

197 Other Issues

Response ID	Respondent
1	William Lippe Architects Ltd on behalf of Mr Brian Thomson
4	Kemnay Community Council
47	Mr David Fleming
90	Mr Stephen Learmonth
103	Mr and Mrs Peter & Carole Hartman
572	Ryden LLP on behalf of Mr R. Thorne
617	Mr Christopher Fryer
640	Taylor Wimpey
784	Mr Hugh Stewart
828	James McCallum
1027	Stonehaven Town Partnership
1061	AMEC on behalf of National Grid
1088	Knight Frank on behalf of Mr Mackie
1089	Knight Frank on behalf of Mr Mackie
1117	Mr & Mrs Ian Burnett
1122	Ms Anne Mansfield
1158	Stewart Milne Homes
1189	Craigallan Homes Limited
1265	Labinski Limited
1319	Mr Christopher Rushbridge
1320	Mr Peter Smith
1348	Ms Katrina Lovie
1371	Halliday Fraser Munro Planning on behalf of Barratt North Scotland & Drum Property Group
1400	Halliday Fraser Munro on behalf of Cushnie Farming Company
1419	Ms Gena Blaxter
1434	Crathes, Drumoak & Durris Community Council
1443	North Kincardine Rural Community Council
1465	Bancon Developments
1477	Inverurie Community Council
1481	Mr Alexander Spracklen
1491	Wynne Morrish
1519	Halliday Fraser Munro on behalf of ANM Group Ltd
1521	Mr Scott Leitch
1522	Bancon Developments
1523	Mr Gordon Duncan
1529	Halliday Fraser Munro on behalf of The Blackburn Consortium
1531	Knight Frank on behalf of Mr Maxwell
1532	Ms Mary Scott
1541	Halliday Fraser Munro on behalf of Mr J Forbes
1543	Halliday Fraser Munro on behalf of FM Ury Ltd
1551	Miss Alice Robinson
1580	SEPA
1596	1st Banchory Scouts
1609	Graham & Sibbald on behalf of David Kenwright
1634	Colliers on behalf of Kilbride Resources Limited
1638	Mr Richard Orpwood
1658	SITA UK
1661	Case Consulting on behalf of Site Owner

1670	Ryden LLP on behalf of Mr & Mrs Buchan
1678	Mr Neil Paterson
1687	Ryden LLP on behalf of NHs Grampian
1688	Kilbride Resources Limited
1697	Marnoch and Deveron Valley Protection Group
1708	Case Consulting Limited
1710	Ryden LLP on behalf of SSE
1758	Mr and Mrs John & Cheryl North
1811	Scottish Government
1813	Mrs C. Lamb
1818	Kinbroon Farming Co.
1820	Daviot Community Council

1. Issues

This topic contains a wide variety of issues on a diversity of topics which have not found a home in any other issue. Where possible we have grouped these comments on common themes.

Infrastructure

Factual information was provided by National Grid. They outlined high pressure pipelines in Aberdeenshire and indicated their wish to be consulted on any development plan document or site-specific proposal that may affect their infrastructure (1061).

One respondent has highlighted the problems with sewerage system capacity in Marykirk, as well as problems of low pressure and loss of supply (1319).

One respondent has asked for a more strategic approach to the placement of infrastructure/ amenities and to provide clearer guidance to avoid landowner and developer-led initiatives creating proposals within close proximity to other sites with similar land-uses (1434).

One respondent has raised concerns that communications in Aberdeenshire are poor, highlighting broadband speed particularly (1523).

SEPA has provided information regarding alternative maps and explained their methodology (1580).

Factual information was provided regarding electricity transmission infrastructure. It was stressed that essential electricity transmission development will still be progressed to fulfil statutory obligations and it was suggested that in-principle support for transmission related development would be appropriate, as in NPF3 (proposed framework) (1592).

One respondent suggested that a link be established in the LDP between new waste infrastructure and the Energetica framework area in order to ensure that opportunities for heat provision from waste treatment facilities are not missed (1658).

NHS Grampian requested that the settlement statements are amended to reflect discussions previously held between NHS Grampian and the FIRS group (Aberdeenshire Council) which identified the health care requirements of each settlement (1687).

Concerns were raised that housing in Aberdeenshire is built with no regard to schools, roads and other amenities (1758).

Concern was raised regarding school capacity and improvement in Bervie and Gourdon schools (1678).

Concern was raised regarding the perceived failure to plan ahead for the provision of school capacity, with the respondents suggesting that school capacity should never restrict development (1158, 1820).

Settlements

Concern was raised about how settlements are defined (1481, 1434, 1419, 1638).

It was suggested that settlement statements should be created through consultation with the local community. The sum of settlement statements should then form the basis of the LDP (1434).

It was suggested that Lairhillock (Kincardine and Mearns) be identified as a settlement to allow new housing allocations to support the services and employment opportunities located there (572).

It was suggested that West Cairnbeg (Kincardine and Mearns) be identified as a settlement to manage development on greenfield sites, maintain character and to allow the village to grow (784, 1189). It was also suggested that the settlement is no longer a cohesive group (as suggested by a Scottish Government Reporter) due to development and therefore needs a new classification to develop in a planned fashion (1189).

It was suggested that Greeness (Formartine) be identified as a settlement to allow organic growth to occur to support local amenities (1088).

Concern was raised that Largue and Ythanwells (Marr) have been considered as settlements in previous reports, but not in this MIR (1481).

A respondent asked as to why the settlement of Kirkton of Oyne was not included in the Local Development Plan (617).

New Bid Sites

Request to allocate the existing Gypsy/Traveller site in St Cyrus (Kincardine and Mearns) formally in the LDP (828).

Request to allocate a site to the east of Kirkton of Skene (Garioch) at Cairnfield Farm for a managed retirement facility, retirement homes and affordable housing (1117).

Layout/Editing/Omissions

It was suggested that tourism be added to the list of key economic sectors on page 8 of the MIR (4).

One respondent felt that “officer’s preference” was an abuse of process to be quoted in the report, and should be removed (47).

One respondent felt that the “Sites of Local Nature Conservation Interest” and the “Valued Views and Locally Valued Landscapes” sections should be modified to reflect information about why they were designated so that the public may be better informed (1122).

There was concern that there was little consideration of potential issues in the MIR, as these were pre-determined by the “officer’s preferences” (1634, 1688).

Concerns were raised that the MIR was presented in a poor format (1634, 1688).

The Scottish Government indicated their support for the removal of any detail into supplementary guidance or to be removed altogether. Where statutory supplementary guidance is being brought forward, they emphasised the need for an appropriate “hook” to be provided in the proposed LDP establishing the policy principles (1811).

Maps/Diagrams

One respondent has suggested that hazardous pipelines be shown on all maps in the LDP, including settlement proposals maps, citing Health and Safety Executive advice to SESplan on a similar issue (1265).

A respondent suggested that the plans and maps were difficult to read due to their lack of scale and clarity (1634, 1688).

One respondent highlighted concerns that the boundaries for SGAs and the Energetica Corridor had not been clearly defined (1658).

One respondent raised concern that the visual, map-based format advocated by the Scottish Government has not been appropriately applied, particularly with the map in Appendix 1 of Rural Development Policy 3. It is argued instead that all developments should be map-based and agreed for the duration of the LDP period (1820).

Engagement/Scrutiny

A respondent suggested that the amount of time to make representations should be extended (1142).

A respondent has argued that communities should be consulted on “potentially invasive and life-changing” developments, such as wind turbines (1142).

One respondent has concerns over a perceived lack of transparency regarding developer contributions towards community facilities, suggesting that this makes it difficult for community groups to plan and make decisions (1348).

Concerns were raised regarding the lack of scrutiny of supplementary guidance at public enquiry (1443).

Concern was raised that local democracy is being ignored through the planning system, as planners, councillors and communities develop LDPs, only for developers/ landowners to submit contrary applications (1491).

One respondent has suggested that the natural beauty of Aberdeenshire should be preserved for future generations, urging that the Council needs to listen to the “views of the inhabitants” when making decisions (1551).

One respondent commended the Council for its community led approach and extensive public engagement and consultation in the production of LDP2012 and subsequently building on that in LDP2016. They also commended the Council for the highlighting what the new plan means for communities in the settlement appendices. They particularly commended the provision of information on the status of existing allocated sites, which they believed to be particularly useful (1811).

Policies

There was criticism that the date for responses to the LDP was set in advance of publishing dates of other key documents including: the Annual Draft Housing Land Audit; the Strategic Development Plan; SPP and NPF3. It was suggested that the respondents should reserve the right to submit additional representations after these documents have been published (1371, 1400, 1519, 1521, 1529, 1541, 1543).

One respondent recommended that the proposed LDP take into account the strategic policy matters from the SDP and NPF3 (1593).

A respondent raised concern that significant reliance had been placed on the existing policies and this had led to a lack of full consideration of planning matters (1634, 1688).

One respondent has suggested that the council make a preference for the redevelopment of urban brownfield sites before greenfield sites (1710).

The Scottish Government suggested that the proposed LDP should contribute to Government policy and Minister's priorities, and in particular the Government's central purpose to create a more successful country through increasing sustainable economic growth. It must also have regard for SPP, Circular 6/2013: Development Planning and be informed by the proposed NPF3 and SPP Position Statement. The proposed LDP should contain a section outlining how the Council intends to contribute to the national actions set out in the NPF (1811).

The Scottish Government highlighted that they expected the proposed LDP to carry forward a sense of place, and that the plan should take regard of "*Homes Fit for the 21st Century*", "*Designing Places*", "*Designing Streets*" and "*Creating Places*" (1811).

Vision

One respondent has suggested that the MIR has failed to provide "big ideas" as suggested in Scottish Planning Series Circular 6/2013 (1158).

Concern was raised that there was a lack of vision in the plans, and that long-term vision is vital to avoid piecemeal development of settlements (1477).

Housing

One respondent highlighted concerns that the rate of house completions in the Shire was outstripping the city, putting more pressure on greenfield development in the commuting range of the city. The respondent suggested that higher standards for development and linking housing to employment development could redress the balance between City and Shire (1532).

It was suggested that the focus of housing and employment land supply should be to ensure that the land becomes marketable and effective within the LDP period. The respondent suggested that their sites should be phased to come forward next and ahead of the Crichton Farm LDP allocations (1688).

Planning Applications

One respondent has suggested that the obligation to notify residents of planning applications within 20 metres of the site of development is inadequate and should be extended (1142).

One respondent has suggested that the office in Inverurie acquire a copy of the Town and Country Planning (Scotland) Act and make reference to it, as well as seeking advice from their legal department (1320).

2. Actions

Infrastructure

National Grid has been reluctant to publish the location of its infrastructure before this date. While existing consultation methods are thought to be adequate it may be appropriate to show the pipeline consultation zones on the proposals maps.

Water and sewerage issues are for Scottish Water to resolve, not the development plan.

It is frequently the case that the clustering of development in one place is necessary to take full advantage of infrastructure investments.

Aberdeenshire Council is working with British Telecom to deliver significant improvements in Broad band speed by 2018.

Electricity transmission infrastructure is largely governed by regulation outwith the development planning system, and those applications that do move forward are very rare. No statement of “in-principle” support is thought necessary.

Land allocations have been made in the Energetica corridor that include business land. Nothing precludes opportunities for the use of waste heat produced in these areas.

Including the health care requirements of each settlement is an appropriate expression of infrastructure available in the community and should be included in the settlement statements.

Issues of school capacity have been a source of major concern for the Education Authority who use the School Roll Forecasts to help predict future School Estate development. However, augmentation of the school estate can frequently only take place once permission is granted and developer obligations have been paid.

Settlements

Currently “settlements” are defined by the need for a local development plan allocation or protection. This will change if the proposals for wind energy contained in draft SPP are taken forward. A definition should be provided that includes size, services, facilities and urban character as identified in Issues 10.

No need has been identified in Lairhillock. It has no urban characteristics and will be significantly impacted upon by Chapelton (of Elsick). No settlement allocation is appropriate.

It is accepted that West Cairnbeg should be reclassified as a settlement rather than a “cohesive group” due to its size.

Greeness, Largue and Ythanwells have no characteristics that would suggest they are settlements, either in terms of size, amenities or facilities.

New Bid Sites

Existing policies can be used to determine planning applications for both Gypsy / Traveller sites and continuing care homes. Without being considered in the round as a bid these sites have not had the opportunity of strategic environmental or other assessments.

Layout/Editing/Omissions

It would be inappropriate to list key economic sectors in the Local Development Plan when the objective is to grow and diversify the whole economy.

The role of officers is to provide advice to members. In this case we have had to ensure that the nature of the advice was qualified, and so the term “recommendation” could not be made. Officers preference was an appropriate term to use.

42 public meetings were held at which clarification on the “Sites of Local Nature Conservation Interest” and the “Valued Views and Locally Valued Landscapes” sections could have been obtained. Contact details for the planning policy team were published along with the MIR.

The Main issues report was the result of extensive pre-consultation on what the issues might be. We are content that the issues presented represent the main land use planning issues facing the area at the present time

Time taken for making the document “pretty” would have detracted from the time available for consultation. We believe that content is more important than form.

The production of a precise and concise map based proposed plan remains a priority for the team and support for the format used is welcomed.

Maps/Diagrams

As noted above gas pipeline operators have not been keen for the routes of pipelines to be published. This approach now seems to have changed and the gas pipeline consultation zones should be shown on the proposals maps.

Higher resolution maps were available on-line and the document clearly offers a larger print version.

The Strategic Development Plan states that it is for the Local Development Plan to identify what sites and settlements fall into the Strategic Growth Area. There is no suggestion that it also covers rural areas.

The requirement for a concise map based plan applies to the Local Development Plan and not to the Main Issues Report.

Engagement/Scrutiny

A period in excess of 3 months was permitted for representations. This was more than twice that suggested by the Scottish Government. Communities have the opportunity to object to planning applications as well as to the Development Plan.

The Main Issues Report is not the place to specify developer contributions. Developer contributions should not be viewed as a dependable funding source as they are only available to resolve issues raised in response to the development for which they are gathered and are dispersed on a priority basis according to what is needed to allow planning permission to be granted.

Lack of scrutiny of supplementary guidance at examination is not a matter for the Main Issues Report.

Legislation is very clear as to the role of the Local Development Plan in decision making on land use planning issues. Sometimes it is appropriate to put aside the development plan when material considerations are such that an alternative view should persist. We do not agree that there is a democratic deficit in planning in Aberdeenshire. Decisions in Aberdeenshire are taken by democratically elected members who are elected on a mandate to make decisions in the interests of residents.

Policies

The publication of the Main Issues Report was timed to coincide with the publication of SPP, but that date was changed by other parties. Given the time required to assess, prepare, approve and publish the plan it will always be in-between “key documents”. In all cases the plan was based on expected outcomes from these documents, or the published drafts themselves and in recognition that they could change.

Opportunity was provided to pass comment on any aspect of the plan. We do not agree that we have stifled debate. The focus on existing policies reflects the confidence that the policy team have in these.

Brownfield land is very rare in the pressured parts of Aberdeenshire, and a study published with the plan confirmed that there would be a risk to development if such a policy was adopted in the less pressured areas. This matter was given appropriate consideration.

The issues raised by the Scottish Government will be reflected in full in the proposed plan.

Vision

A large number of “big ideas” have been presented in the MIR. That the MIR did not carry forward any “big, new ideas” is a matter of opinion.

The vision for development in Aberdeenshire is provided by the Strategic Development Plan. The Local Development Plan takes that message and appropriately applies it at a local level.

Housing

An unequal development rate in Aberdeen City and Aberdeenshire could have been anticipated given the time that it will take for the major sites in the City to come to market. We do not expect this trend to continue. Housing quality and linking housing development to employment areas are already inherent in the development plan.

It is not possible to allocate “effective” land as once land is allocated it then becomes in the gift of the landowner and developer as to when that land is delivered. All land in the Local Development Plan is allocated so as to be capable of becoming effective in the appropriate period of the plan and the Action Programme sets out the route map for sites to progress towards full effectiveness.

Consultation distances are stipulated in law and cannot be varied within the Local Development Plan.

Copies of the Act are widely available in the Inverurie planning office and used regularly as required. Advice is also frequently sought from legal officers.

3. Committee Actions

1. Health care requirements of each settlement should be included in the settlement statements
2. West Cairnbeg should be reclassified as a settlement
3. Pipeline consultation zones should be shown on the proposals maps

4. Committee Decisions

1. Kincardine and Mearns Area Committee agreed the above recommendations at their meeting on 6 May 2014.
2. Marr Area Committee agreed the above recommendations at their meeting on 3 June 2014.
3. Formartine Area Committee agreed the above recommendations at their meeting on 17 June 2014.
4. Infrastructure Services Committee at their meeting of the 3 July 2014 noted the recommendation of the Area Committees and agreed that no further action was required.