as a development opportunity. It was not put forward as a development bid so was not considered as such at the MIR stage, nor subject to site assessment and public consultation. The representation contains site plans but does not include any supporting information such as an environmental assessment to allow a detailed evaluation of the suitability of the proposal. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Aberdeen Housing Market Area. No change is required.

Towie

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land Adjacent to the Hall

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not support the removal of site OP1 or of the 5 homes contribution to the allowances. The site is allocated as site OP1 in the LDP 2017 and bid site MR051 was a preferred option in the MIR (AD0038.G, page 98). As set out in the PLDP Appendix 6: Housing land allocations, allowances from existing constrained sites have contributed where a bid was submitted indicating delivery within the Plan period. As highlighted by the representee, there is housing being built within the settlement, albeit slowly. This is not unexpected for a rural area, however, it does not equate to the site being undeliverable. No change is required.

Whitehouse

Site BUS – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to the settlements statements matters covered in Issue 57. However, where such matters arise from representations made to the proposed plan they require to be considered in the examination. I therefore address these as appropriate below.

Glenkindie

3. There is no information provided on flood risk for Glenkindie in the proposed plan. I agree that the additional bullet point suggested by the Scottish Environment Protection Agency (SEPA) should be included to address this omission. A modification to this effect is recommended.

Keig

4. The council has explained that, whilst the planning system can require development to commence within an identified time period, it cannot control how long it takes to complete construction. Unless there are specific circumstances which would justify a personal consent, planning permission relates to the land not an individual developer. There is nothing further I can add on this matter.

5. I observed on my site inspection that there were 10 houses completed on site OP1. With only three individual plots remaining, the council could have chosen not to show the site as a housing allocation in the proposed plan. However, the allocation summary explains the context for the allocation and there is no reason for me to recommend it be removed from the plan. Matters relating to homes built before 2019 being included in the housing land supply are addressed under Issue 5. No modifications are required.

Kirkton of Tough

6. I consider that the wording of the strategic drainage and water supply bullet point should be amended to reflect the advice from SEPA. A modification is recommended.

7. I agree with the council that the services and infrastructure section should be retained as planning applications may come forward on sites not identified as allocations in the plan. No modification is required.

Lumsden

8. I note that there are no other sites safeguarded for business use in Lumsden. I agree with the council that the safeguarded site at the northern end of the village should be retained to provide for employment opportunities. I also agree that the concerns raised regarding impact on the neighbouring business use can be addressed when detailed proposals come forward. However, I conclude that it would be appropriate to highlight that consideration should be given to potential adverse impacts on neighbouring uses. A modification to this effect is recommended.

9. I agree that the flood risk bullet point should be amended to alert prospective developers of the need for buffer strips next to the watercourse, in line with SEPA's advice.

Montgarrie

Non-Allocated Bid Site MR032 – Land at Montgarrie East

10. Bid site MR028 is an open, agricultural field located to the north east of the village crossroads and to the west of a housing cluster at Whitehouse Farm. The site slopes downwards from north to south, with most of the land sitting higher than the existing housing to the south. The bid proposal is for up to 30 houses and a community facility and/or retail unit. The submitted indicative site layout shows development pockets set within landscaping and a circular road layout. However, the location of the non-residential uses is not shown.

11. Montgarrie is located approximately two kilometres to the north of Alford. The representation on behalf of W & W Mackie indicates that there are over 70 houses in

Montgarrie, including 18 new homes approved as brownfield opportunities or as organic growth proposals. Whilst the majority of houses in Montgarrie are located to the south of the crossroads, there are ribbons of development to the north and east of the crossroads, which the site sits behind. I note that development on this site would close the existing gap between the main built up area and the housing at Whitehouse Farm to the east.

12. The council's assessment of this site is set out in the Main Issues Report, Issues and Actions Paper and the Strategic Environment Assessment environmental report. The environmental report states that: "The site has an overall positive impact due to access to open space and choice of housing. Impacts on cultural heritage, water and infrastructure may be mitigated."

13. Montgarrie lies within the Rural Housing Market Area. It is concluded under issue 5 that there is sufficient housing land in the Rural Housing Market Area to meet the Strategic Development Plan allowance. The allocation of this site can therefore not be justified on the grounds of housing need.

14. I note that some local facilities are now proposed alongside the housing, in response to the concerns raised by the council at main issues report stage. However, I find that I have insufficient detail before me to properly assess this element of the proposal. Even with the provision of a community facility and/or retail unit, I find that residents would have to travel to Alford to access services. Whilst I note that there is a bus service connecting Montgarrie to Alford and a core path, I agree with the council that an allocation of 30 houses in this location would encourage car dependency. This would be contrary to the plan's vision which seeks to promote sustainable development that reduces the need to travel and reduces reliance on private cars.

15. I also consider that development on this sloping site would be visually prominent and would alter the character of this predominantly linear settlement. W & W Mackie states that without an identified allocation, there would be no opportunity for further housing in Montgarrie. However, policy R2.11 states that "small-scale growth of identified settlements may be permitted..." The list of identified settlements is to be provided in a not yet published planning advice document. Whilst this is not matter for the local development plan examination, this list could potentially include Montgarrie.

16. Overall I conclude that the adverse effects of development on this site would outweigh the potential benefits in terms of providing additional housing and local facilities. No modification is required.

17. Due to the absence of any local facilities, I do not consider that Montgarrie meets the definition of "a settlement" provided in the glossary of the proposed plan. However, I note that the use of this definition is not applied consistently in the proposed plan and there are settlement statements for settlements which do not meet this definition. The council has explained that statements are provided where there are allocated, protected or reserved sites to be shown. Given my recommendations in relation to bid site MR032 and the absence of any other allocated, protected or reserved sites in Montgarrie, I do not consider that a settlement statement is required. No modifications are recommended.

Monymusk

Vision

18. I agree with the community council that the church contributes to the sense of place and historic environment in Monymusk. I consider that the vision section should make reference to the church and recommend a modification in line with that suggested by the community council.

Flood Risk

19. There is no flood risk section in the Monymusk settlement statement in the proposed plan. The community council considers that there is a risk of flooding from the Todlachie Burn and has referred to previous incidences of flood damage in the village. Comments regarding potential flood risk are also mentioned in the representation promoting non-allocated bid site MR074. Whilst SEPA has not requested any modification on this matter, I note that where a watercourse runs through other settlements, advice in relation to potential flood risk is provided.

20. In the interests of consistency and to take account of local knowledge provided by the community council, I recommend a modification to include a flood risk section in the Monymusk Settlement Statement.

Non-Allocated Bid site MR074 Land south of Clyans Wood

21. Monymusk Land Company is seeking the identification of site MR074, which forms phase 3 of the Monymusk Master Plan, as a future housing allocation. However, it indicates that the site could be made available to meet any immediate shortfall in housing land. I note that the site was presented as a preferred reserved site in the main issues report.

22. The site is currently a flat agricultural field, located to the north of the primary school and recent housing development at St Thomas. The council's assessment of this site is set out in the Main Issues Report, Issues and Actions Paper and the Strategic Environment Assessment environmental report. The environmental report states that: "The site has a mixed impact with negative impacts due to the proximity to key services and loss of prime agricultural land. Positive impacts include choice of housing and biodiversity. Mitigation would overcome flooding issues and provide a habitat buffer."

23. Following the Main Issues Report stage, the council decided not to reserve future housing sites. I note that there is no requirement in the strategic development plan for them to do so. Matters relating to the overall housing provision in the proposed plan are covered in Issues 2 and 5. Monymusk lies within the Aberdeen Housing Market Area. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I have therefore considered whether this site should be allocated to help meet this shortfall.

24. The council raised a number of issues in relation to the development of this site in the issues and actions paper. I note that the representation on behalf of Monymusk Land Company seeks to address these. I agree that matters such as sewage treatment capacity, water supply, drainage arrangements, flood risk and school capacity can be addressed when a planning application is submitted.

25. As there is modern housing located between the site and the boundary of the conservation area, I do not consider the allocation of this site would have an adverse impact on the conservation area. However, housing development at this location is likely to be visually prominent from the adjacent road, and would alter the character of the approach to the village from the north. Consideration would need to be given to impact on the adjacent designed landscape. A number of housing allocations in the proposed plan involve development on prime agricultural land. I agree that this may be justified, if required to meet housing need.

26. Whilst I note the concerns regarding the lack of public transport, there is a school and a range of local services in Monymusk, unlike some other settlements where housing allocations are being promoted. However, there has been substantial new housing development in Monymusk in recent years, relative to the size of the settlement and there would appear to be a consensus that a period of consolidation is required. There are other suitable housing sites to meet the identified shortfall in the Aberdeen Housing Market Area and therefore the allocation of this site is not required to meet housing need. No modification is recommended.

Settlement Map

27. The changes to the settlement map sought by the community council relate to the ordnance survey base. The two sites referred to are located within the settlement boundary and I do not consider that the slightly out of date base map has any implications for the local development plan. No modification is required.

Muir of Fowlis

28. SEPA has requested that the flood risk bullet be amended to include reference to the provision of buffer strips along the watercourse. The BUS allocation lies immediately to the south of the Leochel Burn and I agree that a buffer strip would be necessary in line with policy PR1.3 Water Environment. However, site OP1 is located around 75 metres from the Leochel Burn and therefore a buffer strip alongside the watercourse would not be possible within the site boundary. I note that planning permission has already been granted for six houses on the site. In the absence of a relevant unresolved representation, there is no scope for me to amend the text which states that site OP1 is adjacent to the burn. However, I consider that a modification to require a buffer strip should relate to the BUS allocation only.

Tillyfourie

29. Tillyfourie comprises around 20 houses close to the junction of the B993 and A944 roads. Whilst there are no local facilities, I note that bus services provide access to local schools, Alford, Inverurie and Aberdeen. The representation from Mr and Mrs Miller seeks the allocation of site N025 for residential development, open space and landscaping. A single house is proposed along the frontage of the B993 and immediately to the east of the row of existing houses. No further information is provided in relation to the development of the remainder of the site, which sits between the housing along the B993 and the A944. I note that a bid proposal was not submitted for this site prior to the publication of the main issues report and that it has not been included in the council's strategic environmental assessment of alternative proposals or subject to public consultation.

30. Tillyfourie lies within the Aberdeen Housing Market Area. The council considers that the proposed plan identifies sufficient housing land in the required Strategic Development Plan allowances. Matters relating to the overall housing provision in the proposed plan are covered in Issues 2 and 5. For the reasons set out in the schedule 4 for issue 5, it is concluded that there is a shortfall in the housing land identified to meet the strategic development plan allowance for the Aberdeen Housing Market Area. I have therefore considered whether this site should be allocated to help meet this shortfall.

31. I do not have sufficient information before me to fully assess the suitability of site N025. However, I consider that a site of this size would represent overdevelopment, given the existing number of houses in Tillyfourie. In the absence of local facilities, I consider that the development at this location would encourage car dependency. This would be contrary to the plan's vision which seeks to promote sustainable development that reduces the need to travel and reduces reliance on private cars. There are other suitable housing sites to meet the identified shortfall in the Aberdeen Housing Market Area and therefore the allocation of this site is not required to meet housing need. No modification is required.

32. Due to the absence of any local facilities, I do not consider that Tillyfourie meets the definition of "a settlement" provided in the glossary of the proposed plan. However, I note that the use of this definition is not applied consistently in the proposed plan and there are settlement statements for settlements which do not meet this definition. The council has explained that statements are provided where there are allocated, protected or reserved sites to be shown. Given my recommendations in relation to bid site NO25 and the absence of any other allocated, protected or reserved sites in Tillyfourie, I do not consider that a settlement statement is required. The list of "identified settlements" referred to in policy R2.11 will be set out in planning advice and is therefore not a matter of the local development plan examination. No modifications are recommended.

Towie

33. SEPA has requested two changes to the Towie settlement statement. I agree that these are necessary in the interest of clarity and recommend modifications to this effect.

34. Site OP1 for 10 homes is identified in the 2020 Housing Land Audit as having marketability and ownership constraints. I note that a number of sites identified to meet the strategic development plan allowance for the Rural Housing Market Areas, are subject to a marketability constraint. Non-site specific representations on this matter are addressed under Issue 5. In response to a request for further information (FIR008), the council has explained a range of measures that it has in place to help overcome marketability constraints. We conclude that, unless evidence suggests otherwise, it would be reasonable to expect smaller sites (those under 50 homes), to be deliverable by 2032.

35. The representation seeking the removal of this site does not suggest a specific alternative allocation. I consider that the submission of a bid proposal for the site provides evidence that the ownership constraint can be overcome. Allocation OP1 provides an opportunity for additional housing in a settlement with a school, community hall and church. There are no other housing allocations or bid submissions for housing in Towie. I conclude that the site should be retained in the plan and no modification is required in response to this representation.

Whitehouse

36. Similar to its comments in relation to Towie, SEPA has requested that the text under 'strategic drainage and water supply' is amended. In the interests of clarity and consistency, I agree and recommend a modification to this effect.

Reporter's recommendations:

Modify the local development plan by:

Glenkindie

1. Adding a new sub-heading "Flood Risk" with the following bullet point to the Glenkindie settlement statement on page 813:

"• Parts of Glenkindie are adjacent to the River Don 1 in 200 year flood area shown on SEPA Indicative Flood Map. Flood Risk Assessments may be required."

Kirkton of Tough

2. Replacing the word 'treatment' with 'infrastructure' in the strategic drainage and water supply bullet point in the Kirkton of Tough settlement statement on page 837.

Lumsden

3. Replacing the description of the BUS safeguard in the Lumsden settlement statement on page 845 with:

"Safeguarded for business uses. Consideration should be given to potential adverse impacts on neighbouring uses."

4. Replacing the flood risk bullet point in the Lumsden settlement statement on page 845 with:

"• A small watercourse flows adjacent to the BUS site and buffer strips will be required alongside it. A Flood Risk Assessment may be required."

Monymusk

5. Replacing the second sentence in the vision section of the Monymusk settlement statement on page 847 with:

"The village has a Conservation Area where the square and historic 12th century church form the central area."

6. Adding a new sub-heading "Flood Risk" with the following bullet point to the Monymusk settlement statement on page 847:

"• The Todlachie Burn runs through the village and past the sewage works to an outfall at the River Don. A Flood Risk Assessment may be required."

Muir of Fowlis

7. Replacing the flood risk bullet point in the Muir Of Fowlis settlement statement on page 849 with:

"• Sites OP1 and BUS are adjacent to the indicative extent of the Leochel Burn. Flood Risk Assessments may be required. A buffer strip will be required alongside the

watercourse on the BUS site.”

Towie

8. Replacing the second bullet point in the services and infrastructure section of the Towie settlement statement on page 867 with:

“• Strategic drainage and water supply: There is no public waste water infrastructure available.”

9. Replacing the second paragraph in the allocation summary for OP1 (Land adjacent to the Hall) in the Towie settlement statement on page 868 with:

“A single private water treatment plant, built to an adoptable standard, will be required for this site”.

Whitehouse

10. Replacing the second bullet point in the services and infrastructure section of the Whitehouse settlement statement on page 870 with:

“• Strategic drainage and water supply: There is no public waste water infrastructure available.”

<p>Issue 58</p>	<p>Other Settlements RHMA (Marr) South – Birsemore, Craigwell, Finzean, Kincardine O'Neil, Logie Coldstone, Lumphanan, Strachan, Tarland and Torphins</p>	
<p>Development plan reference:</p>	<p>Proposed LDP, Appendix 7F Marr, Page 796-797 Proposed LDP, Appendix 7F Marr, Page 803-805 Proposed LDP, Appendix 7F Marr, Page 833-836 Proposed LDP, Appendix 7F Marr, Page 839-841 Proposed LDP, Appendix 7F Marr, Page 842-844 Proposed LDP, Appendix 7F Marr, Page 856-858 Proposed LDP, Appendix 7F Marr, Page 859-862 Proposed LDP, Appendix 7F Marr, Page 863-866</p>	<p>Reporter: Alison Kirkwood</p>
<p>Body or person(s) submitting a representation raising the issue (including reference number):</p>		
<p>Birsemore PP0900 Carbardunn Development Co Ltd and Dunecht Estates</p> <p>Craigwell PP1108 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency</p> <p>Finzean PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage)</p> <p>Kincardine O'Neil PP0450 Kincardine O'Neil Community Association PP0499 Kincardine Estate PP0741 Kincardine O'Neil Community Association PP1034 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1223 NHS Grampian PP1300 NatureScot (Scottish Natural Heritage) PP1318 The Church of Scotland General Trustees</p> <p>Logie Coldstone PP1061 c a s e CONSULTING Limited PP1219 Scottish Environment Protection Agency PP1300 NatureScot (Scottish Natural Heritage)</p> <p>Lumphanan PP0272 Scottish Water PP0773 Deeside Climate Action Network</p>		

PP1219 Scottish Environment Protection Agency
 PP1300 NatureScot (Scottish Natural Heritage)

Strachan

PP1219 Scottish Environment Protection
 PP1300 NatureScot (Scottish Natural Heritage)

Tarland

PP0170 Mr Graham Angus
 PP0773 Deeside Climate Action Network
 PP0878 The Woodland Trust Scotland
 PP1069 c a s e CONSULTING Limited
 PP1219 Scottish Environment Protection Agency
 PP1284 The MacRobert Trust
 PP1300 NatureScot (Scottish Natural Heritage)

Torphins

PP0020 Dr Rebecca Mercer
 PP0031 Mr Gareth Jones
 PP0039 Torphins Community Council
 PP0272 Scottish Water
 PP0601 Learney Estate
 PP0604 AJC Homes Scotland Limited
 PP0712 Graham Homes Limited
 PP0773 Deeside Climate Action Network
 PP1023 Mr Richard Orren
 PP1219 Scottish Environment Protection Agency
 PP1300 NatureScot (Scottish Natural Heritage)

Provision of the development plan to which the issue relates:

Craigwell Settlement Statement
 Finzean Settlement Statement
 Kincardine O'Neil Settlement Statement
 Logie Coldstone Settlement Statement
 Lumphanan Settlement Statement
 Strachan Settlement Statement
 Tarland Settlement Statement
 Torphins Settlement Statement
 Other Marr (south) Settlements

Planning authority's summary of the representation(s):

Birsemore

Settlement Status

A representee has stated Birse should be recognised as a settlement and have a Settlement Statement as it is distinctly separate and detached from Aboyne. It has urban characteristics, at least 15 homes and should have its own settlement boundary similar to the approach taken to similarly sized hamlets elsewhere with rural characteristics (PP0900).

Non-Allocated Site – Bid Site MR028 – Land South of Birsemore

A representee has requested the allocation of bid site MR028 for 13 homes or as reserved future development land. It will have minimal visual impact, have a consolidated form in a location dominated by ribbon development, it will be contained by mature woodland, will not affect local amenity or natural environment, there is capacity at the waste water treatment works and drainage concerns including River Dee Special Area of Conservation (SAC) impacts would be addressed through a planning application. There is education capacity in primary and secondary schools and concerns with access would be assisted by having the opportunity to be addressed by Birsemore being identified as a settlement. The site would provide for sustainable growth of the settlement. The representee has included a number of Appendices (RD0166.A – RD0166.D) in their representation which provides further detail to support their position (PP0900).

Craigwell

General

A representee has stated that the isolated Council Depot should not be given the status of a settlement, when other settlements have housing, employment uses and other amenities. Other places have been excluded from these policies (e.g., Bridge of Alford) (PP1108).

Site R1 – For the provision of a community recycling facility

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on ‘Strategic drainage and water supply’ (RD0214.B). No modification sought (PP1219).

Finzean

Site OP1 – Site to the East of Finzean Village Hall

SEPA has requested for site OP1, replacement of the last paragraph in the allocation text (RD0214.B) (PP1219).

NatureScot has requested that the allocation summary of site OP1 in Finzean includes the requirement for active travel links to the town, as the site is physically and visually divorced from the main settlement and there is a need to reconnect the development with the village centre. They also consider the site to be visually sensitive on the eastern edge, which contributes to ribbon development along the B976, eroding the existing settlement form (RD0255.B) (PP1300).

NatureScot has requested that the allocation summary for site OP1 is amended to clarify that future development proposals will be subject to a Habitats Regulation Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC, and that a Construction Method Statement (CMS) may be required as part of this process, i.e., if significant effects are likely and an adequate CMS is required to avoid adverse effects on the integrity of the River Dee SAC (RD0255.B) (PP1300).

Kincardine O'Neil

Site P2 – To protect the bowling green and tennis court as amenities for the settlement

Two representees have stated that site P2 is unnecessarily prescriptive about what amenities the village should have. There has been agreement that a tennis court on this site is no longer appropriate or a safe use for the site. Site P2 wording should be changed to allow for 'sports and recreation' use. The Council have previously acknowledged that a tennis court in the current location is not appropriate through planning approval of a 2m high fence round the court (planning application reference APP/2019/0161). The restoration costs of bringing the disused court into use and likely demand for tennis was not a good use of resources. There is tennis provision nearby at Aboyne and Torphins. This change in wording is supported by the Village Hall Committee, Bowling Club and Kincardine Estate (PP0450 and PP0741).

Site BUS – Safeguarded for business uses

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site BUS (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

NHS Grampian has supported the identification of the requirement for contributions towards healthcare for developments within Kincardine O'Neil. However, the wording needs to be amended for contributions to Aboyne to allow for additional capacity rather than Banchory (PP1223).

Site OP1 – Land at Haugh Farm

SEPA has stated that for site OP1, a Flood Risk Assessment (FRA) is not required by SEPA as only surface water issues affect this site. They note the Strategic FRA states the surface water flooding can be addressed through SuDS and recommend the Council's Flood Prevention Unit confirm if this is the case or whether a FRA is required. If not, this requirement should be removed, or the allocation summary altered to state, "This site is at risk from surface water flooding that should be addressed through appropriate SuDS measures". If a FRA is required, it should be added to the settlement 'Flood Risk' bullet point (RD0214.B) (PP1219).

NatureScot has requested that the allocation summary for site OP1 is amended to clarify that any proposal will be subject to a HRA and that a CMS may be required as part of this process, i.e., if significant effects are likely and an adequate CMS is required to avoid adverse effects on the integrity of the River Dee SAC (RD0255.B) (PP1300).

Site OP2 – Cook School/Passing Trade Site

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP2 (RD0214.B). No modification sought (PP1219).

NatureScot has requested that the allocation summary for site OP2 is amended to clarify that any proposal will be subject to a HRA and that a CMS may be required as part of this process, i.e., if significant effects are likely and an adequate CMS is required to avoid adverse effects on the integrity of the River Dee SAC (RD0255.B) (PP1300).

Site OP3 – Land at Gallowhill Road

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

A representee has provided support for the allocation of site OP3 stating the site is available, effective, viable and deliverable and capable of development within the Plan period. The site is expected to be marketed later this year. The site does not present any challenges in terms of topography or gradient and the site would follow and reflect the pattern of development in the surrounding area. The development would be in keeping with the surrounding environment and support local facilities and services. The continued allocation of the site will result in the creation of a sustainable and high-quality development. No modification sought (PP1318).

NatureScot has requested that the allocation summary for site OP3 is amended to clarify that any proposal will be subject to a HRA and that a CMS may be required as part of this process, i.e., if significant effects are likely and an adequate CMS is required to avoid adverse effects on the integrity of the River Dee SAC (RD0255.B) (PP1300).

A representee has requested the removal of site OP3. It is stated that an alternative effective allocation in the Local Growth Area (LGA) of the Rural Housing Market Area (RHMA) should be identified to meet the allowances. If marketability constraints preclude this, then a replacement allocation should be identified in the adjacent LGA of the Aberdeen Housing Market Area (AHMA). This is a constrained site allocated for three Plan periods without delivery. The site has ownership constraints and market issues are false in this location with another allocation delivering 20 homes in 3 years. The site has not been adequately promoted and there is no basis to support confidence in its delivery (PP1034).

Non-Allocated Site – Bid Site MR019 – A93-Pitmurchie Road

A representee has requested bid site MR019 for 84 homes is identified as a future opportunity site (i.e., beyond the PLDP's 2021-2031 period), which was identified as an Officer's preference in the MIR 2019. The PLDP only identifies one site for housing in the settlement and does not give reference to any longer-term development (PP0499).

Logie Coldstone

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the

Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land Adjacent to Diamond Jubilee Hall

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

NatureScot has requested that the allocation summary for site OP1 is amended to clarify that any proposal will be subject to a HRA and that a CMS may be required as part of this process, i.e., if significant effects are likely and an adequate CMS is required to avoid adverse effects on the integrity of the River Dee SAC (RD0255.B) (PP1300).

A representee has requested the removal of site OP1's contribution to the allowances of 10 homes. It is stated that an alternative effective allocation should be identified in the LGA of the RHMA or, if marketability constraints preclude this, in the LGA of the adjacent AHMA. The site has attracted no developer interest or planning applications to test viability, is excessive in size and the suitability for self-build plots is compromised by the need for the developer to deliver infrastructure necessary for the whole site. There is no evidence of sufficient demand and is unlikely to be economically viable. It is constrained with no confidence that it can or will deliver housing sufficient to satisfy Scottish Planning Policy (PP1061).

Lumphanan

Site R1 – For community facilities

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 (RD0214.B). No modification sought (PP1219).

Flood Risk

SEPA has requested, for consistency, rewording of the bullet point as site OP1 has the same watercourse adjacent to it as site R1 (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Scottish Water has requested that the 'Strategic drainage and water supply' bullet point is reworded (PP0272).

A representee has highlighted the need for commitments to improve the multi-use paths between Banchory, Torphins, Lumphanan, and Tarland to support a circular route connecting with the Deeside Way supporting active travel, health and wellbeing and environment but there is nowhere in the Plan that specifically improves this, unless part of a new housing development. There has been a significant increase in the use of e-bikes,

which helps meet the need and makes changes to help the Climate Emergency (PP0773).

Site OP1 – Land at Milan Park

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

NatureScot has requested that the Council considers including advice in the allocation summary for site OP1 in Lumphanan on the need for a project level HRA and the potential need for a CMS in relation to the River Dee SAC, as this allocation sits within the River Dee catchment, and to be consistent with other similar sites. They note that planning permission has been granted for 26 homes, but that no progress has been made and the Council may wish to be take this planning status into account (RD0255.B) (PP1300).

Strachan

Flood Risk

SEPA has confirmed that they have no issues with the 'Flood Risk' section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Site OP1 – Land at Gateside Cottage

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

NatureScot has suggested the removal of wording referring to the River Dee SAC and possible need for a CMS in the allocation summary for site OP1 as this site has planning permission and its completion is anticipated early in the Plan period, unless future proposals may come forward, then these should be subject to a HRA and additional text added accordingly (RD0255.B) (PP1300).

Tarland

Site R1 – For a cemetery extension

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the designation summary for site R1 as they have previously seen it through planning application APP/2017/3107 (RD0214.B). No modification sought (PP1219).

A representee has objected to the inclusion of site R1 as it is likely to cause damage and/or loss to areas of ancient woodland. Removal of woodland is contrary to SPP paragraphs 216 and 218. It is also contrary to the Control of Woodland Removal Policy (RD0161.A) (PP0878).

Flood Risk

SEPA has requested that, for consistency, the second 'Flood Risk' bullet point includes site OP2 to highlight that a FRA may be required (RD0214.B) (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

A representee has highlighted the need for commitments to improve the multi-use paths between Banchory, Torphins, Lumphanan, and Tarland to support a circular route connecting with the Deeside Way supporting active travel, health and wellbeing and environment but there is nowhere in the Plan that specifically improves this, unless part of a new housing development. There has been a significant increase in the use of e-bikes, which helps meet the need and makes changes to help the Climate Emergency (PP0773).

Site OP1 – Land at MacRobert Trust Estate Yard

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP1 (RD0214.B). No modification sought (PP1219).

NatureScot has requested that the allocation summary for site OP1 includes a requirement to take account of woodland protection (i.e., minimal tree loss and compensatory planting) in a similar way to other allocation summaries, as woodland is present on up to a quarter of the site (at least based on aerial photos) (RD0255.B) (PP1300).

NatureScot has requested that the allocation summary for site OP1 includes advice on the need for a HRA and the potential need for a CMS in relation to the River Dee SAC, as this allocation sits within the River Dee catchment, and to be consistent with other similar sites, noting the Council's precautionary approach to this issue (RD0255.B) (PP1300).

A representee has noted that the detail within the allocation for site OP1 is vague. The site contains a number of mature trees which should be retained and protected in the interest of amenity (noise screening) and visual screening. The site should utilise the existing access (PP0170).

A representee has stated that the Plan changed the LDP 2017 BUS designation for employment to 10 live/work units without consultation. The Council has not identified an alternative site for employment use, but any new site proposed by the landowner would require community consultation. The representee has been advised that despite the new allocation, there is no guarantee that a detailed planning application will gain permission and if it does, planning conditions may make it uneconomic to develop. This is the likely outcome of the work the landowner is doing to develop business units at the moment, there are concerns about noise issues for adjoining housing which may be too expensive to resolve and therefore make business units uneconomic. This could also be the case for the proposed live/work units (PP1284).

Site OP2 – Land Adjacent to Alastrean House

SEPA has requested for site OP2 that due to this site having an existing private waste water treatment facility, that its allocation summary states that should the existing private waste water drainage system not have capacity for the additional population growth, an

upgrade to the existing system or connection to the Scottish Water system will be required (RD0214.B) (PP1219).

NatureScot has requested that the allocation summary for site OP2 is amended to clarify that any proposal will be subject to a HRA and that a CMS may be required as part of this process, i.e., if significant effects are likely and an adequate CMS is required to avoid adverse effects on integrity of the River Dee SAC (RD0255.B) (PP1300).

A representee has objected to the inclusion of site OP2 as it is likely to cause damage and/or loss to areas of ancient woodland. Removal of woodland is contrary to SPP paragraphs 216 and 218. It is also contrary to the Control of Woodland Removal Policy (RD0161.A) (PP0878).

Site OP3 – Village Farm

SEPA has confirmed that they have no flooding, strategic drainage, or water supply issues with the allocation summary for site OP3 (RD0214.B). No modification sought (PP1219).

NatureScot has suggested the removal of the wording referring to the River Dee SAC and possible need for a CMS in the allocation summary for site OP3, as this site has Full Planning Permission, unless future proposals may come forward, then additional text should be added stating the need for a HRA (RD0255.B) (PP1300).

A representee has requested the removal of site OP3's contribution to the allowances of 36 homes. It is stated that an alternative effective allocation should be identified in the LGA of the RHMA, preferably in Tarland, otherwise if marketability constraints preclude this, in the LGA of the AHMA. The site is long-term constrained, planning permission has lapsed and the other allocations in the same ownership in the settlement have also failed to deliver housing and are constrained. The site could remain in the settlement (as constrained or in the settlement boundary) but as it has not delivered in over 25 years it should not count towards the allowances. There is insufficient confidence in its delivery, contrary to SPP (PP1069).

Non-Allocated Site – Bid Site MR071 – Glendeskry

A representee has requested the retention of bid site MR071 which is identified as site OP1 LDP 2017 stating that marketability appears to mean that a developer is not interested in the site. They consider the LDP process to be flawed in that it does not assess the need for housing in communities such as Tarland. There is more than enough need, with houses for sale on site OP3 to make that site economically viable. The representee considered that site OP1 LDP 2017 should be retained so that the site is available for future development and to meet additional need. New modes of development need to come forward to allow housing to be provided in rural communities. The recent Savills Report of Rural Housing makes it clear that there are other ways of bringing forward development that do not depend on the conventional model of development and allows the needs of the communities to be met. The LDP process needs to change its way of assessment for residential development so that rural communities can be sustainable rather than wither away (PP1284).

Torphins

Site R1 – For the extension of Learney Hall

SEPA notes that while the SFRA requires an FRA for site R1, they confirm they have no issue with flood risk for this site (RD0214.B). No modification sought (PP1219).

Site R2 – For a cemetery extension

SEPA has requested that for site R2 that due to the close proximity of the Beltie Burn to this site, this allocation text should state that a detailed groundwater assessment will be required to fully assess the suitability of this site as a cemetery (RD0214.B) (PP1219).

Concern has been expressed that the proposed cemetery extension would impact on their property's views, value and privacy. Also, the privacy for bereaving families using the cemetery. The site immediately behind the hall and behind site R1 would be more appropriate for this use (PP0020).

A representee has raised concerns that site R2 lies on the edge of the Beltie Burn flood plain and that this might constrain the site. An extension to the cemetery would require a high boundary wall affecting the properties of Kinnardy Close. A more appropriate location is considered to be the land between the existing cemetery and site R1 reserved for the extension of Learney Hall. The representee has included an Appendix (RD0001.A) in their representation which provides further detail to support their position (PP0031).

Flood Risk

SEPA has confirmed that they have no issues with the Flood Risk section of the Settlement Statement (RD0214.B). No modification sought (PP1219).

Services and Infrastructure

SEPA has confirmed that they have no issues with the statement on 'Strategic drainage and water supply' (RD0214.B). No modification sought (PP1219).

Two representees have highlighted the need for commitments to improve the multi-use paths between Banchory, Torphins, Lumphanan, and Tarland to support a circular route connecting with the Deeside Way supporting active travel, health and wellbeing and environment but there is nowhere in the Plan that specifically improves this, unless part of a new housing development. There has been a significant increase in the use of e-bikes, which helps meet the need and makes changes to help the Climate Emergency. Torphins has a path group which has worked on walking/cycling paths and support of this should be noted in the LDP (PP0773 and PP1023).

Torphins Community Council has requested that under the Community facilities bullet point, it should be included that Learney Hall is needing modernised (PP0039).

In addition, under Sports and recreation the Torphins Park requires drainage improvements to enable the local team to play on the football pitch and the pavilion is in need of refurbishment (PP0039).

Scottish Water has requested that under 'Strategic drainage and water supply', insert additional text on residential development in close proximity to the WWTW and potential for

issues arising from this operational site (PP0272).

Site OP1 – Station Garage

Torphins Community Council have agreed that the changes during the process of the LDP have been incorporated into the Torphins Settlement Statement by limiting housing development to allocated site OP1. No modification sought (PP0039).

NatureScot has suggested reviewing the need for wording referring to the River Dee SAC and possible need for a Construction Method Statement in the allocation summary, as this site has Planning Permission in Principle, unless future proposals may come forward, then additional text should be added stating the need for a HRA (RD0255.B) (PP1300).

Non-Allocated Sites – Bid Sites MR034 and MR035 – Phase 1 and 2, Land South of Beltie Road

Bid sites MR034 and MR035 were preferred sites and were considered the most suitable and deliverable growth solutions for the settlement. They are considered by the representee to not have constraints, are under the same ownership, with no capacity issues in terms of education, water, road network, with the proposed scale appropriate for Torphins. Only one allocation has been taken forward for the PLDP, given the scale of the settlement, this is not considered sufficient to meet local demand or provide opportunity for choice. The representee has included a number of Appendices (RD0098.A – RD0098.D) in their representation which provides further detail to support their position (PP0604).

Non-Allocated Site – Bid Site MR005 – Annesley Farm

The representee has requested bid site MR005 to be allocated in the PLDP for 50 homes. Torphins has suffered a lack of substantial development for 20 years, the site would provide the opportunity to reinforce the settlement pattern of the village and bolster the wide range of services and amenities. It is assumed that Officers considered that the village could accommodate growth without presenting significant impacts on education capacity or available drainage infrastructure. The three Officer's preferences have been removed from the Proposed LDP, thereby resulting in the existing OP1 allocation, for a mixed-use redevelopment of the Station Garage as the only identified growth of the village planned over the 10-year life cycle of the next LDP. The site was omitted from the 2012 Proposed LDP due to a perceived flood risk affecting said southern portion of the site. Flood risk was again highlighted as a primary concern when the site was promoted through the preparation of the extant 2017 LDP. Crucially however, in considering the site at Examination Stage, the Reporter noted that only the southern extent of the site was at risk of flooding and given the extent of built development would be outwith this area, therefore flood risk should not be considered as a total constraint. Additionally, it was acknowledged that the scale of development would be proportionate to meeting local, rather than strategic needs in consistency with the provisions of the Strategic Development Plan (SDP). However, given there was an adequate land supply identified through the proposed LDP at the time, perceived landscape impacts outweighed the benefits. Visual impact has been overstated. A planning application would provide an assessment of landscape and visual impact, transportation and flooding to the satisfaction of the Planning Service and relevant consultees, thereby allaying any local concerns regarding such matters. Development would support the primary school which has a falling school roll and would also help sustain wider services and amenities in the settlement. The Issues and Action papers

suggests there is insufficient demand for development however this assertion is unsubstantiated. Allocation of the site would broaden the range of available housing, including affordable homes. The representee has included a number of Appendices (RD0120.A, RD0120.B and RD0120.C) in their representation which provides further detail to support their position (PP0712).

Non-Allocated Site – Bid Site MR069 – Land at Wester Beltie, South West of Torphins Golf Club

A representee has requested the allocation of bid site MR069 for 12 homes for the following reasons:

- It was a preferred housing site within the MIR and there is continued support from Learney Estate to develop the site with there being clear demand for countryside plots.
- The Strategic Environmental Assessment identified the site as having neutral effects post-mitigation and potential for positive effects.
- The proposed site would achieve the six qualities of successful places and also meet the proposed LDP's Vision with potential for self-build plots, development by a small-scale developer which provides variety to the housing market and good connectivity to Torphins and services.
- The site shows good alignment with the type of development promoted with the Spatial Strategy.
- There are no capacity issues with the site and there is potential for a small district heating scheme.
- While the boundaries of remote rural areas have been rationalised, it is not understood why this should have impacted on Wester Beltie's ability for further housing development, either as an allocated site or as an organic growth settlement.

The representee has included a number of Appendices (RD0096.A, RD0096.B and RD0096.C) in their representation which provides further detail to support their position (PP0601).

Modifications sought by those submitting representations:

Birsemore

Settlement Status

Modify the PLPD to recognise Birse as a settlement with a settlement boundary through a Settlement Statement (PP0900).

Non-Allocated Site – Bid Site MR028 – Land South of Birsemore

Modify the PLDP to allocate bid site MR028 for 13 homes or reserved as future development land (PP0900).

Craigwell

General

Modify the PLPD to remove the Craigwell Settlement Statement (PP1108).

Finzean

Site OP1 – Site to the East of Finzean Village Hall

Modify the PLDP to replace the last paragraph with, “A single private waste water treatment plant, built to an adoptable standard, will be required for this site.” (PP1219)

Modify the PLDP to add at the end of the second paragraph of the allocation summary, “Provision for active travel is required, with an aim of seeking to improve links between the site and the settlement.” (PP1300).

Modify the PLDP to replace the third paragraph of the allocation summary to read, “The proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.” (PP1300).

Kincardine O’Neil

Site P2 – To protect the bowling green and tennis court as amenities for the settlement

Modify the PLDP to amend site P2 to read, “To protect this area for use as sport and recreational space for the community.” (PP0450 and PP0741).

Services and Infrastructure

Modify the PLDP to amend ‘Heath and Care Facilities’ bullet point to read, “All residential development must contribute towards the creation of additional capacity at health facilities in Aboyne to allow for additional capacity.” (PP1223).

Site OP1 – Land at Haugh Farm

Modify the PLDP to confirm if an FRA is required, and if not, amend the second sentence in the second paragraph to, “This site is at risk from surface water flooding that should be addressed through appropriate SuDS measures”, otherwise add a bullet point to the ‘Flood Risk’ bullet point (PP1219).

Modify the PLDP to replace the second paragraph of the allocation summary to read, “A Transport Statement is required for the site. A Flood Risk Assessment may be required. Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.” (PP1300).

Site OP2 – Cook School/Passing Trade Site

Modify the PLDP to amend the final paragraph of the allocation summary to read, “A Hydromorphological Assessment will be required to determine the likelihood of the River Dee adjusting its course at this location. Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.”

(PP1300).

Site OP3 – Land at Gallowhill Road

Modify the PLDP to amend the second paragraph of the allocation summary to read, “A Flood Risk Assessment will be required. A buffer strip will be required adjacent to the watercourse and should be integrated as a positive feature of the development. The buffer strip will need to allow sufficient space for restoration of the Neil Burn. Enhancement of the straightened watercourse and removal of any redundant features will be required to be investigated. Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.” (PP1300).

Modify the PLDP to remove site OP3 and identify an alternative effective allocation in the LGA of the RHMA, or if constrained by marketability, in the adjacent LGA of the AHMA (PP1034).

Non-Allocated Site – Bid Site MR019 – A93-Pitmurchie Road

Modify the PLDP to allocate bid site MR019 for 84 homes as a future opportunity site (i.e., post 2031) (PP0499).

Logie Coldstone

Site OP1 – Land Adjacent to Diamond Jubilee Hall

Modify the PLDP to amend the final paragraph of the allocation summary to, “A Flood Risk Assessment may be required. Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.” (PP1300).

Modify the PLDP to remove site OP1’s contribution to the allowances and identify an alternative effective allocation in the LGA of the RHMA, or if constrained by marketability, in the adjacent LGA of the AHMA (PP1061).

Lumphanan

Flood Risk

Modify the PLDP to reword the ‘Flood Risk’ bullet point to, “A small watercourse flows adjacent to site OP1 and R1. A Flood Risk Assessment may be required.” (PP1219).

Services and Infrastructure

Modify the PLDP to amend ‘Strategic drainage and water supply’ bullet point to read, “There is currently limited capacity available at Lumphanan Waste Water Treatment Works and a growth project may be required depending on development proposals. Recommend early engagement with Scottish Water.” (PP0272).

Modify the PLDP to provide specific support to enable paths plans to be implemented (PP0773).

Site OP1 – Land at Milan Park

Modify the PLDP to consider the addition of the following text to the allocation summary, “Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.” (PP1300).

Strachan

Site OP1 – Land at Gateside Cottage

Modify the PLDP to remove the last sentence in paragraph three of the allocation summary, if no further planning applications are anticipated, to, “A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.”, otherwise add the following in its place, “Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.” (PP1300).

Tarland

Site R1 – For a cemetery extension

Modify the PLDP to remove site R1 (PP0878).

Flood Risk

Modify the PLDP to add site ‘OP2’ to the second ‘Flood Risk’ bullet point (PP1219).

Services and Infrastructure

Modify the PLDP to provide specific support to enable paths plans to be implemented (PP0773).

Site OP1 – Land at MacRobert Trust Estate Yard

Modify the PLDP to include a new sentence after the second sentence in paragraph one of the allocation summary, “There must be minimal tree loss as a result of development and compensatory planning will be sought for any trees felled.” (PP1300).

Modify the PLDP to add a new sentence in the final paragraph of the allocation summary, “Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.” (PP1300).

Modify the PLDP to clarify the allocation, in particular the mix of uses. The areas of mature trees should be removed from the allocation and specify the use of the existing access only (PP0170).

Modify the PLDP to allocate an alternative site for employment use for Tarland (PP1284).

Site OP2 – Land Adjacent to Alastrean House

Modify the PLDP to add to the allocation summary, “Should the existing private waste water drainage system not have capacity for this additional population growth, an upgrade to the existing system or connection to the Scottish Water system will be required.” (PP1219).

Modify the PLDP to add the following text after the third sentence in the final paragraph of the allocation summary and amend the last sentence to, “Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.” (PP1300).

Modify the PLDP to remove site OP2 (PP0878).

Site OP3 – Village Farm

Modify the PLDP to remove the last sentence in paragraph two of the allocation summary, “A Construction Method Statement may be required to take account of the potential impacts to the qualifying interests of the River Dee SAC.”. Otherwise, add the following, “Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.” (PP1300).

Modify the PLDP to remove the contribution to the allowances for site OP3 and identify an alternative effective allocation in the Local Growth Area of the RHMA preferably in Tarland. If the area is marketability constrained, identify an allocation in the Local Growth Area of the AHMA (PP1069).

Non-Allocated Site – Bid Site MR071 – Glendeskry

Modify the PLDP to allocate bid site/retain the allocation site OP1 in the 2017 LDP (PP1284).

Torphins

Site R2 – For a cemetery extension

Modify the PLDP to add to its designation summary, “Due to the likely hydraulic connectivity of this site to the Beltie Burn, a detailed groundwater assessment will be required to fully assess the suitability of this site as a cemetery.” (PP1219).

Modify the PLDP to relocate the cemetery extension to the site immediately behind the village hall and behind R1 (PP0020 and PP0031).

Services and Infrastructure

Modify the PLDP to provide specific support to enable paths plans to be implemented (PP0773 and PP1023).

Modify the PLDP to include reference under Community facilities that there is a need to modernise the Learney Hall (PP0039).

Modify the PLDP to include reference under Sports and recreation, the need to improve drainage at Torphins Park (PP0039).

Modify the PLDP to include under 'Strategic drainage and water supply', "Any plans to develop land for residential housing in close proximity to Scottish Water's existing WWTW is strongly discouraged and must be discussed directly with Scottish Water as early as possible. The location of this development poses significant long-term challenges with the potential for odour and noise complaints from residents. These assets are operational sites that require 24/7/365 access and articulated vehicle movements. Prior to any development being technically approved by Scottish Water an Odour Assessment will be required for development adjacent to the WWTW and any developer led, and funded mitigation measures will require sign off by Scottish Water." (PP0272).

Site OP1 – Station Garage

Modify the PLDP to remove the last sentence in the final paragraph of the allocation summary, if no further planning applications are anticipated, "A Construction Method Statement will be required to take account of the potential impacts of the qualifying interests of the River Dee SAC.". Otherwise, add the following, "Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required." (PP1300).

Non-Allocated Sites – Bid Sites MR034 and MR035 – Phase 1 and 2, Land South of Beltie Road

Modify the PLDP to allocate bid sites MR034 and MR035 for 50 homes (PP0604).

Non-Allocated Site – Bid Site MR005 – Annesley Farm

Modify the PLDP to allocate bid site MR005 for 50 homes (PP0712).

Non-Allocated Site – Bid Site MR069 – Land at Wester Beltie, South West of Torphins Golf Club

Modify the PLDP to allocate bid site MR069 for 12 homes with a suggested allocation summary as follows, "OP1: Land at Wester Beltie Allocation: 12 homes. The proposed site is self-contained, and sensitively extends the existing hamlet with good links to Torphins and the railway footpath link avoiding coalescence.

A generous provision of planting is required on the site within which houses reflecting the existing settlement pattern can be situated. A stronger woodland buffer screen with permeable access points for the adjacent railway path is also required." (PP0601).

Summary of responses (including reasons) by planning authority:

Birsemore

Settlement Status

Settlement Statement's are typically used where allocations or designations for protected/reserved land have been identified or where infill development may be considered appropriate to support by way of defining a settlement boundary. It has no allocated, protected or reserved sites therefore, there is no requirement to provide a Settlement Statement. It is not considered necessary, or appropriate to identify opportunity for growth through this method, given its close proximity to Aboyne which has available housing opportunities (AD0038.G, page 7).

Non-Allocated Site – Bid Site MR028 – Land South of Birsemore

The Council does not support allocating bid site MR028. There are a range of constraints and issues to be addressed if this site was to be brought forward. However, the bid site and Birsemore are in close proximity to Aboyne, which provides sufficient housing opportunity to serve the local area (AD0040.G, page 7). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. Future opportunity sites (or strategic reserve for housing) are not included within the PLDP as detailed within Schedule 4 Issue 5. No change is required.

Craigwell

General

The site is reserved for a recycling facility within the LDP 2017 and this has been brought forward to the PLDP. The site serves as an essential service depot for Aberdeenshire Council, in a central location which provides services to the surrounding area. Settlement Statements are required where allocations, or designations for protected/reserved land have been identified. No change is required.

Site R1 – For the provision of a community recycling facility

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Finzean

Site OP1 – Site to the East of Finzean Village Hall

The Council confirms that it intends to address SEPA's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Kincardine O'Neil

Site P2 – To protect the bowling green and tennis court as amenities for the settlement

The representees have set out a reasonable modification that would assist in the continuation of the use of the site as an amenity for the settlement. If the Reporter is minded, the Council recommend the representee's modification is made to site P2.

Site BUS – Safeguarded for business uses

Comments from SEPA are noted. No change is required.

Flood Risk

Comments from SEPA are noted. The Council, in response to SEPA comments for site OP1, confirms that it intends to update the 'Flood Risk' section with an additional bullet point through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NHS Grampian's comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Land at Haugh Farm

In response to SEPA's comments, the Council's Flood Risk and Coast Protection request the retention of the FRA requirement as a precautionary approach (AD0126). Subsequently, the Council confirms that it intends to update the 'Flood Risk' section with an additional bullet point through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 – Cook School/Passing Trade Site

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NatureScot comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP3 – Land at Gallowhill Road

Comments from SEPA and the comments received in support of the allocation are noted. No change is required.

The Council confirms that it intends to address NatureScot comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not support the removal of site OP3 and its 8 homes contribution to the allowances. The site is allocated as site OP3 in the LDP 2017 and bid site MR057 was a preferred option in the MIR (AD0038.G, pages 66 - 67). As set out in the PLDP Appendix 6 Housing land allocations, allowances from existing constrained sites have contributed where a bid was submitted indicating delivery within the Plan period. It is considered capable of being delivered. The site continues to be considered as appropriate to its location, be of an appropriate scale and will fit in with the settlement pattern, within walking distance of amenities and community facilities. No change is required.

Non-Allocated Site – Bid Site MR019 – A93-Pitmurchie Road

The Council does not support allocating bid site MR019. It is considered that Kincardine O'Neil would benefit from a period of time to consolidate and react to recent and ongoing growth. The existing OP3 site maintains an appropriately small opportunity for housing development during the Plan period (AD0040.G, page 102). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the RHMA. Future opportunity sites (or strategic reserve for housing) are not included within the PLDP as detailed within Schedule 4 Issue 5. No change is required.

Logie Coldstone

Flood Risk and Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 – Land Adjacent to Diamond Jubilee Hall

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NatureScot comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not support the removal of site OP1 or of the 10 homes contribution to the allowances. The site is allocated as site OP1 in the LDP 2017 and promoted through representations to the MIR to deliver a mix of uses (AD0040.G, page 108). As set out in the PLDP Appendix 6 Housing land allocations, allowances from existing constrained sites have contributed where a bid was submitted indicating delivery within the Plan period. Representation to the MIR, by the Logie Coldstone Trust, included a bid with confirmation that they were progressing the site with its owner (AD0160). It is considered capable of being delivered. No change is required.

Lumphanan

Site R1 – For community facilities

Comments from SEPA are noted. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address Scottish Water comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The provision of path networks within identified settlements would be supported through connectivity required as part of a planning application for residential development or if outwith settlements, policy also supports such projects, subject to compliance with relevant policies. However, as noted in Schedule 4 Issue 7: Section 9 Shaping Places and Appendix 8, 9 and 10, the PLDP is not a framework or tool to promote footpaths, cycleways, and active travel networks both within communities and between adjacent communities. No change is required.

Site OP1 – Land at Milan Park

Comments from SEPA are noted. No change is required.

Planning permission for 26 homes covering the whole site expired without implementation, however, 3 homes have been recently approved in December 2020 (planning application reference APP/2020/1919). If the Reporter is minded, the Council recommend modification to the second sentence of the first paragraph of the allocation summary to state, "Planning permission has been approved for 3 homes on part of the site." The Council confirms that it intends to address NatureScot comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Strachan

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

Site OP1 - Land at Gateside Cottage

Comments from SEPA are noted. No change is required.

There is no way of knowing if future applications will be submitted on the site, to amend the existing approval or require resubmission if it is not implemented. On this basis, the Council confirms that it intends to address NatureScot comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Tarland

Site R1 – For a cemetery extension

Comments from SEPA are noted. No change is required.

Site R1 has planning permission under reference APP/2017/3107 (approved February 2018) for its proposed cemetery use. The site also has approval (October 2015) for tree felling under reference TRE/2015/0066 in light of a previous planning permission (APP/2012/2840). The retention of site R1 remains appropriate. No change is required.

Flood Risk

The Council confirms that it intends to address SEPA comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The provision of path networks within identified settlements would be supported through connectivity required as part of a planning application for residential development or if out with settlements, policy also supports such projects, subject to compliance with relevant policies. However, as noted in Schedule 4 Issue 7: Section 9 Shaping Places and Appendix 8, 9 and 10, the PLDP is not a framework or tool to promote footpaths, cycleways, and active travel networks both within communities and between adjacent communities. No change is required.

Site OP1 – Land at MacRobert Trust Estate Yard

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NatureScot comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Through the assessment of a planning application the appropriateness of a use and its potential to impact on the amenity of neighbours will be assessed. Furthermore, at the planning application stage a tree survey or relevant supporting documents will be required to be submitted to assess the potential impact on the trees and how development impact can be mitigated against. The Council's Roads Development will be consulted on the suitability of any access arrangement. No change is required.

The MIR was the consultation stage for this proposed allocation having been put forward as an Officers' preferred option. Bid site MR070 essentially sought to retain the site for employment use (i.e. retaining its designation as BUS). The Council considered that it was appropriate in the MIR to highlight that its existing use in the LDP 2017 was safeguarded for business uses, however Officers chose to promote a revised proposal for the site in the MIR (the MIR representing Officers' ideas for future development with the 'Call for Sites' not being a legislative requirement). This change from the BUS designation promoted an opportunity for feedback on both uses through the MIR consultation (AD0038.G, page 89). It was considered that the Officers' preference presented a more compatible use for the site.

The allocation of site OP1 for mixed use development does not exclude it from being considered for employment uses. Live/work units would be a less intrusive form of development whereby a house is promoted and designed in such a way to allow live/work to take place within a single unit, or a house with an ancillary building to function as a workshop and/office. This site description provides flexibility to deliver development in light of issues such as noise that the representee has identified. No change is required.

Site OP2 – Land Adjacent to Alastrean House

The Council confirms that it intends to address SEPA comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council confirms that it intends to address NatureScot comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP2 was previously allocated in the LDP 2017 and LDP 2012, with retention sought through bid site MR072, therefore, it has been brought forward to continue to cater to a particular market associated with the Continuing Care Community. It is considered appropriate to retain the site in the LDP and consider means to deliver this allocation. Set in woodland the site would not result in any landscape impact on the Howe of Cromar Special Landscape Area. The position to the north of Alastrean House would limit the effect on the listed building's setting and compensatory planting would be necessary to offset the loss of trees (AD0040.G, 130 and AD0038.G, page 90). No change is required.

Site OP3 – Village Farm

Comments from SEPA are noted. No change is required.

The Council confirms that it intends to address NatureScot comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

The Council does not support the removal of site OP3 or its 36 homes contribution to the allowances. The site is allocated as site OP3 in the LDP 2017 and bid site MR073 was a preferred option in the MIR (AD0038.G, page 90). As set out in the PLDP Appendix 6: Housing land allocations, allowances from existing constrained sites have contributed where a bid was submitted indicating delivery within the Plan period. It is considered capable of being delivered. The site is subject to an extant permission and it is appropriate to retain the site until such a time as development is complete (AD0040.G, page 130). No change is required.

Non-Allocated Site – Bid Site MR071 – Glendeskry

The Council does not support allocating bid site MR071. Significant concerns are continued regarding the deliverability of the site due in most part to flood risk. Even if the site area was to be amended to exclude the areas at risk from flooding the existing public road bordering the site regularly floods to a substantial depth and flow preventing safe access to and from the site. Development of this site could also significantly jeopardise future mitigation works to remove flood risk. Until such a time that this issue can be resolved, the site cannot be supported (AD0040.G, page 130). No change is required.

Torphins

Site R1 – For the extension of Learney Hall

Comments from SEPA are noted. No change is required.

Site R2 – For a cemetery extension

The Council confirms that it intends to address SEPA comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

At this time, the reserved site is identified as the most appropriate location for this cemetery provision. Planning permission would require to be sought for the cemetery extension where its suitability or otherwise would be assessed. The issues raised by the representees would be assessed at the time of any planning application. It should be noted that issues regarding value of property and loss view cannot be considered as material to any planning assessment. No change is required.

Flood Risk

Comments from SEPA are noted. No change is required.

Services and Infrastructure

Comments from SEPA are noted. No change is required.

The provision of path networks within identified settlements would be supported through connectivity required as part of a planning application for residential development or if out with settlements, policy also supports such projects, subject to compliance with relevant policies. However, as noted in Issue 7: Section 9 Shaping Places and Appendix 8, 9 and 10, the PLDP is not a framework or tool to promote footpaths, cycleways, and active travel networks both within communities and between adjacent communities. No change is required.

Site R1 is identified as 'reserved land' within the PLDP for the extension of Learney Hall, therefore, there is an ambition to improve the facilities within the settlement. The requirement to modernise the existing hall is not controlled through planning legislation. The hall is not a listed building, therefore internal alterations would not require planning permission. No change is required.

Drainage considerations within Torphins Park would be taken into account on the submission of a planning application for development works. No change is required.

The Council confirms that it intends to address Scottish Water comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Site OP1 – Station Garage

Comments in support of the scale of housing development set out within the settlement are noted. No change is required.

There is no way of knowing if future applications will be submitted on the site either to

amend the existing approval or by way of resubmission if not implemented. On this basis, the Council confirms that it intends to address NatureScot comments through a non-notifiable modification, as set out in the List of Non-Notifiable Modifications.

Non-Allocated Sites – Bid Sites MR034 and MR035 – Phase 1 and 2, Land South of Beltie Road

The Council does not support allocating bid sites MR034 and MR035 for 50 homes. At the Committee meeting of 17 September 2019, the Marr Area Committee did not agree with Officers' recommendation to allocate bid sites MR034 and MR035 (AD0040.G, page 140). The Council considers the existing allocation site OP1 provides sufficient housing opportunity for the settlement. As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the RHMA. No change is required.

Non-Allocated Site – Bid Site MR005 – Annesley Farm

The Council does not support allocating bid site MR005 for 50 homes. This site is considered to impact on the setting of Torphins. In order to avoid the areas at risk of flooding any development would need to be sited on the elevated parts of the site. There is currently a strong boundary to the settlement on the south side of Torphins and weakening this would be detrimental to its setting (AD0038.G, page 96). As demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the RHMA. No change is required.

Non-Allocated Site – Bid Site MR069 – Land at Wester Beltie, South West of Torphins Golf Club

The Council does not support allocating bid site MR069. It was put forward as a preferred site however, in response to the MIR it was removed to continue the focus of development within Torphins itself. Site OP1 is considered to provide a sufficient level of housing for the settlement (AD0040.G, page 139). Additionally, as demonstrated in the Schedule 4 Issue 2: Section 5 – Spatial Strategy and Issue 5: Section 8 Shaping Homes and Housing and Appendix 6 Housing Land Allocations, there is an appropriate and sufficient supply of deliverable housing sites within the Rural Housing Market Area. No change is required.

Reporter's conclusions:

Preliminary matters

1. My examination of the plan is limited by regulations to addressing only the unresolved issues which have been raised in representations. The council has listed above a number of matters raised in representations which are in support of the plan or which simply make comments and do not seek modifications to the plan. Therefore, unless these relate to an issue which is unresolved, they will not be addressed in my conclusions.

2. The council has indicated that it intends to make what it refers to as "non-notifiable modifications" in relation to the settlement statement matters covered in Issue 58. However, where such matters arise from representations made to the proposed plan they

require to be considered in the examination. I therefore address these as appropriate below.

General

3. Deeside Climate Action Network is seeking support for the work of local paths groups to create and improve walking and cycling routes between settlements, including Lumphanan, Tarland and Torphins. General representations regarding the protection and promotion of access routes are addressed in Issue 7. We agree with the council that the local development plan is not a framework or tool to promote footpaths, cycleways and active travel networks within and between settlements. There are other council documents, such as the Core Paths Plan and the Outdoor Access Strategy which would fulfil this role. The local development plan can protect existing routes, promote good access from new development to these routes and, where appropriate, promote the enhancement or extension of existing routes as part of development proposals. It is within this context, that planning applications may be able to support the work of local paths groups. No modification is required.

Birsemore

Non-Allocated Bid Site MR028 – Land south of Birsemore

4. Bid site MR028 is an open, grass field which covers three hectares and is surrounded on three sides by trees. On the day of my site visit, there were sheep grazing in the field. The site is located on the south side of a narrow road serving existing residential properties and cannot be seen from the main road network. Birsemore itself comprises a ribbon of residential development mainly to the south of the B976 road. It is physically separated from the southern edge of Aboyne, which is located at distance of around 400 metres.

5. The bid proposal is for 13 detached houses. The submitted indicative site layout shows the houses arranged around an area of open space and set within a landscape framework. The council's assessment of this site is set out in the Main Issues Report, Issues and Actions Paper and the Strategic Environment Assessment Report. I note that the environmental report states that: "The site has an overall positive impact due to access to open space and choice of housing. Impacts on cultural heritage, water and infrastructure may be mitigated."

6. The council does not support allocating this site because of a range of unspecified constraints and issues to be addressed and the availability of housing opportunity sites in nearby Aboyne. It also considers that there is no requirement to allocate further sites in the Rural Housing Market Area.

7. Whilst I appreciate that the site currently contributes to the visual amenity of Birsemore, its development would result in minimal wider landscape and visual impacts due to its secluded position and strong landscape framework. Based on the information provided in the bid submission and the environmental report, I consider that there is a reasonable prospect that many of the infrastructure constraints could be overcome. However insufficient information has been provided regarding access to the site. The bid submission refers to access being taken from the existing private road, but no discussions appear to have taken place with the roads authority. I am unclear whether the road would

require to be brought up to adoptable standard and if so, whether this would require land in third party ownership.

8. There are no local facilities in Birsemore and no bus services to shopping, education and health facilities in Aboyne. I therefore consider it likely that residents would rely on a private car to access local services.

9. The conclusions reached under Issue 5 indicate that there is no need for additional housing allocations in the Rural Housing Market Area to meet the strategic development plan allowance for the period up to 2032. I do not consider that the benefits the site would bring in providing additional housing land would outweigh the concerns regarding access to the site and accessibility to local services. No modification is recommended.

Settlement Status

10. Due to the absence of any local facilities, I do not consider that Birsemore meets the definition of “a settlement” provided in the glossary of the proposed plan. However, I note that the use of this definition is not applied consistently in the proposed plan and there are settlement statements for groups of buildings which do not meet this definition. The council has explained that statements are provided where there are allocated, protected or reserved sites to be shown. Given my recommendations in relation to bid site MR028 and the absence of any other allocated, protected or reserved sites in Birsemore, I do not consider that a settlement statement is required. No modification is required.

Craigwell

11. The council service depot at Craigwell does not meet the definition of a “settlement” provided in the glossary of the proposed plan. However, the format of the proposed plan requires the inclusion of a settlement statement for Craigwell in order to show the site reserved for a community recycling facility. I consider this approach to be a reasonable way of addressing this matter. No modification is required.

Finzean

12. There are no representations objecting to allocation OP1 for eight homes on land to the east of Finzean village hall. However, NatureScot and the Scottish Environment Protection Agency (SEPA) have requested modifications to the allocation summary, which the council supports. I consider that the modification suggested by NatureScot, in relation to improving active travel links between the site and the rest of the settlement, would be appropriate within the context of policy P1 (Layout, Siting and Design). I also agree that the text on Habitats Regulations Appraisal should be amended to provide clarification on the appraisal process.

13. I consider that the modification requested by SEPA would provide clarification on waste water treatment requirements for allocation OP1.

14. Modifications on these matters are recommended.

Kincardine O’Neil

Protected Land

15. The council supports the alternative wording suggested by Kincardine O'Neil Community Association in relation to protected land designation P2, which covers the existing bowling green and tennis court to the west of The Spailings. I note the comments made regarding the suitability of the site for tennis, restoration costs and likely demand for this use. I agree that "protecting the land for sport and recreational space" would provide more flexibility to meet the needs of the community. A modification is recommended.

Flood Risk

16. The council has confirmed that a flood risk assessment may be required for housing allocation OP1 (Land at Haugh Farm) as the site lies adjacent to the indicative fluvial floodplain. On this basis, I agree that a bullet point relating to site OP1 should be added to the flood risk section, as requested by SEPA. A modification is recommended.

Services and Infrastructure

17. NHS Grampian has indicated that the reference to contributions towards "a new health centre in Banchory" should be amended to refer to creating additional capacity at health facilities in Aboyne instead. NHS Grampian has not provided any additional information in relation to the catchment areas for health facilities in Banchory and Aboyne. However, as Aboyne is located closer to Kincardine O'Neil than Banchory, I consider it reasonable that residents of new development in Kincardine O'Neil would use facilities in Aboyne. I recommend a modification on this matter.

Sites OP1 – Land at Haugh Farm and OP2 – Cook School/Passing Trade Site

18. I consider that the modifications requested by NatureScot, in relation to Habitats Regulations Appraisal, would provide clarification on the appraisal process. Modifications to this effect are recommended.

Site OP3 – Land at Gallowhill Road

19. The representation seeking the removal of this site does not suggest a specific alternative allocation. Whilst site OP3 is not currently in the ownership of a developer, the representation from the Church of Scotland General Trustees (the current owner) indicates an intention to market the site for development. On the basis of this evidence, I consider it reasonable to conclude that the existing ownership constraint can be overcome to allow eight homes to be delivered in the period up to 2032. No modification is required.

20. I consider that the modification requested by NatureScot, in relation to Habitats Regulations Appraisal, would provide clarification on the appraisal process. A modification to this effect is recommended.

Non-Allocated Bid Site MR019 – A93 Pitmurchie Road

21. Bid proposal MR019 is for 84 homes on land at the western end of the settlement, to the north of the A93 road. I note that it was promoted as a future opportunity site in the Main Issues Report and the representation from Kincardine Estates seeks the identification of the site as such in the plan. Non-site specific representations relating to the identification of land with potential for future long term development are addressed under

Issue 2. This concludes that there is no requirement for the local development plan to identify sites for the period beyond 2032. Furthermore, in issue 5 we conclude that there is no need for further sites to be allocated in the Rural Housing Market Area in the period up to 2032. Therefore, even if the site could be developed before 2032, there is no justification to allocate it at this time. No modification is required.

Logie Coldstone

Site OP1 – Land adjacent to Diamond Jubilee Hall

22. Site OP1 is identified as constrained for marketability reasons in the 2020 housing land audit. I note that a number of sites identified to meet the strategic development plan allowance for the Rural Housing Market Areas, are subject to a marketability constraint. Non-site specific representations on this matter are addressed under Issue 5. In response to a further information request in relation to issues 2 and 5 (FIR008), the council has explained that a range of measures are being used to support housing development, particularly in the Rural Housing Market Area.

23. The representation seeking the removal of this site does not suggest a specific alternative allocation. There is a requirement for advance infrastructure if the land is developed for self-build plots, which I agree may affect viability. However, this is not the only form of development which could come forward on the site.

24. I consider that the bid submission from the local community trust, supported by the site owner, provides evidence of a will to deliver housing and other uses on the site. Allocation OP1 provides a suitable opportunity for additional housing in a settlement with a primary school, which the local community wishes to sustain. There are no other housing allocations or bid submissions for housing in Logie Coldstone and, as this is a relatively small site, I consider it reasonable to assume that 10 units would be deliverable by 2032. I conclude that the site should be retained in the plan and no modification is recommended in response to this representation.

25. I consider that the modification requested by NatureScot, in relation to Habitats Regulations Appraisal, would provide clarification on the appraisal process. A modification to this effect is recommended.

Lumphanan

Flood Risk

26. I agree with the council that the flood risk bullet point should be amended to include reference to site OP1, to reflect SEPA's comments that the watercourse runs next to both R1 and OP1. A modification is recommended

Services and Infrastructure

27. I agree that the strategic drainage and water supply bullet point should be amended to reflect the advice from Scottish Water. A modification is recommended

Site OP1 – Land at Milan Park

28. NatureScot has indicated that this site lies within the River Dee catchment. Whilst planning permission has already been granted for 26 homes, future applications may be submitted. I agree that, in the interests of consistency, reference should be made to the Habitats Regulations Appraisal process in the allocation summary. A modification is required on this matter.

Strachan

29. Whilst planning permission has been granted for housing development on site OP1, future applications may be submitted. Similar to my recommendation in relation to the Lumphanan settlement statement, I agree that reference should be made to the Habitats Regulations Appraisal process, as requested by NatureScot.

Tarland

Reserved Land Designations

30. The council has indicated that planning permission has been granted for a cemetery use on site R1 and that a tree felling licence has been granted. No modification is required.

Flood Risk

31. As SEPA has indicated that a flood risk assessment may also be required for site OP2, I agree that the second bullet point should be amended as requested.

Site OP1 – Land at MacRobert Trust Estate Yard

32. The majority of site OP1 is occupied by an estate yard and associated buildings. There are mature trees along the road frontage which forms its northern boundary and a tree belt in the southern part of the site next to residential properties at Morven View. From my site inspection, I observed that these trees make a positive contribution to local identity and a sense of place.

33. I find that the additional sentence requested by NatureScot in relation to the protection of the trees is consistent with paragraph PR1.8 Trees and Woodlands in policy PR1 (Protecting Important Resources). I agree with the council that a modification would be appropriate. I note that the site boundary has not changed from that shown in the existing local development plan. Subject to the modification requested by NatureScot, I do not consider it necessary to amend the boundary to exclude the trees.

34. I consider that the modification requested by NatureScot, in relation to Habitats Regulations Appraisal, would provide clarification on the appraisal process. A modification to this effect is recommended.

35. I note, from the Issues and Actions Paper, that the proposal to change the business allocation on this site to a mixed use opportunity, incorporating live/work units, was supported by Cromar Community Council. The MacRobert Trust (the site owner) also commented on the Main Issues Report. I therefore disagree with the statement that this allocation has been changed without consultation with the community.

36. I agree that there is lack of detail regarding the nature of development proposed on site OP1. However, this is not a criticism of the plan. I consider that the allocation summary provides a balance between promoting a flexible approach to the future use of the site and highlighting detailed matters to be addressed, including compatibility with neighbouring uses. As the allocation still includes employment use, I do not consider there is a need for an alternative business allocation to be identified in Tarland. No modification is required in respect of this matter.

Site OP2 – Land adjacent to Alastrean House

37. The additional text suggested by SEPA in relation to waste water treatment would provide useful information for future development proposals. I agree that a modification is required.

38. I consider that the modification requested by NatureScot, in relation to Habitats Regulations Appraisal, would provide clarification on the appraisal process. A modification to this effect is recommended.

39. National policy on woodland is provided in paragraph 216 – 218 of Scottish Planning Policy and the Control of Woodland Removal Policy. These documents highlight that ancient semi-natural woodland is an irreplaceable resource and include a presumption in favour of protecting woodland. Where the removal of woodland is permitted, compensatory planting will normally be required.

40. In response to a further information request (FIR003), the council has provided a plan which shows that the majority of allocation OP2 lies within a site included in the Scottish Ancient Woodland Inventory. It has suggested that the following wording be included in the allocation summary: "Existing woodland on and adjacent to the site should be retained and enhanced, and incorporated as public open space within the site layout. Equivalent compensatory planting must be provided should there be woodland/tree loss."

41. The council has also indicated that any proposal for development on the site would be subject to relevant policies which protect the woodland - Policy E1 Natural Heritage, Nature Conservation Sites (paragraph E1.4) and Policy PR1 Protecting Important Resources, Trees and Development, paragraphs PR1.7 and PR1.8.

42. The Woodland Trust Scotland considers that allocation OP2 should be removed from the plan. It did not respond to the request for further information on this matter.

43. The inclusion of a site within the inventory of ancient woodland would not in itself preclude development in principle and I note that part of the existing house and ancillary buildings sit amongst existing mature trees. From my site inspection, I observed that site OP2 sits within an area of relatively dense woodland. As such, I consider it unlikely that the proposed development could be accommodated with no resultant loss of trees.

44. I note that site OP2 is a continuation of an existing allocation in the adopted local development plan. Given the site specific nature of the proposal as part of continuing care in the community facilities, I consider, on balance, that its retention in the plan is justified. However, a modification to the allocation summary is required to draw attention to the presence of the ancient woodland and some of the key requirements of relevant woodland protection policies, including the need for compensatory planting.

Site OP3 – Village Farm

45. I consider that the modification requested by NatureScot, in relation to Habitats Regulations Appraisal, would provide clarification on the appraisal process. A modification to this effect is recommended.

46. Site OP3 is identified as constrained for funding and marketability reasons in the 2020 housing land audit. The representation seeking the removal of this site does not suggest a specific alternative allocation. I note, from the Issues and Actions Paper, that Cromar Community Council supports the retention of this allocation.

47. In response to a further information request (FIR008), the council has explained that the site is progressing as a community led housing project with the use of grants available to community groups. The council's Strategic Housing Investment Plan 2021-2026 indicates that 26 affordable housing units are programmed to be developed between 2022-2024. Based on the evidence provided by the council, I consider it likely that the current funding and marketability constraint can be overcome and conclude that allocation OP3 would be deliverable within the period up to 2032. No modification is required.

Non-Allocated Bid Site MR071 - Glendeskry

48. Bid site MR071 forms part of allocation OP1 for 50 homes and employment land in the existing local development plan. It is one of a number of constrained housing sites which the council has decided not to carry forward into the proposed plan. I note that the 2020 housing land audit indicates that the site is subject to marketability and funding constraints, similar to allocation OP3 in the proposed plan. However, the council has indicated that its main concern regarding the deliverability of the site relates to flood risk.

49. From my site inspection, I observed the relatively flat nature of bid site MR071 which is located to the south of Burnside Road, and the watercourse which runs along the north side of the road. I note that the council is concerned about flooding within the site boundary and also along the public road, which would prevent safe access to and from the site.

50. Consideration of housing need is undertaken through the Housing Needs and Demand Assessment which has informed the strategic development plan allowances. Tarland lies within the Rural Housing Market Area and it is concluded under issue 5 that no additional allocations are required to meet the strategic development plan allowance in the period up to 2032.

51. I do not consider that a marketability constraint in itself would necessarily justify the removal of a housing allocation from the plan. However, in this case, concerns regarding flood risk would need to be addressed. In the absence of a flood risk assessment which shows that bid site MR071 can be safely developed, I do not consider that it should be identified for housing purposes. No modification is required.

Torphins

Reserved Land

52. Site R2 lies immediately to the south west of the existing cemetery in Torphins and to the north west of residential properties in Kinnairdy Close. This is a continuation of a reservation in the existing local development plan. I note the concerns raised regarding the impact of the reserved use on the properties in Kinnairdy Close. However, I observed on my site inspection that the existing cemetery lies adjacent to homes in Kinnairdy Terrace. I find no obvious reasons why its extension onto site R2 would have an adverse impact on the amenity of neighbouring properties or users of the cemetery. Detailed matters such as the layout of the site and landscaping requirements would be addressed at planning application stage, when interested parties would have the opportunity to comment. It is not the purpose of this examination to consider, if a better alternative site exists. I am therefore unable to comment on the suggestion put forward in representations.

53. I agree that additional text should be included to indicate that a detailed groundwater assessment will be required due to the proximity of the Beltie Burn. The outcome of this assessment may indicate that the site is not suitable for use as a cemetery. However, this does not prevent it being reserved for a cemetery at this time.

Services and Infrastructure

54. The council has explained that it is not the purpose of the bullet points on community facilities and sports and recreation to identify the facilities to be provided through developer contributions. These would be assessed at the time of a planning application.

55. I consider that the modifications requested by the community council, in relation to the modernisation of Learney Hall and improvements to the sports pitch and pavilion at Torphins Park, should instead be included in the vision section of the Torphins settlement statement. A modification is recommended to include reference to these facilities, as specific examples of spaces and buildings where improvement is encouraged.

56. The strategic drainage and water supply bullet point provides information relating to the capacity of Torphins Waste Water Treatment Works. Scottish Water has requested that additional text be added to indicate its concerns regarding noise and odour complaints, should residential development be proposed next to the waste water treatment works.

57. I note that the council has indicated its support for the wording suggested by Scottish Water. However, I do not consider this additional text to be appropriate in the 'Services and Infrastructure' section given that it relates to matters of residential amenity rather than infrastructure. The only allocation located close to the waste water treatment works is OP1 Station Garage which has planning permission for a mix of uses, including housing and a business park. Reference is made in the allocation summary to the need to consult the Council's Environmental Health due to the close proximity of the sewage works. Should a planning application for residential development be submitted on any other site next to the waste water treatment works, matters relating to noise and odour would be assessed in terms of relevant policies in the plan, such as policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land. No modification is required.

Site OP1 Station Garage

58. Whilst planning permission has been granted for housing development on site OP1,

future applications may be submitted. I consider that the modification requested by NatureScot, in relation to Habitats Regulations Appraisal, would provide clarification on the appraisal process. A modification to this effect is recommended.

Non allocated Bid Sites MR034 and MR035 Land south of Beltie Road (50 houses in total)

59. These sites were included in the Main Issues Report and recommended for inclusion in the proposed plan by officers. The environmental report identifies no negative environmental effects, subject to mitigation to address impacts on flooding and conservation. However, I note that Torphins Community Council opposes any further housing allocations and concerns were raised in relation to landscape and visual impact, effects on transport and other infrastructure, environmental impacts and lack of demand.

60. I consider that together these sites would form a logical extension to the settlement and that adverse impacts could be addressed through the preparation of a master plan and developer obligations, where necessary. However, Torphins is within the Rural Housing Market Area and it is concluded under issue 5 that no additional housing sites are required to meet the strategic development plan allowance to 2032. I therefore do not consider that the allocation of these sites is justified at this time. No modification is required.

Non-allocated Bid Site MR005 Annesley Farm

61. The proposal would provide 50 homes on a 12.5 hectare site on the southern fringes of Torphins. The environmental report indicates that flooding, conservation and infrastructure constraints could be mitigated. However, there would be significant negative landscape effects. I note that to avoid areas at risk of flooding, development would need to be located on the elevated, more visually prominent parts of the site. As a result, I consider that there would be limited scope to mitigate the visual impact of the proposal from the B993 to the south of the village.

62. The site is located within the northern boundary of the Dee Valley Special Landscape Area. The statement of importance contained in Appendix 13 of the proposed plan identifies pressure of residential development as one of the forces for change in the special landscape area. It recommends that development should be focussed on lower slopes or the floor of the river valley. I do not consider that the principle of development on this site would be consistent with the guidance provided in Appendix 13.

63. As the eastern edge of the site is located next to the waste water treatment works, the comments made by Scottish Water in relation to the services and infrastructure section would apply. However, I consider that any potential noise and odour impacts could be addressed at planning application stage.

64. I note that the site is in the ownership of a house builder who has indicated that the proposed development is viable and deliverable. However, taking account of the landscape and visual impact that development would have on the setting of Torphins and the Dee Valley Special Landscape Area and that there is no requirement for additional housing sites in the Rural Housing Market Area, I do not support the allocation of this site. No modification is required.

Non-allocated Bid site MR069 Land at Wester Beltie

65. This proposal is for around 12 homes on a 1.5 hectare site and is being promoted for self-build plots or development by a small to medium scale builder. Wester Beltie is a hamlet comprising approximately 12 homes and agricultural buildings located around 400 metres from the western boundary of Torphins.

66. I note that the site was identified as a preferred site in the Main Issues Report, albeit for six homes. A proposal for 12 homes would double the size of Wester Beltie, which I consider to be overdevelopment of a hamlet which has no local facilities. I have not assessed the impact of six homes as set out in the Main Issues Report, as the representation before me relates to 12 homes.

67. The environmental report indicates that the site has an overall positive impact due to its habitat creation, housing choice and path connections. I consider the potential to extend the Torphins Railway path to provide an active travel route to the village to be beneficial. However, the site is located around one kilometre from local services which may encourage car based travel. I agree that the site is well contained and would not result in adverse landscape impacts. The landowner has indicated that the development is not reliant on external finance and could be delivered within the plan period.

68. It is concluded under issue 5 that no additional housing sites are required to meet the strategic development plan allowance for the Rural Housing Market Area. There is no justification to allocate the site on the grounds of housing need and I do not consider the benefits of the proposal would outweigh the concerns in relation to the scale of development and distance from local facilities. No modification is recommended.

Reporter's recommendations:

Modify the local development plan by:

Finzean

1. Adding the following sentence at the end of the second paragraph of the allocation summary for OP1 (site to East of Finzean Village Hall) in the Finzean settlement statement on page 804:

“Provision for active travel is required, with an aim of seeking to improve links between the site and the rest of the settlement.”

2. Replacing the third paragraph of the allocation summary for OP1 (site to East of Finzean Village Hall) in the Finzean settlement statement on page 804 with:

“The proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.”

3. Replacing the last paragraph of the allocation summary for OP1 (site to East of Finzean Village Hall) in the Finzean settlement statement on page 804 with:

“A single private waste water treatment plant, built to an adoptable standard, will be required for this site.”

Kincardine O'Neil

4. Replacing the description of protected land designation P2 in the Kincardine O'Neil settlement statement on page 833 with:

"To protect this area for use as sport and recreational space for the community."

5. Inserting the following new first bullet point into the flood risk section of the Kincardine O'Neil settlement statement on page 833:

"• Site OP1 is located adjacent to the indicative fluvial floodplain associated with the Neil Burn and River Dee. A Flood Risk Assessment may be required."

6. Replacing the last bullet point of the services and infrastructure section in the Kincardine O'Neil settlement statement on page 834 with:

"• Health and care facilities: All residential development must contribute towards the creation of additional capacity at health facilities in Aboyne".

7. Replacing the last sentence in the second paragraph of the allocation summary for OP1 (Land at Haugh Farm) in the Kincardine O'Neil settlement statement on page 834 with:

"Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required."

8. Replacing the last sentence in the last paragraph of the allocation summary for OP2 (Cook School/Passing Trade Site) in the Kincardine O'Neil settlement statement on page 835 with:

"Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required."

9. Replacing the last sentence in the second paragraph of the allocation summary for OP3 (Land at Gallowhill Road) in the Kincardine O'Neil settlement statement on page 835 with:

"Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required."

Logie Coldstone

10. Replacing the last sentence in the fifth paragraph of the allocation summary for OP1 (Land adjacent to Diamond Jubilee Hall) in the Logie Coldstone settlement statement on page 840 with:

"Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required."

Lumphanan

11. Replacing the bullet point in the flood risk section of the Lumphanan settlement statement on page 842 with:

"• A small watercourse flows adjacent to sites OP1 and R1. A Flood Risk Assessment may be required."

12. Replacing the second bullet point in the services and infrastructure section of the

Lumphanan settlement statement on page 842 with:

“• Strategic drainage and water supply: There is currently limited capacity available at Lumphanan Waste Water Treatment Works and a growth project may be required depending on development proposals. Early engagement with Scottish Water is recommended.”

13. Adding a new third paragraph to the allocation summary for OP1 (Land at Milan Park) in the Lumphanan settlement statement on page 842 to read :

“Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.”

Strachan

14. Replacing the final sentence in the third paragraph of the allocation summary for OP1 (Land at Gateside Cottage) in the Strachan settlement statement on page 856 with:

“Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.”

Tarland

15. Replacing the second bullet point of the flood risk section in the Tarland settlement statement on page 859 with:

“• Parts of sites OP2 and OP3 lie within SEPA’s indicative 1 in 200 year flood risk area, or are known to flood from other sources.”

16. Inserting the following new third sentence into the first paragraph (after ...the village) of the allocation summary for OP1 (Land at MacRobert Trust Estate Yard) in the Tarland settlement statement on page 860:

“There must be minimal tree loss as a result of development and compensatory planting will be sought for any trees felled.”

17. Adding the following new sentences to the last paragraph in the allocation summary for OP1 (Land at MacRobert Trust Estate Yard) in the Tarland settlement statement on page 860:

“Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.”

18. Adding the following new paragraph to the allocation summary for OP2 (Land adjacent to Alastrean House) in the Tarland settlement statement on page 861:

“Should the existing private waste water drainage system not have capacity for this additional population growth, an upgrade to the existing system or connection to the Scottish Water system will be required.”

19. Replacing the last sentence in the last paragraph of the allocation summary for OP2 (Land adjacent to Alastrean House) in the Tarland settlement statement on page 861 with:

“Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.”

20. Deleting the last two sentences in the first paragraph of the allocation summary for OP2 (Land adjacent to Alastrean House) in the Tarland settlement statement on page 861 and inserting the following new second paragraph:

“The majority of the site lies within an area included in the Scottish Ancient Woodland Inventory. A tree survey to BS 5837 will be required and there must be minimal tree loss as a result of the development. Statutory consultees may request for certain trees not to be felled and the developer should integrate this into the design following discussions with Aberdeenshire Council and Scottish Forestry. Where possible, existing woodland on and adjacent to the site should be retained and enhanced, and incorporated as public open space within the site layout. Equivalent compensatory planting must be provided for any loss of woodland/trees.”

21. Replacing the last sentence in the second paragraph of the allocation summary for OP3 (Village Farm) in the Tarland settlement statement on page 861 with:

“Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.”

Torphins

22. Replacing the fifth sentence in the vision section of the Torphins settlement statement on page 863 with:

“Improvements to open spaces, streets and buildings are encouraged, including the modernisation of Learney Hall and upgrading of the sports pitch and pavilion at Torphins Park.”

23. Replacing the description of reserved land designation R2 in the Torphins settlement statement on page 863 with:

“For a cemetery extension. Due to the likely hydraulic connectivity of this site to the Beltie Burn, a detailed groundwater assessment will be required to fully assess the suitability of this site as a cemetery.”

24. Replacing the last sentence in the fourth paragraph of the allocation summary for OP1 (Station Garage) in the Torphins settlement statement on page 865 with:

“Any proposal will be subject to a Habitats Regulations Appraisal (HRA) in order to consider potential effects on the qualifying interests of the River Dee SAC. A Construction Method Statement may be required.”

Revised version of Appendix 6 HOUSING LAND ALLOCATIONS (incorporating recommended modifications)

Tables 1 and 2 provide an overview of the housing supply target and housing land requirement figures up to 2032 for the Local Development Plan Area as a whole, the Rural Housing Market Area and the Aberdeenshire part of the Aberdeen Housing Market Area. The information in these tables is taken from Tables 1 and 2 in the Strategic Development Plan.

Table 1: Housing Supply Targets by Housing Market Area and Tenure

	2016 - 2019			2020 - 2032			2016 - 2032
	Affordable	Market	total	Affordable	Market	total	Total
Aberdeenshire part of the Aberdeen Housing Market Area*	685	1265	1950	3003	5577	8580	10530
Rural Housing Market Area	680	1270	1950	2002	3718	5720	7670
Aberdeenshire Council Area	1365	2535	3900	5005	9295	14300	18200

Table 2 Housing Land Requirement by Housing Market Area and Tenure Mix

	2016 – 2019**			2020 – 2032***			2016 - 2032
	Affordable	Market	total	Affordable	Market	total	Total
Aberdeenshire part of part of the Aberdeen Housing Market Area*	754	1392	2146	3604	6692	10296	12442
Rural Housing Market Area	748	1396	2144	2402	4462	6864	9008
Aberdeenshire Council Area	1502	2788	4290	6006	11154	17160	21450

* The figures for the Aberdeenshire part of the Aberdeen Housing Market Area have been calculated as the difference between the figures for the Rural Housing Market Area and the figures for the Aberdeenshire Council area as a whole.

** The housing land requirements for the period 2016 - 2019 have been calculated by applying a 10% generosity allowance to the equivalent housing supply target figures.

*** The housing land requirements for the period 2020 - 2032 have been calculated by applying a 20% generosity allowance to the equivalent housing supply target figures.

Table 3 provides an overview of the housing land supply that contributes to the Strategic Development Plan's "allowances" for the period 2020-2032 (as identified in Table 3 of the Strategic Development Plan).

Tables 4 – 7 show all allocated housing sites within the Local Development Plan and the indicative number of homes for each site. Table 4 lists the sites which have been identified to meet the Strategic Development Plan allowance for the Aberdeen Housing Market Area and Table 6 lists the sites which have been identified to meet the Strategic Development Plan allowance for the Rural Housing Market Area. These sites fall into one of the following categories:

- New Allocations which were not in the Aberdeenshire Local Development Plan 2017
- Where there is a difference in the allocated site total and the Housing Land Audit total
- Extensions to existing sites or increased densities on existing effective sites resulting in an increase in numbers;
- Existing constrained sites where a bid has been submitted indicating that they will come forward within the Plan period.

Tables 5 and 7 show all other housing allocations in the Aberdeen Housing Market Area and the Rural Housing Market Area. The majority of these sites were included in the previous local development plan and form part of the effective housing land supply in 2019. Some of these sites will not be completed until after 2032.

The Settlement Statements in Appendix 7 provide details of the full housing provision for each of the identified towns and villages within Aberdeenshire.

Table 3: Summary of Housing Land Allocations

Area	SDP Allowance	LDP Contribution to Allowance	Difference	LDP Total Housing Land Supply ¹
Aberdeen to Peterhead	Undefined	tbc	-	tbc
Aberdeen to Huntly	Undefined	tbc	-	tbc
Aberdeen to Laurencekirk	Undefined	tbc	-	tbc
Local Growth Area (AHMA)	Undefined	1341	-	tbc
Local Growth (RHMA)	Undefined	1933	-	tbc
Total AHMA	3065	3107	+ 42	15100
Total RHMA	2042	2174	+ 132	10672

¹ The figures in this column may include homes built before 2019 and/or homes that are not anticipated to be built until after 2032.

Table 4: Allocations which contribute to the Strategic Development Plan allowance for the Aberdeen Housing Market Area (AHMA)

	Settlement	Site Code	LDP 2017 Allocation	Built by Jan 2019	Existing Supply 2019 ²		Contribution to the Allowances 2020-2032		LDP 2022 Allocation ³
					Effective Supply 2019	Constrained Supply 2019	Strategic Growth Area	Local Growth AHMA	
New Sites	Banchory	OP7						42	42
	Barthol Chapel	OP1						5	5
	Echt	OP1						25	25
	Findon	OP1					11		11
	Foveran	OP3					36		36
	Foveran	OP4					20		20
	Foveran	OP5					14		14
	Inchmarlo	OP2						120	120
	Inverurie	OP3					50		50
	Inverurie	OP15					130		130
	Inverurie	OP16					50		50
	Kemnay	OP3						65	65
	Kintore	OP6					24		24
	Kintore	OP7					32		32
	Marywell	OP1					52		52
	Methlick	OP3						12	12
	Midmar	OP1						12	12
	Newburgh	OP3						160	160
	Oldmeldrum	OP5						146	146
	Pitmedden	OP2						100	100
Pitmedden	OP3						68	68	

² Taken from the Aberdeen City and Shire Housing Land Audit 2019.

³ The figures in this column may include homes built before 2019 and/or homes that are not anticipated to be built until after 2032.

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	Settlement	Site Code	LDP 2017 Allocation	Built by Jan 2019	Existing Supply 2019 ²		Contribution to the Allowances 2020-2032		LDP 2022 Allocation ³
					Effective Supply 2019	Constrained Supply 2019	Strategic Growth Area	Local Growth AHMA	
	Pitmedden	OP4						10	10
	Portlethen	OP1					100		176
	Portlethen	OP7					300		300
	Potterton	OP1						172	172
	Potterton	OP2						61	61
	Rashierieve	OP1					8		8
	Stonehaven	OP5					60		60
	Stonehaven	OP6					91		91
	Westhill	OP3						63	63
	Ythanbank	OP1						5	5
Existing Sites	Balmedie	OP1	50			50	80		80
	Banchory	OP1	30		30			2	32
	Banchory	OP2	345		340			5	345
	Belhelvie	OP1	10		10		4		14
	Blackburn	OP1	50	0	50		190		240
	Dunecht	OP1	24	0	24			9	33
	Hatton of Fintray	OP1	8			8		16	16
	Inchmarlo	OP3			75			10	85
	Inverurie	OP11	25	0	25		29		54
	Keithhall	OP1	15			15		36	36
	Kintore	OP1	600	0	600		400		1000
	Methlick	OP1	20			20		20	20
	Methlick	OP2	5		5			3	8
Millbank	OP1	35	0		35		30	30	

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	Settlement	Site Code	LDP 2017 Allocation	Built by Jan 2019	Existing Supply 2019 ²		Contribution to the Allowances 2020-2032		LDP 2022 Allocation ³
					Effective Supply 2019	Constrained Supply 2019	Strategic Growth Area	Local Growth AHMA	
	Newtonhill	OP1	70	0	70		51		121
	Newmachar	OP2	165	50	95			35	130
	Oldmeldrum	OP2	50		50			35	85
	Oldmeldrum	OP4	35		35			27	62
	Park	OP1	6	0	6			7	13
	Stonehaven	OP2	205	71	108		33		212
	Stonehaven	OP4	50	12	37		1		50
	Tarves	OP1	100		100			13	113
	Woodlands of Durriss	OP1	30	19	4			27	27
	Total			152	1664	128	1766	1341	4926
New Sites contributing to the AHMA allowance							2044		
Existing Sites contributing to the AHMA allowance							1063		
Total contribution to the AHMA allowance							3107		

Table 5: Other Housing Allocations in the Aberdeen Housing Market Area

Settlement	Site Code	LDP 2017 Allocation	Built by Jan 2019	Existing Supply 2019 ⁴		LDP 2022 Allocation ⁵
				Effective Supply 2019	Constrained Supply 2019	
Balmedie	OP2	150		220		220
Balmedie	OP3	500			500	500
Banchory	OP3	50		50		50
Banchory	OP4	15		15		15
Banchory	OP6				29	40
Blackdog	OP1	600	51	549		600
Blairs	OP1		19	306		325
Chapelton	OP1	4045	164	3881		4045
Cluny & Sauchen	OP1	99	23	76		76
Drumlithie	OP1	30	0	30		30
Drumoak	OP1	44	33	11		11
Ellon	OP1	980		980		980
Ellon	OP2	Unspecified		50		Unspecified
Ellon	OP3	5	1	11		10
Foveran	OP1	100	42	58		100
Foveran	OP2	75		75		75
Inchmarlo	OP1	60	8	52		60
Inverurie	OP1	58	0	57		57
Inverurie	OP2	180	76	46	58	Unspecified
Inverurie	OP4	425	25	391		416
Inverurie	OP5	737		737		737

⁴ Taken from the Aberdeen City and Shire Housing Land Audit 2019.

⁵ The figures in this column may include homes built before 2019 and/or homes that are not anticipated to be built until after 2032.

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Settlement	Site Code	LDP 2017 Allocation	Built by Jan 2019	Existing Supply 2019 ⁴		LDP 2022 Allocation ⁵
				Effective Supply 2019	Constrained Supply 2019	
Inverurie	OP7	615	315	366		681
Inverurie	OP8			64		64
Inverurie	OP12	80	0	80		80
Kemnay	OP1	20	0	20		20
Kingseat	OP1				7	Unspecified
Kintore	OP2	150	0	150		150
Kirkton of Maryculter	OP1	6	0	6		6
Newburgh	OP2	60		60		60
Newmachar	OP1	300	0	340		340
Oldmeldrum	OP1	50		50		49
Oldmeldrum	OP3	40		26		26
Pitmedden	OP1	64		64		64
Stonehaven	OP1	110	9	146		155
Stonehaven	OP3	51		51		Unspecified
Tarves	OP2	10			10	15
Tarves	OP3	19		19		19
Udny Green	OP1	15		15		15
Udny Station	OP1	35		35		35
Westhill	OP1	10			10	10
Westhill	OP2				38	38
Total			766	9087	652	10174

Table 6: Housing Allocations which contribute to the Strategic Development Plan allowance for the Rural Housing Market Area (RHMA)

	Settlement	Site Code	LDP 2017 Allocation	Built by Jan 2019	Existing Supply 2019 ⁶		Contribution to the Allowances 2020-2032		LDP 2022 Allocation ⁷
					Effective Supply 2019	Constrained Supply 2019	Strategic Growth Area	Local Growth RHMA	
New Sites	Cairnbulg/ Inverallochy	OP3						30	30
	Cornhill	OP2						63	63
	Cuminestown	OP1						60	60
	Drumblade	OP1						5	5
	Fetterangus	OP3						49	49
	Finzean	OP1						8	8
	Fraserburgh	OP4						30	30
	Fyvie	OP1						30	30
	Gourdon	OP1						49	49
	Huntly	OP1					50		50
	Huntly	OP2					52		52
	Kirkton of Auchterless	OP1						5	5
	Ladysbridge	OP1						35	35
	Laurencekirk	OP4					20		20
	Laurencekirk	OP5					11		11
	Longside	OP1						30	30
Luthermuir	OP3						13	13	

⁶ Taken from the Aberdeen City and Shire Housing Land Audit 2019.

⁷ The figures in this column may include homes built before 2019 and/or homes that are not anticipated to be built until after 2032.

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	Settlement	Site Code	LDP 2017 Allocation	Built by Jan 2019	Existing Supply 2019 ⁶		Contribution to the Allowances 2020-2032		LDP 2022 Allocation ⁷
					Effective Supply 2019	Constrained Supply 2019	Strategic Growth Area	Local Growth RHMA	
	Macduff	OP1						22	22
	Maud	OP2						30	30
	Meikle Wartle	OP1						12	12
	Memsie	OP2						20	20
	Old Rayne	OP1						10	10
	Rothienorman	OP1						12	12
	St Combs	OP1						30	30
	Tarland	OP1						10	10
	Turriff	OP5						27	27
	Turriff	OP6						40	40
Existing Sites	Aberchirder	OP1	45			45		45	45
	Aboyne	OP2	135	69	107			5	181
	Alford	OP4	85			85		85	85
	Auchnagatt	OP1	16			16		16	16
	Banff	OP1	400		94	306		306	400
	Banff	OP2	295			295		100	200
	Cairnbulg/ Inverallochy	OP1	85			85		85	85
	Cairnbulg/ Inverallochy	OP2			37			6	43
	Cruden Bay	OP2	41			41		31	31
	Crudie	OP1	14			5		10	10
	Fetterangus	OP2	27			27		27	27

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	Settlement	Site Code	LDP 2017 Allocation	Built by Jan 2019	Existing Supply 2019 ⁶		Contribution to the Allowances 2020-2032		LDP 2022 Allocation ⁷
					Effective Supply 2019	Constrained Supply 2019	Strategic Growth Area	Local Growth RHMA	
	Fettercairn	OP1	40			40		60	60
	Fordyce	OP1	5			5		5	5
	Gardenstown	OP1	25			25		25	25
	Glenkindie	OP1	6		5			1	6
	Kennethmont	OP1	30			30		32	32
	Kincardine O'Neil	OP3	8			8		8	8
	Laurencekirk	OP6				77	100		100
	Laurencekirk	OP7			7		8		15
	Logie Coldstone	OP1	25			25		10	10
	Luthermuir	OP1	25		25			6	31
	Memsie	OP1	15			15		15	15
	New Deer	OP3	40			40		30	30
	Old Deer	OP1	10			10		10	10
	Roadside of Kinneff	OP1	30			30		16	46
	Rosehearty	OP1	50			50		49	49
	St Combs	OP2			19			26	45
	St Fergus	OP1	55		25	30		13	38
	St Katherines	OP1	5		5			10	15
	Tarland	OP2	10			10		10	10
	Tarland	OP3	36			36		36	36
	Towie	OP1	5			5		5	5
	Turriff	OP1	450		8	442		200	450
	Whitehills	OP1	30			30		30	30

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	Settlement	Site Code	LDP 2017 Allocation	Built by Jan 2019	Existing Supply 2019 ⁶		Contribution to the Allowances 2020-2032		LDP 2022 Allocation ⁷
					Effective Supply 2019	Constrained Supply 2019	Strategic Growth Area	Local Growth RHMA	
Total				69	332	1813	241	1933	2947
New Sites contributing to the RHMA allowance							753		
Existing Sites contributing to the RHMA allowance							1421		
Total contribution to the RHMA allowance							2174		

Table 7: Other Housing Allocations in the Rural Housing Market Area

Settlement	Site Code	LDP 2017 Allocation	Built by Jan 2019	Existing Supply 2019 ⁸		LDP 2022 Allocation ⁹
				Effective Supply 2019	Constrained Supply 2019	
Aboyne	OP1	175		175		175
Alford	OP1	30			30	30
Alford	OP3	165	162	97		259
Alford	OP5	60		60		60
Ardallie	OP1	10	2	8	0	10
Auchenblae	OP1	15		25		25
Auchleven	OP1				5	5
Auchleven	OP2			9		9
Auchnagatt	OP2	31			31	31
Boddam	OP1	9			9	9
Cairnie	OP1	8			8	8
Chapel of Garioch	OP1	10			10	10
Cornhill	OP1	25		8		8
Crimond	OP2					30
Cruden Bay	OP1	200		200		200
Crudie	OP2	Part of OP1	1	8		9
Edzell Woods	OP1	300			300	300
Fetterangus	OP1	26	4	6	16	26

⁸ Taken from the Aberdeen City and Shire Housing Land Audit 2019.

⁹ The figures in this column may include homes built before 2019 and/or homes that are not anticipated to be built until after 2032.

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Settlement	Site Code	LDP 2017 Allocation	Built by Jan 2019	Existing Supply 2019 ⁸		LDP 2022 Allocation ⁹
				Effective Supply 2019	Constrained Supply 2019	
Fordoun	OP1	15		15		15
Forgue	OP1	5			5	5
Forgue	OP2	5	3		4	5
Fraserburgh	OP1	600	25	575		600
Fraserburgh	OP2	590	164	186	240	590
Gardenstown	OP2	11			11	11
Hatton	OP1	40			40	40
Hatton	OP2	21	2	34		34
Hatton	OP3	15		15		13
Insch	OP1	48		48		48
Insch	OP2	10	4	8		8
Inverbervie	OP1	200		200		200
Johnshaven	OP1	67		67		67
Keig	OP1	11	10	3		13
Laurencekirk	OP1	885		200	685	310
Laurencekirk	OP2	210	74	136		210
Laurencekirk	OP3	Part of OP1			Part of OP1	247
Longhaven	OP1	30			30	30
Lumphanan	OP1	26			26	26
Luthermuir	OP2				25	25
Marykirk	OP1	30		30		30
Maud	OP1	75		75	32	107
Maud	OP3	10	7	3		10
Mintlaw	OP1	500		500		500
Mintlaw	OP2	600	95	505		600

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Settlement	Site Code	LDP 2017 Allocation	Built by Jan 2019	Existing Supply 2019 ⁸		LDP 2022 Allocation ⁹
				Effective Supply 2019	Constrained Supply 2019	
Mintlaw	OP3	20		20		20
Mintlaw	OP4	34		73		34
Mintlaw	OP5	50			50	50
Muir of Fowlis	OP1	6			6	6
New Aberdour	OP1	48		1	47	48
New Byth	OP1	12			12	12
New Deer	OP1	35		35		35
New Deer	OP2	7	1	6		7
New Pitsligo	OP1	12			12	12
New Pitsligo	OP2	10			20	90
Old Deer	OP2	17			17	17
Old Rayne	OP2	30		14	16	30
Oyne	OP1	10			10	10
Peterhead	OP1	1265		755	510	1265
Peterhead	OP2	250		248		210
Peterhead	OP3	225	19	206		225
Portsoy	OP1	10			10	10
Portsoy	OP2	6			6	6
Portsoy	OP3				44	44
Rathen	OP1	10		10		10
Rhynie	OP1	34	3		31	34
Rora	OP1	6			6	6
Rosehearty	OP2	10			10	10
Rosehearty	OP3	10			10	10
Ruthven	OP1	8			8	8
Sandend	OP1	8			8	8

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Settlement	Site Code	LDP 2017 Allocation	Built by Jan 2019	Existing Supply 2019 ⁸		LDP 2022 Allocation ⁹
				Effective Supply 2019	Constrained Supply 2019	
Sandhaven	OP1	31			31	31
St Cyrus	OP1	125		125		125
Strachan	OP1	15		15		15
Strichen	OP1	18		18		18
Strichen	OP2	22		22		22
Stuartfield	OP1	75	32	43		75
Torphins	OP1	48		48		47
Turriff	OP2	150		231		227
Total			608	5066	2371	7725

