084 Ellon

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<tr>
<th>Response ID</th>
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<td>15</td>
<td>Mr Richard Morris</td>
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<td>19</td>
<td>Mrs June Fisher</td>
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<td>119</td>
<td>Mr Max Oakes</td>
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<td>542</td>
<td>Louise McDonald-Meyer</td>
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<td>571</td>
<td>Cruden Community Council</td>
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<td>742</td>
<td>Mr John Thorogood</td>
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<td>850, 854</td>
<td>Knight Frank LLP on behalf of Mrs Davidson</td>
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<td>1202</td>
<td>D Fairlie Partnership on behalf of Ellon Castle Gardens Trust</td>
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<td>1225</td>
<td>Aberdeenshire Council Economic Development</td>
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<td>1366, 1370, 1374</td>
<td>Ryden LLP on behalf of Stewart Milne Homes Limited</td>
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<td>John Handley Associates Ltd on behalf of Scotia Homes</td>
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<td>1463</td>
<td>Mrs Louise McDonald-Meyer</td>
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<td>Ryden on behalf of Mr &amp; Mrs Buchan</td>
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1. Issues

Settlement Objectives

The Community Council suggested that there is clear support from the community to retain the deer park as green space, however, there was also the suggestion of developing a caravan park on the site (1550).

Two respondents have indicated their support for the continued regeneration of Ellon town centre and would encourage a masterplanning approach where appropriate (1557, 1825).

Concern has been raised regarding capacity in local primary schools and a respondent has asked whether a primary school will be allocated in the proposed LDP (1550).

Factual information was provided regarding flood risk and water network considerations (1580, 1809). Water and wastewater networks upgrade may be required to support further development (1809).

Infrastructure

If site R1 (allocated for a cemetery) is to progress to a planning application, a full screening of the potential impact on groundwater would be required (1580). Flood Risk Assessments will be required for sites E1, SR1, H1, M1, Fm006, Fm030, Fm031 and Fm083 (1580).

Existing Allocations E1 and SR1

The owner of site SR1 has requested the early release of the site, post 2017, and a change of use to retail and leisure uses, arguing that there is demand for new retail development in Ellon (854).

Concerns were raised that site E1 is linked to the development of a Travellers site and it was urged that the original allocation of employment land be maintained. Concerns were also...
raised regarding visual impact of sites E1 and SR1 and it was also argued that foot and cycle traffic be considered in the designs too. Finally it was also suggested that the allocation should be changed to include leisure uses, which the respondent would support, but the respondent indicated that they would object to storage or distribution functions on these sites (1550).

**Existing Allocation EH1**

One respondent has suggested that any redevelopment of sites adjacent to Ellon Castle Gardens should only be allowed to proceed if it is sympathetic to the setting of the gardens in the town, that access to the gardens is maintained, and that the gardens become a focal-point of any redevelopment (1202).

**Existing Allocation H1**

Concerns were raised regarding flood risk on site H1 (542). SEPA has provided factual information regarding flood risk on the site. A Flood Risk Assessment will be required for the site (1580).

**Existing Allocation M1**

Concerns were raised regarding flood risk on the site (542). Two respondents recommended that new housing allocations must be made within the Strategic Growth Area as site M1 had yet to deliver housing (850, 1670). Ellon Community Council suggested that site M1 should make significant amounts of affordable housing available. They also raised concerns regarding access and the possible visual impact of a new river crossing and have asked that any consideration of the connectivity options be made with the public. They have also suggested that employment land be made available on this site, that access to green space be available on the site and that a community facility should be provided as part of the development. Finally, concerns were raised about visual impact of the site during its 15 year phased construction period (1550). Concern was also raised about new bid sites delaying the delivery of site M1, which they stated is essential to re-connect the new academy to the town (1550).

**FM006**

Support was given to this site to meet the shortfall made by the failure of M1 to deliver, and as it will have small traffic impact (850). However, concern was raised regarding visual prominence of the site (1366, 1370). There was also concern that this development may slow the delivery of site M1 (1550).

**FM030**

Concerns were raised by one respondent regarding the decision not to recognise the site as an officer’s preference, suggesting that the retail and employment land could benefit Ellon by linking it into the Energetica Corridor, easing traffic congestion in the town centre, providing community and commercial functions in the town, and by enhancing the river side walkway (1374). The Community Council gave their support to the development, arguing that the community is in favour of the development as it would join-up the town and add retail and leisure opportunities (1550).

**FM031**

Objection was taken to the decision not to recognise site Fm031 as an officer’s preference (1370). The respondent argued that the site could meet the perceived shortfall in housebuilding in the Strategic Growth Area, help to mitigate transport problems by developing near to the Park & Ride, and could provide commercial and community facilities in the town also (1370). However, one respondent indicated their objection to any housing development on this site (1550).
FM051
Concerns were raised that the site would not be deliverable until after significant progress was made on the Cromleybank site (existing allocation M1) (542, 1366, 1370, 1550). It has been argued that the allocation of site Fm051 should be delayed until after the delivery of M1 (1366, 1370, 1550). Concerns were raised about car dependency of this development and increased traffic congestion (1366, 1370).

One respondent supported the site, arguing that it is a logical expansion of the current allocation at M1, could help meet the need for housing in the Strategic Growth Area, and has public support (1380).

FM056
One respondent indicated their support for the development, highlighting that the site is partially brownfield and relates well with the existing settlement and is screened by a line of trees, that it would provide a necessary community function and would have minimal impact on traffic (1633). However, concerns were raised that the site is too remote from services and would be visually incongruous with the landscape of south Ellon (1366, 1370, 1550). There was also concern that development of this site could slow delivery on the M1 Cromleybank site (1550).

FM079
One respondent indicated support for the site, arguing that it was less constrained than other sites, would have less environmental and visual impact and minimal flood risk compared to other sites, and also that this is the only site of a suitable scale for an independent or private developer (542). Another respondent has supported the bid site, suggesting that there is demand for developments on a smaller scale, that the site has good connectivity to the town centre and that it would create a gateway to east Ellon (1463). However, one respondent objected to the site, citing visual impact (1550).

FM081 Existing Academy Site
Concern was raised that there has been no decision regarding the future of this site (542), and it was argued that the site must be used to improve the amenity of the town. Objection to the development of housing on this site was made and other possible land uses were suggested including a replacement health centre, retail, and hotel and leisure uses. Access to the Castle and its Gardens should be preserved and consideration should be given to the preservation of the public hall in the “old” Academy (1550). It was argued that the Council should give greater consideration to the uses that should be promoted on this site (542, 1550).

FM083
One respondent indicated their support for their site and argued against the officer’s recommendation for “robust application of policy SG Retail 1 Town Centres and Retailing” and citing that the consultants previously appointed by the Council to assess retailing in Ellon advised the creation of an out-of-centre retail park (1380). They go on to suggest it is appropriate for an out-of-centre Retail Park to be remote from the town centre and instead suggest that the site should be reassessed on its other merits, such as its proximity to the M1 site (1380). However, two other respondents reiterated concerns that the site is poorly related to the town centre (542, 1374). Scottish Water have highlighted that a trunk main runs through the site and the developer should contact them to ascertain the impact this will have on the layout of the site (1809).

Shopping Centre on the Outskirts of Ellon – Preferred Option
Transport Scotland and Scottish Enterprise supports the Preferred Option (1811, 1557). Two further respondents have given their support for the Preferred Option (1638, 1825). One respondent has suggested that the option to build a supermarket in the centre of Ellon
should be a preferred option (15). One respondent highlighted the need for caution, suggesting that the new academy will already damage the vibrancy of the town centre and therefore testing of the impact on town centre vitality of different development scenarios should be undertaken to reach an informed decision (1225).

However, another respondent has argued that the Preferred Option is contrary to SPP which states that LDPs should enable gaps to be remedied in shopping, leisure and other services by the identification of appropriate locations for new development that takes commercial realities into account. Therefore, they argue, the Preferred Option may be considered a “do-nothing approach” (1380).

**Shopping Centre on the Outskirts of Ellon – Reasonable Alternative**

Support was given for the Reasonable Alternative option from several respondents who believe appropriately-sized sites should be allocated for the development of national retail outlets (19, 571, 854, 1374, 1380, 1416, 1685). One respondent proposed that the Council must recognise the demand for growth from national retail brands and accommodate it (1374). It was also argued that the SPP and that the SDP supports the demand for an out of centre retail park, (1374, 1380). Another respondent has supported the Reasonable Alternative option, and further suggested that the best place to locate this would be beside the Park & Ride so as to reduce the carbon footprint (571). Two respondents raised general concerns about the lack of retail opportunities and employment land and called for the allocation of employment land on the settlement outskirts (854, 1685). Respondents also suggested that the existing academy site should be used for a retail outlet (19, 1550).

However, there were objections raised to the Reasonable Alternative by a number of respondents who felt that it would be unsustainable development that would rely on car ownership and would damage the vibrancy of the town centre (15, 119, 1225). The business case was also questioned, with the suggestion that Ellon may be too small to support such a development and that the local economic benefit was questionable if the money spent in the shops was at the expense of local Ellon retailers (1225). Finally, one respondent has suggested that there is a conflict of interest for the Council to make this decision, and that it should be put to a public vote in the local community after consultation on the issue (742).

### 2. Actions

**Retail**

It is recognised that there were a significant number of submissions regarding retail in Ellon. The responses to question 16 of the MIR regarding the creation of a shopping centre on the outskirts of Ellon were mixed and there was no substantial support offered for either the Preferred Option or for the Reasonable Alternative Option. Out of sixteen respondents who commented on the issue, four respondents favoured the Preferred Option, seven respondents favoured the Reasonable Alternative Option and three objected to the Reasonable Alternative Option, and two respondents did not favour either option. Therefore, it cannot be reasonably suggested that any option gained an overwhelming level of support from the respondents.

While two respondents suggested that there is a need for consultation and testing of scenarios, this was the purpose of the previous Ellon Retail Study, and Question 16 in the MIR was to consult on this issue. To that end the responses have been mixed and inconclusive.

One respondent has suggested that the LDP supports the option to build a supermarket in the town centre. However, as an Aldi supermarket is due to be delivered in the town, it is considered that this option has already been explored. In relation to the Academy site as a site for retail the Council has previously been advised that this site would be unattractive to developers due to issues of access and lack of prominence.
It was also highlighted by a respondent that SPP advises that “the development plan should enable gaps and deficiencies in provision of shopping, leisure and other services to be remedied by identifying appropriate locations for new development and regeneration” and that “[c]ommercial realities should be taken into account when development plans are prepared”. However, it must also be noted that the same paragraph in SPP goes on to state that planning authorities must be responsive to the needs of town centre uses, indicate how and when constraints can be resolved, and also identify opportunities for improving the physical qualities and sustainability of town and commercial centres in the development plan. The SPP also goes on to support a “town centre first” presumption for retail development and incorporates a sequential test to apply it. This approach has been reaffirmed in the draft SPP also. In light of this, while the comment has been noted, it is not considered that this is justification for suggesting that the Preferred Option in Ellon is a “do-nothing approach”, as SPP clearly supports the sequential approach as currently pursued in SG Retail 1 Town Centres and Retailing.

In addition, both the SPP and SDP favour the development of mixed-use developments and seek to reduce the effects of transport on climate change, through ensuring LDPs promote a pattern of development which reduces the need to travel and are located conveniently as to encourage walking, cycling and public transport use. Therefore, due to the lack of overwhelming support for an out-of-centre retail development, contradiction of cannot be justified of SPP and SDP and it is recommended to pursue the Preferred Option to continue to support Ellon town centre.

Housing

Multiple respondents have highlighted a concern regarding the deliverability of site M1 and have perceived that this may generate a shortfall in the housing supply. These comments have been noted; however, as indicated in the Housing Land Audit, site M1 is still considered an effective and deliverable site, despite the build rate slowing due to ongoing discussions regarding a new bridge over the River Ythan. This is confirmed in the 2014 Action Programme which expects the conclusion of the bridge discussions by the end of 2014. Sites EH1 and H1 are also both considered effective in the Housing Land Audit and the 2014 Action Programme indicates that construction work began on the EH1 site in Q3 of 2013. It is therefore not agreed that a shortfall exists or will exist in the housing land supply. As discussed in more detail in the Issues and Actions paper for Main Issue 12 Land Supply, there is currently an adequate and appropriate supply of land allocations that are effective or capable of becoming effective to meet the SDP housing requirements as well as local needs in Ellon. It is therefore not recommended that any further housing allocations be brought forward into the Proposed Plan in the town of Ellon.

Infrastructure

The technical matters raised by consultees are noted. These issues will best be considered during the planning application stage. No further action is required in response to these detailed comments at this time. The comments regarding primary school capacity are acknowledged. School capacity is considered as part of the preparation for the Proposed Plan and at present the education department of Aberdeenshire Council has indicated that they do not require an additional school in Ellon. Consequently it is recommended that no land should be allocated for that purpose in the proposed Local Development Plan (LDP).

Settlement Objectives

The community council’s comments regarding the public support for the preservation of the deer park as green space in Ellon is acknowledged. The deer park currently has protected status as part of P2. At this moment it is not considered necessary to review this allocation and therefore inappropriate development of the deer park will not be permitted. No further action needed.
While there may perhaps be some benefits gained from locating a caravan park adjacent to the town centre on the deer park, no formal bids have been submitted, and therefore no strong support has been raised that would justify the consideration of such an allocation at this stage. However, it should be noted that there are physical constraints regarding access onto the site due to the listed status of the peripheral wall. In addition, the impact on traffic congestion would also cause concern and would require further investigation. Additionally, the setting of the castle and the listed wall would have to be considered also to ensure adherence to Policy 13 of the LDP and the Scottish Historic Environment Policy (SHEP). Finally, there has been no support given for the removal of the protected status of the site and so such a development could not be supported by the plan. It is therefore not recommended to consider an allocation for a caravan park on this site in the proposed plan period.

The support for the continued regeneration of the town centre is welcomed. Further to the respondent’s comments, it is presently only appropriate to consider masterplanning in individual planning applications and therefore there is no identified need to masterplan the town centre in its entirety. No further action required.

**Existing Allocations E1 and SR1**

The requests to reallocate the SR1 site for retail or leisure and to bring it forward for development in 2017 is not considered appropriate as no clear support has been indicated for the development of an out-of-centre retail park, as discussed above. Arguments against the development of the FM030 site are likely to have similar currency in relation to development on this site. In regards to the concerns over the traveller’s site on SR1, this issue was previously debated in the examination of the proposed LDP 2012 where no objections were made. As no new information has been provided that shows a material change in the consideration, it is not appropriate to remove this allocation from the site either. Accommodation for Gypsy Travellers remains an acute problem and it is therefore recommended that no amendments be made to the existing classification of the SR1 site and the current classification should be carried forward into the next plan.

Concerns regarding visual impact and access for pedestrians and cyclists are best addressed through the development management process, where the respondent may raise an objection if they desire. As employment land allocations can include storage or distribution functions, it is not considered appropriate to exclude these functions from the SR1 site. However, the respondent is also entitled to object to uses that they feel are inappropriate as they arise as a planning application. No further action required.

**Existing Allocation EH1**

The respondent’s concerns regarding access to the castle and impact on the setting of the castle are well founded and supported by current Scottish Government guidance and in the existing LDP. These concerns will best be addressed at the planning application stage and no further action is required regarding this issue in the LDP.

**Existing Allocation H1**

Concerns over flood risk are noted, and SEPA have provided factual information regarding flood risk and the need for a Flood Risk Assessment on the site. These will be addressed at the planning application stage; therefore no further action is required.

**Existing Allocation M1**

Concerns made regarding the perceived slow pace of delivery on the site have already been discussed previously, with the pace being determined by the ongoing talks regarding the necessity of an additional river crossing as a developer contribution. The site is still considered effective and deliverable and therefore no housing shortfall is calculated for the LDP 2016 period. No further housing allocations are appropriate and it is therefore recommended not to make any new allocations in the LDP.
Comments regarding the affordable housing, green space provision and visual impact are most appropriately considered through the development management process. The existing LDP gives a higher target for affordable housing in Ellon, with a proposed target of 30 per cent affordable houses in new developments in the town. As noted in Main Issue 7 (Housing for people on modest incomes) this will likely have to be reduced to 25% in line with Scottish Planning Policy. The final requirements for developments will be decided through the existing provisions provided in Policies 6 and 8 of the LDP as part of the development management process. No further action is required.

The site is already allocated to provide 2ha of employment land and a primary school and therefore the respondent’s comments regarding this issue have already been addressed. No further action is required.

Concern over new allocations slowing the delivery of M1 is noted; however, as there is no further need for strategic or local housing in Ellon, no new allocations are recommended and this circumstance should not arise. We share concerns regarding potential impacts from alternative sites on the programme for delivery of the M1 site.

**FM006**

The responses received regarding site Fm006 are noted. It is not agreed that there will be a shortfall in housing as sufficient allocations have been made to meet the LDP requirements. The site has previously been examined during the 2012 LDP where it was stated that the development would be too remote from the town and "would represent a major and unnecessary intrusion into the attractive areas of agricultural fields and rolling open countryside along the northern edge of Ellon". Therefore none of the areas in the site were considered suitable for development. As there have been no material changes to the bid since the examination, it is recommended not to include the site in the proposed LDP for the reasons stated above.

**FM030**

The arguments raised in favour of the allocation are well considered and have some merit, and these were raised and discussed above during the consideration of Main Issue 14 above. As discussed, the responses received regarding out-of-centre shopping in Ellon was mixed and it was therefore decided to support the town centre through the robust application of SG Retail 1. Consequently it is not consider appropriate to allocate site Fm030 in the next LDP.

**FM031**

As stated in the responses, the site does have some benefits such as proximity to the nearby superstore and the Park and Ride facility. It is disagreed with the respondents that there is a housing shortfall and as there have been no material changes in the proposal since the previous exam. It is therefore not recommended to allocate the site in the proposed LDP.

**FM051**

The comments of the respondents are noted and particularly their concerns over the debatable deliverability of the site until after the delivery of M1 Cromleybank site. As stated in the officer’s comments in the MIR, the site would provide a natural expansion to the M1 site and is therefore an attractive option for future expansion of Ellon. However, without the completion of the M1 site, Fm051 may be disjointed from the town and dependent on cars. It is therefore suggested that the site is not suitable for allocation until after the completion of the M1 site, which is due for completion in 2036. In addition, the scale of the proposed development is at a strategic level and currently there is no need for further strategic housing allocations as the LDP requirements have already been met. It is therefore recommended not to include the site in the LDP.
The respondent's comments in favour of the site are noted, however, it is not agreed that the site relates well to the rest of the settlement. The site has poor access and permeability, as highlighted by the previous examination. It is also isolated from the town centre and therefore is not an ideal location for new services or for the location of housing for elderly people's accommodation. It is therefore recommended not to allocate this site in the LDP.

The site does have some benefits as highlighted by the respondent, insofar as it has good connectivity to the town, and is within walking distance of the Park and Ride. While the argument in favour of small development sites is noted, it is also important that any development takes place on suitable sites, regardless of scale. It is felt that the Fm079 site is still in a remote location from the town centre and the services therein, as indicated in the examination of the previous plan. The site also includes areas that are restrained by flooding and by a right of way which must remain open. As there is no need for further strategic or local housing allocations in Ellon, and for the above reasons, it is therefore not recommended to include the site in the proposed LDP.

The responses given regarding the future of the Ellon Academy site are welcomed. A range of potential uses are currently being discussed for this site and could include a new health centre, offices relocated from town centre sites, a hotel, affordable housing, and housing. Retailing has been dismissed both by a study on retail opportunities within Ellon, and a specific assessment of the potential of the site. This latter study has concluded that the greatest value that can be delivered immediately from this site would be from private housing uses. It is unlikely that this would provide the range of community benefits that would result in maximum benefit to Ellon Town Centre and the wider community and it would be more appropriate to consider a mix of uses for the site. Detailed discussions are continuing in relation to the Council's office relocation strategy, the Housing Service aspiration to provide Council Housing (or housing in partnership with a social rented landlord), and the NHS Grampian plans for the replacement of the Health Centre. At least one hotelier has expressed an interest and is being made aware of the opportunities provided by this key site.

As a Council owned site, a full discussion must be undertaken with relevant departments, partners and committees in line with procedures and policies before a final decision can be reached. Such discussions are currently being expedited through the Area Manager's office and conclusions are being sought within a 6 month timetable to coincide with the publication of the proposed plan. Until this occurs, it would be inappropriate to make further comments on the future allocation of Site Fm081 at this time.

While the arguments in favour of the site are noted, the Council must make the best decisions for the future of the settlement with respect to national policy and the Strategic Development Plan and with respect to the feedback received to the MIR. The Ellon Town Centre and Retail Study recognised the direct impacts that would occur to the vitality and viability of the exiting town centre. While it has been argued that there may be a case for the provision of out-of-centre shopping in Ellon, this has not been supported in the responses to the MIR, which have been mixed. Officers recommend supporting the town centre through application of a modified policy SG Retail 1. In light of this decision, Fm083 is not considered an appropriate site for the development of retail and commercial land as it is poorly related to the settlement, especially the town centre, and would be an unsustainable form of development which would be heavily dependent on cars. It is not recommended to include this site in the LDP.
3. Committee Recommendations

1. For the reasons stated above, it is recommended to adopt the Preferred Option to Main Issue 14 and to support the town centre through a robust application of the policy SG Retail 1 “Town Centres and Retailing” and to resist out-of-centre retail developments.

2. The existing EH1, E1, H1, M1 and SR1 allocations should be retained in the plan in their current form.

3. For the reasons outlined above, and given that there are already sufficient development allocations that are effective or capable of becoming effective to meet the SDP requirement, it is not considered appropriate to allocate any of proposed sites in Ellon for development within the Proposed Plan.

4. Site FM081 should be recognised as a mixed use development site, with the exact range of uses deemed appropriate to be reported through the Settlement Statement for Ellon to be reviewed in December 2014.
4. Committee Decisions

1. Formartine Area Committee agreed recommendations 2, 3 and 4 at their meeting on 17 June 2014. The committee also agreed the amendment to the wording of recommendation 1 to read:

   1. The adoption of the reasonable alternative option to Main Issue 14 and to recommend site FM030 as the preferred site for out-of-centre retail developments, with officers to identify the relevant footprint.

2. Infrastructure Services Committee noted the recommendation of the Area Committee and agreed it at their meeting of the 3 July 2014.