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By submitting a response to the consultation, I agree that Aberdeenshire Council can use the information provided in this form, including my personal data, as part of the review of the Aberdeenshire Local Development Plan. This will include consultation on the Main Issues Report (including any subsequent Proposed Plan).

I also agree that following the end of the consultation, i.e. after 8 April 2019, my name and respondent identification number (provided to you by Aberdeenshire Council on receipt of your submission) can be published alongside a copy of my completed response on the Main Issues Report website (contact details and information that is deemed commercially sensitive will not be made available to the public).

The data controller for this information is Aberdeenshire Council. The data on the form will be used to inform a public debate of the issues and choices presented in the Main Issues Report of the Aberdeenshire Local Development Plan 2021. It will inform the content of the Proposed Aberdeenshire Local Development Plan.

Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue to retain your information for a longer period. A redacted copy of your submission will be retained for 5 years beyond the life of the Local Development Plan 2021, possibly until 2037

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- Mr Andrew Lawson, Data Protection Officer, Aberdeenshire Council, Business Services, Town House, 34 Low Street, Banff, AB45 1AY

If you have difficulty understanding this document and require a translation, or you need help reading this document (for example if you need it in a different format or in another language), please phone us on 01467 536230.

Which document(s) are you committing on?	Main Issues Report	<input checked="" type="checkbox"/>
	Draft Proposed Aberdeenshire Local Development Plan	<input checked="" type="checkbox"/>
	Strategic Environmental Assessment Interim Environmental Assessment	<input type="checkbox"/>
	Other	<input type="checkbox"/>

Your comments

We are instructed by our client Mr Strachan to respond to the Main Issues Report (MIR). Our client owns land at Mains of Charleston, nr Marywell; the extent of land ownership extends into both Aberdeenshire and Aberdeen City local authority areas.

Over recent years, areas of our client's land has been subject to compulsory purchase and / or use for works associated with the Aberdeen Western Peripheral Route (AWPR). With the opening of the AWPR, land is in the process of being restored / returned to our client. On this basis, our client is now keen to consider the long term future of land in their ownership and welcomes the opportunity respond to the Main Issues Report.

The extent of land owned by our client is shown in the attached plan. For informative purposes, the area identified as a SUDS facility ['balancing ponds'] was formerly owned by our client prior to its compulsory purchase associated with the AWPR. In summary;

- Plot 1 (Aberdeenshire) – formerly used as a site compound associated with the construction of the AWPR
- Plot 2.1 (Aberdeenshire) – informally used for livestock grazing. Has a history of landfill for inert material e.g. stone. The site is not known to be contaminated
- Plot 2.2 (Aberdeen City) – as plot 2.1
- Plot 3 (Aberdeen City) – land in control of client
- Plot 4 (Aberdeen City) – land in control of client
- Plot 5 (Aberdeen City) – land in control of client (part of existing Aberdeen LDP OP60 land use designation)

For the purposes of this representation, we focus on the areas of land within Aberdeenshire (i.e. plots 1 and 2.1) although it should be noted that this has been prepared and should be considered in the context of the overall wider site (particularly plot 2.2), as noted above whereby representations are also being submitted to the Aberdeen LDP Main Issues Report.

The focus of our clients response is as follows;

1. To seek removal of the site from the green belt
2. To seek to promote the site as a potential development opportunity for alternative uses

Removal of site from greenbelt (Main Issue 5)

In overall terms, we seek the removal of these areas from the greenbelt. In specific response to Main Issue 5, we recognise the policy basis set out in paragraphs 49 and 50 of SPP and would agree that a review of the green belt in this location in particular is entirely appropriate at this time. Paragraph 49 of SPP sets out that for most settlements, a green belt is not necessary as other policies can provide an appropriate basis for directing development to the right locations. However, where greenbelts are designated, SPP suggests that this is to;

- Direct development to the most appropriate locations and to support regeneration
- Protect and enhance the character, landscape setting and identity of the settlement
- Protect and provide access to open space

This is translated into the existing Aberdeenshire LDP at policy R1. Greenbelt is defined in the glossary as

“An area of countryside where strict planning controls exist with the intention to protect the landscape setting and maintain the identity of towns and cities and provide land for recreation.”

Having considered this policy context to the definition of and purpose of the greenbelt, it is apparent that the sites being considered in this representation do not merit a greenbelt designation. The site does not have a particularly unique or special landscape setting; it is bound by transport infrastructure; residential development and employment / business uses. In all instances views across the site do not place the site in a ‘special rural area’ or an area that is required to protect coalescence / settlement identity etc. The site is well connected to existing infrastructure and an appropriate scale of development (which can be controlled by other policies) would not appear to be out of place or character given the surrounding context and wider setting of the site.

In responding to Main Issue 5, we do not support the preferred option i.e. to make no changes to the green belt policy. The alternative option appears to be very limited in its scope and it is not clear why. There is clear policy justification in SPP (paragraph 50) to enable a review of the green belt and we would suggest that it is entirely appropriate to do so in this instance. The greenbelt insofar as it prevails over our clients land does not appear to serve any meaningful greenbelt function, as set out above.

Promotion of site for alternative uses (Main Issues 8 and 9, 17)

On the basis that the site does not merit inclusion within the greenbelt and is no longer subject to works associated with the construction of the AWPR, our client is keen to promote the site for alternative uses.

The site has previously been subject to EIA Screening in respect of a prospective solar energy development and associated battery storage. From the documentation we have seen, it would appear that Aberdeen City Council (ACC) issued a screening opinion (170822/ESC) on 21 August 2017 concluding that such a development would not require a formal Environmental Statement. Aberdeenshire Council advised ACC in similar terms to inform the final EIA Screening Opinion.

Submissions made in the EIA Screening Opinion request confirm the site as brownfield with low grade characteristics from an agricultural / ecological etc perspective. We are not aware that the site is of high value / prime agricultural land e.g. it is informally used for grazing but is not actively farmed etc. As also noted above, it has previously been used for landfill purposes (inert material) and is not thought to be contaminated.

Whilst this proposal (solar array) is not currently being pursued, it is noted that current policy would support such a use (in principle) in such a location. However, the removal of the green belt designation – for the reasons set out above – would remove a potential barrier to the appeal of the site for energy and associated infrastructure related developers in the future. In the meantime, our client remains keen on renewable energy and sustainable forms of development at the site. In response to Main Issue 17, we support the general scope of Policy C2 and the support for renewable energy development as generally set out as the preferred option.

Other indicative uses that are being considered by our client include;

- Renewable energy
- Outdoor recreational uses / facilities
- Tourism related development
- Carehome / additional needs housing
- Bespoke housing
- Garden centre

It is considered that the site would support the above and/or these types of uses as part of a mixed use development by virtue of the location of the site in an edge of settlement location with good road side access/visibility and a more open setting. Whilst we are aware that the wider area has seen development activity in recent years and indeed this is expected to continue given other established initiatives e.g. the Loirston Development Framework, it is not our client’s intention to promote high density development that

could potentially conflict with other such initiatives in the area. The uses above would indeed be complementary and could fit with a more open landscape where a more recreational / open setting is appropriate and required.

Main Issue 8 makes provision for continued organic growth. In this instance, we would suggest that there is scope for this policy to continue and to be extended to include Marywell as an additional 'organic growth settlement'. It is noted that relatively recently, new development has occurred to the south west of our site (APP/2009/2401). In this regard the notice of initiation of development was submitted in 2015 and is a relatively recent addition of new homes in the area (notwithstanding that the decision to grant planning permission had been taken prior to this). In responding to Main Issue 8, we would support continued organic growth policy on the basis that this area should be considered and identified as an area permissible for growth associated with an identified settlement (Marywell).

In considering the suitability of the site in the context of Main Issue 9, whilst the site is not particularly 'rural' in nature, it is submitted that the site is brownfield. It is also 'large' given its overall size of 26 acres. We therefore support the preferred option which would account for sites such as our clients. We would suggest however that there is scope to allow redevelopment of such sites for uses other than residential. It is not clear why the policy needs to be restricted to residential uses.

Associated with the above and in response to the draft proposed Aberdeenshire LDP, we have sought to consider how this could be represented in a future Proposed Plan. In this regard, a modified extract from the Aberdeenshire LDP Draft Proposed Plan is attached (PLAN 4). This illustrates how the inclusion of our client's site could be represented in the next Proposed Plan as a development opportunity site and/or in conjunction with controlled organic growth in the Marywell Settlement.

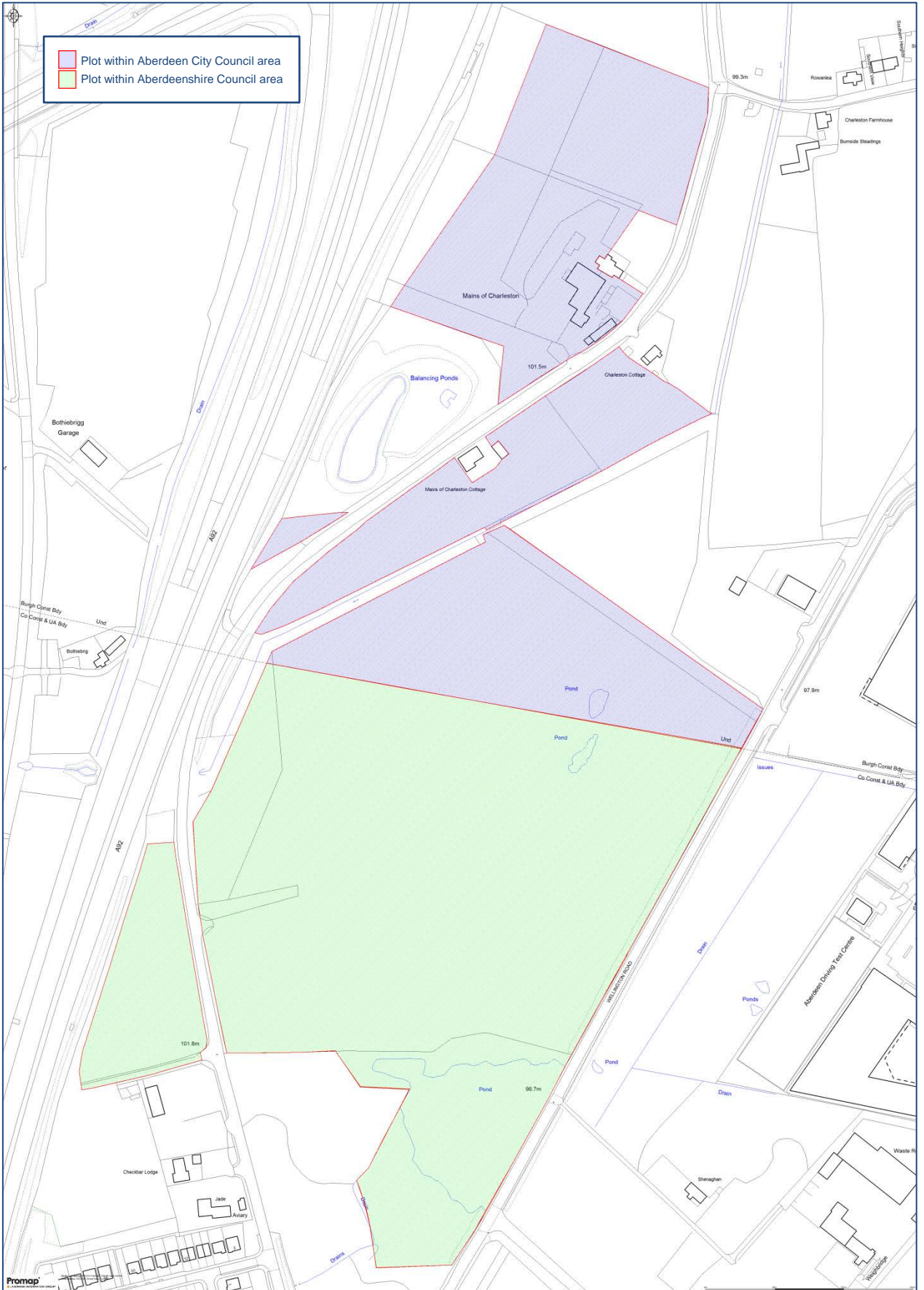
Summary

In overall terms, we would confirm that the site;

- Does not make a meaningful contribution to the greenbelt
- Is brownfield
- Is not affected by sensitive landscape designations
- Is available for development in the short term
- Has good accessibility
- Will not affect the wider landscape setting which is generally urban / sporadically developed
- Can contribute to organic growth of nearby settlements and / or is suitable candidate site for redevelopment as a large brownfield site

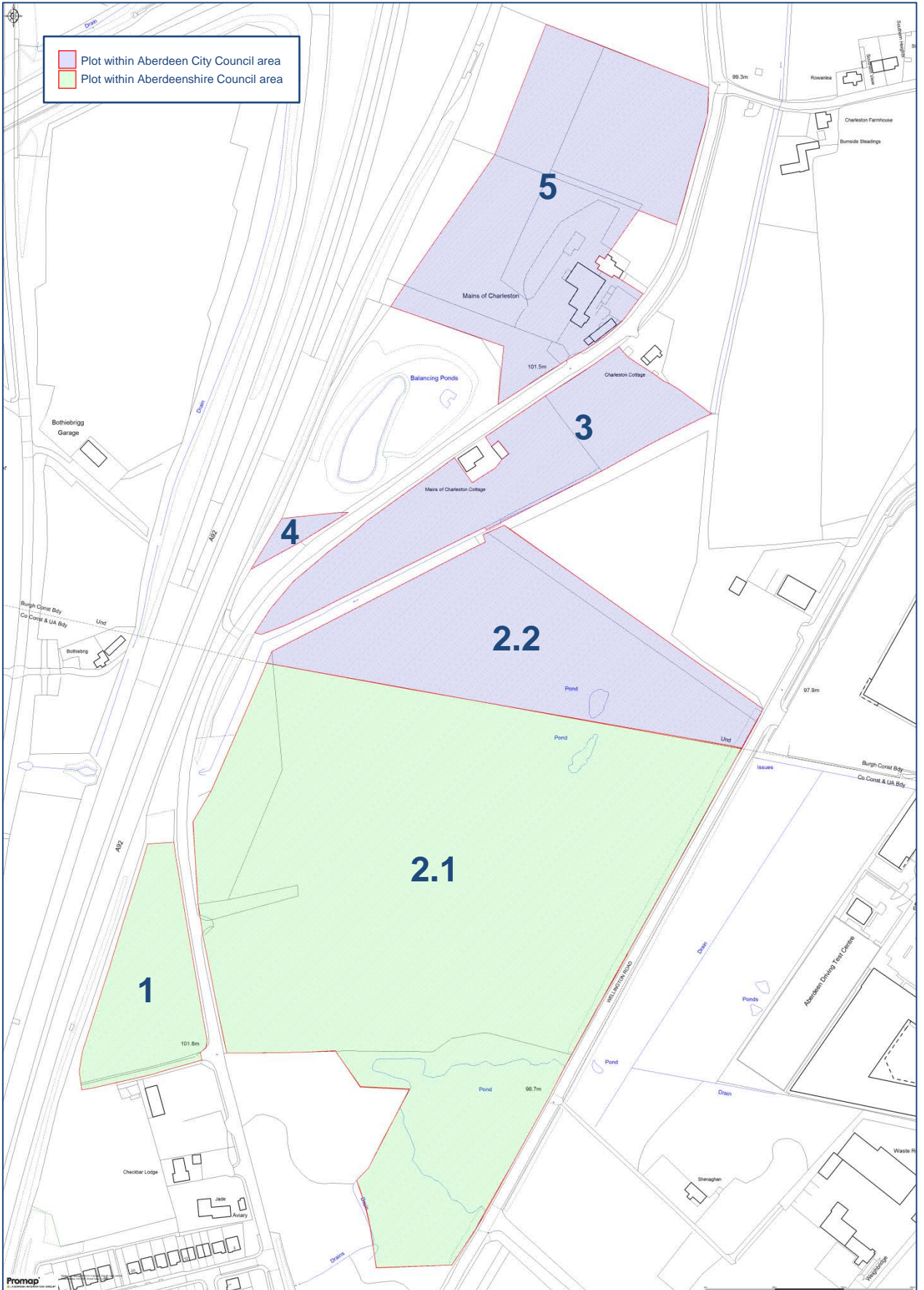
Mains of Charleston

PLAN 1: Extent of Ownership Plan



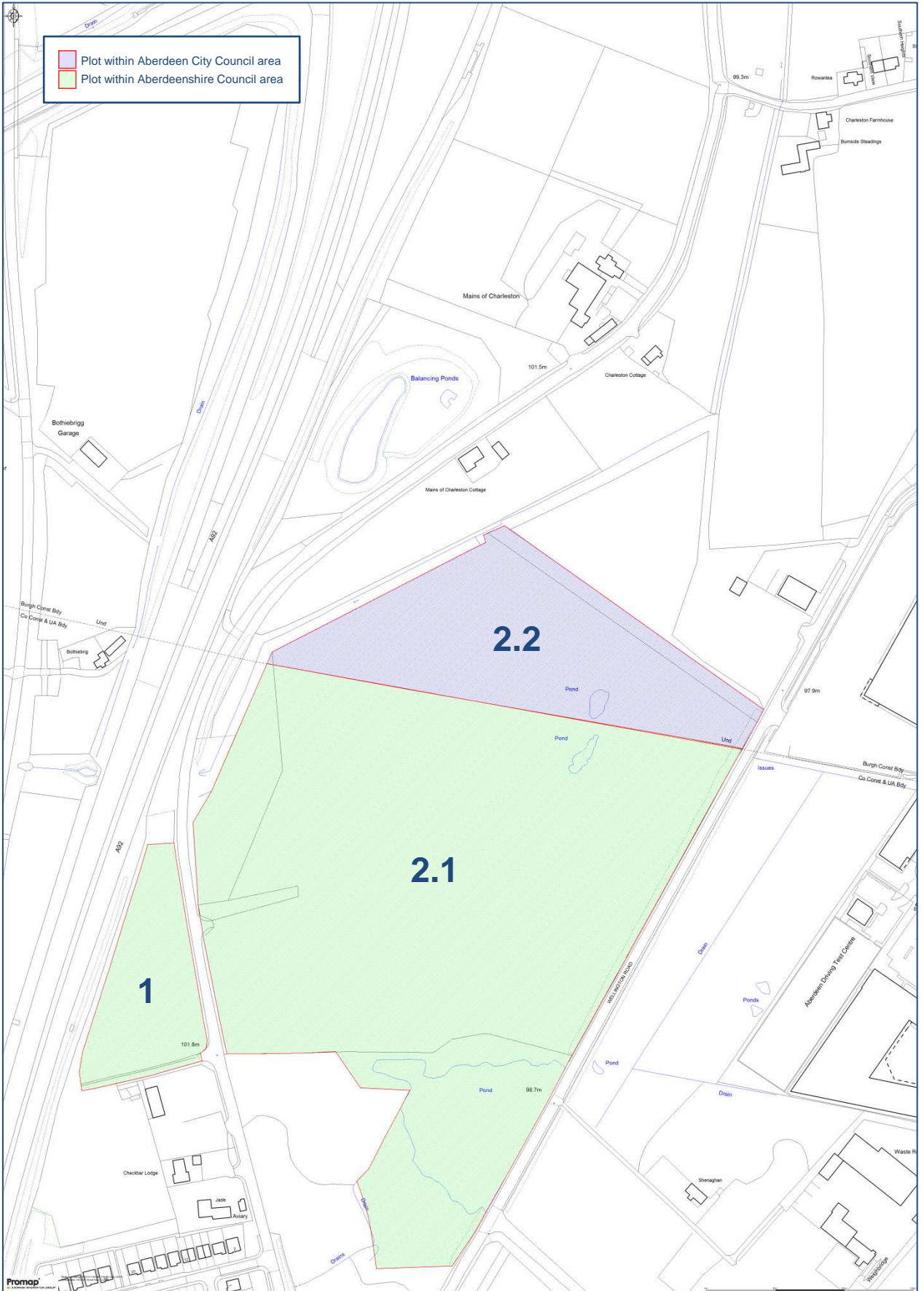
Mains of Charleston

PLAN 2: Numbered Plots Plan



Mains of Charleston

PLAN 3: Proposed Development Opportunity Site



Mains of Charleston

PLAN 4: Proposed Marywell Proposals Map

