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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.

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Which document(s) are you commenting on?	Main Issues Report	<input 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

Please refer to attached submission

Your comments (continued)

ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2021

DRAFT PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN

CONSULTATION RESPONSE - SLUIE ESTATE TRUST

April 2019



1.0 INTRODUCTION

Clarendon Planning & Development Ltd have been instructed by our Client and site owners, the Sluie Estate Trust, to submit comments to the Draft Proposed Aberdeenshire Local Development Plan 2021.

This document sets out our comments in respect of specific draft policies presented within the Draft Proposed Local Development Plan 2021. This report will comment on Appendix 10 of the Draft Proposed Plan, the Stonehaven Settlement Strategy. Comments in relation to the Settlement Strategy will related to the proposed Vision for Stonehaven, together with the sites allocated for future document. The Response will also promote Bid sites **KN115, KN118 and KN119**, which are located to the north of Stonehaven, at New Mains of Ury, as Alternative Development sites that are suitable for development and which should be allocated for development within the Proposed Local Development Plan 2021. It is considered that these Alternative Sites present Aberdeenshire Council with an opportunity to allocate the right development at the right location, as advocated by Scottish Planning Policy.

It should be noted that the promoted sites have been supported by additional information associated with our client's representations made to the Main Issues Report (MIR) for the Aberdeenshire Local Development Plan 2021 and the previous Development Bid stage. Full cognisance should be taken of our client's representation to MIR and the Bid documents, along with our response comments to the Strategic Environmental Assessment Interim Environmental Assessment (SEA).

2.0 DRAFT PROPOSED LOCAL DEVELOPMENT PLAN 2021

Chapter 5 – Shaping Business Development

Draft Policy B1 Employment and Business Land – The Council should undertake an assessment of all the allocated Business sites promoted by the Local Development Plan 2021 so that they can be fully satisfied that these sites can be developed within the 5-year timescale. An assessment of the allocated Business sites would confirm whether there are any constraints that would impede their development and therefore not contribute to the 5-year effective supply of employment land.

It would be wrong for the Local Development Plan 2021 to safeguard and / or promote constrained sites, as it could potentially prejudice sites that are deliverable and marketable, not coming forward through the development plan process.

Chapter 6 – Shaping Development in the Countryside

Draft Policy B2 Town Centres and Office Development – We question the definition of “a lot of people” provided by the draft policy. This statement is very arbitrary and open to different interpretations. A town centres catchment should be based upon up-to-date consumer surveys, or at the very least the 2012 Aberdeen City and Aberdeenshire Retail Study.

Policy B2 should clarify what is meant as being “unsuitable” when assessing sites in accordance with the sequential approach. SPP advises that town centre, edge of centre and other commercial centre sites should be discounted from the sequential approach if they are shown to be unsuitable or unavailable. Policy B2 should adopt the wording of SPP.

In compliance with SPP, Policy B2 should confirm that the planning authority and developers will be flexible and realistic in the application of the sequential approach, thus ensuring that different uses are provided in the most appropriate locations.

Policy B2 should also require a demonstration that development sites can be delivered within a 3-year timescale (the timescale of a Planning Permission in Principle) and that there are no constraints that would impede its development.

Chapter 7 – Shaping Homes and Housing

Draft Policy R2 Housing and Employment Development Elsewhere in the Countryside - This policy focuses heavily on housing provision within the allocated countryside and gives little guidance to employment development within the countryside.

The Policy should recognise that in some instances, potential employment sites are located adjacent (but out with) existing Settlement boundaries. Such sites should not be discounted as being within the designated countryside, as they could provide suitable employment locations, which can be successfully integrated / linked with the adjacent settlement.

Appendix 10 - Stonehaven Settlement Statement

Vision

The settlement Vision should refer to the newly constructed and recently opened AWPR / Fastlink. The Vision should recognise the obvious economic benefits that the AWPR will create for Stonehaven, insofar that it will become an attractive location for new investment. This will further reinforce Stonehaven as an important sub-Regional Centre.

It is acknowledged that the Vision identifies the need for the provision of a supermarket to serve the town. This need has been identified since 2013, through the 2013 Aberdeen City and Aberdeenshire Retail Study. To-date no supermarket has been provided within the town and the need for a suitably sized foodstore continues. The Vision refers to Planning Permission in Principle (reference APP/2016/3716) for a 3750m² supermarket and 50-bedroom Hotel and Restaurant. This reference should be deleted from the settlement Vision. It is considered that this permission is constrained and not commercially attractive. The permission has been extant for over 3 years and there has been no known developer interest in the supermarket or restaurant and hotel uses. Given the identified qualitative and quantitative demand for a supermarket in Stonehaven, it is considered that if this site was attractive for the provision of a supermarket development it would have already been progressed by a foodstore operator. Furthermore, the proposed hotel and restaurant uses are being replaced with affordable housing (see allocated site OP7 / Bids KN104). The planning permission also restricts the operation of any of the supermarket, hotel or restaurant uses until the approved Ury Link Road (from the A957 to the B979) is in place in its entirety and operating. The Ury Link Road is a significant infrastructure provisions and financially it is unlikely that a developer would provide this level of infrastructure upfront. The deliverability of the permission is therefore questioned.

Natural and Historic Features

The Settlement Statement should confirm that the South East Coast Special Landscape Area covers the land to the north east (at Cowie) and south of the Stonehaven. The Statement should advise that due to the landscape designation, together with the settlement's undulating topography, development in the eastern and southern areas of the settlement could have significant landscape and visual impact on the setting of the town.

The Statement should also reinforce that land to the west of Stonehaven is disconnected from the town by the A90 and relates poorly with the existing settlement.

Allocated Sites

OP2 (Bid KN102) Ury House East Lodge Allocation 212 homes – The schedule of allocated sites should recognise that part of the allocation (Bid KN102) is covered by the extant permission APP/2016/3716 for the provision of a supermarket, 50-bedroom hotel and restaurant. While the proposed housing does not impact on the supermarket site, it does replace the hotel and restaurant uses. These uses (hotel and restaurant) should be replaced at an alternative suitable location e.g. New Mains of Ury.

The allocation should also reflect the terms of the extant planning permissions that covers site OP2, in so far that planning permission APP/2007/2015 requires that the Ury Estate Link Road is constructed

and fully operational prior to the occupation of the 100th unit (taking account of the combined housing with planning permission APP/2008/0113).

OP3: (Bid KN087) Ury House Allocation 99 homes - This allocation should reflect the terms of the extant planning permissions that covers site OP3, in so far that planning permission APP/2008/0113 requires that the approved Link Road is fully constructed and open to traffic over its full length prior to the occupation of the 100th unit (taking account of the combined housing with planning permission APP2007/2015).

OP5: East Newtonleys Allocation 7ha employment land & BUS 2– These employment sites should be removed from the Proposed Plan. The Main Issues Report Settlement Statement removes these site on the basis that they have “not progressed” since planning permission was granted in 2007. Site OP5 is also identified as being subject to flooding.

The sites are disconnected from the town and development could potentially result in adverse landscape and visual impact to the setting of Stonehaven. The sites are constrained and commercially unattractive. There are other locations to the north of the town at New Mains of Ury that are deliverable and commercially more attractive for the provision of employment land.

The sites at East Newtonleys should not be designated for employment land and should be removed from the Proposed Local Development Plan 2021.

OP6: (Bid KN103) Land at East Lodge Allocation 60 homes – This allocation should require that the Ury Estate Link Road is constructed as per planning permission APP/2015/2163 and is fully operational before any development of OP6 commences.

OP7: (Bid KN104) Land at East Lodge Allocation 60 homes – This allocation should reflect the terms of the extant planning permissions for development in the Ury Estate and ensure that the approved link road is fully constructed and operation before the occupation of the 100th house of the combined allocated housing sites OP2, OP3 and OP7. This would reflect the terms of Planning Permissions APP/2007/2015 AND APP/2008/0113.

3.0 ALTERNATIVE SITES

Following on from the above comments, we submit that there are other more commercially attractive and constraint free sites, which could deliver the much-needed supermarket, hotel and restaurant and roadside services. Sites KN115, KN118 and KN119 are located to the north of Stonehaven, at New Mains of Ury, and are adjacent to the AWPR /A90 Junction Interchange.

Site KN115, is promoted for a supermarket development, and is located directly adjacent to the Ury Estate existing and planned housing.

Sites KN115, KN118 and KN119 would complement the existing and planned expansion of Stonehaven at the Ury Estate. Furthermore, given the surrounding local and strategic road network, the sites are obvious locations for future commercial development.

Sites KN115, KN118 and KN119 are deliverable and are commercially attractive to end operators; indeed, our client is in discussions with a national foodstore operator in relation to site KN115, and a national roadside service operator in relation to site KN119.

The three sites are well connected with Stonehaven via pedestrian and cycle footpaths and existing public transport services.

The development of the sites would fully accord with SPP's objective of 'the right development in the right location'.

These sites have been promoted through the local plan process, via Bids and representations to the Main Issues Report. We would direct the Council to have full cognisance to these documents in consideration of sites KN115, KN118 and KN119. Extracts of the MIR Reps for each site are provided below.

The sites have been identified in Figure 1 below, which is an extract of the Stonehaven Keymap. The location of each site, in relation to the existing Stonehaven settlement and the AWPR network, is identified in the concept masterplan provided in Figure 2 below. From both Figures 1 and 2 it can be confirmed that the sites are logical locations for the proposed uses.

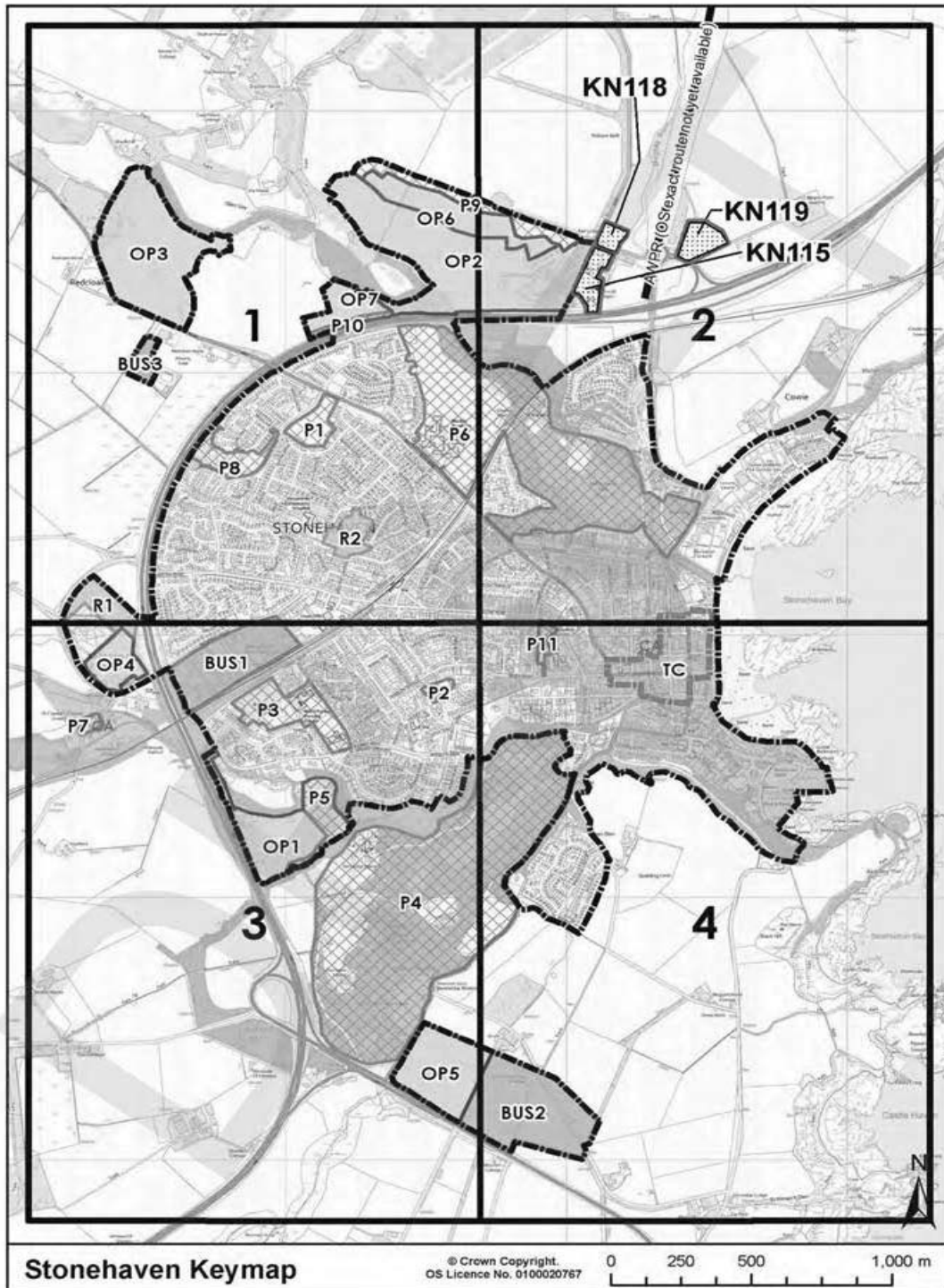


Figure 1 – Stonehaven Keymap with sites KN115, KN118 & KN119.



Figure 2 – Concept Masterplan of the Ury Estate Existing & Planned Housing Sites and the Development Sites KN115, KN118 & KN119.

Site Ref KN115 – Land at New Mains of Ury, Stonehaven

Site KN115 has been promoted through the LDP BID process for a supermarket development.

The Site

Site KN115 is located to the north of Stonehaven. The recently constructed housing at the Ury Estate, known as the 'East Lodge', is directly adjacent to the site's western boundary. Directly adjacent to the site's eastern boundary is the AWPR SUD's. The southern boundary of the site is aligned by the A90 and the local B979 Netherly Road aligns the northern boundary. As a whole the site is located within an enclave of new development.

Figure 3 an extract from the MIR Stonehaven Settlement Plan, which shows the Council's preferred development sites at Ury Estate (KN087, 102,103 and 104). Site KN115 directly adjoins the existing settlement boundary and is within the Council's preferred area for future development.

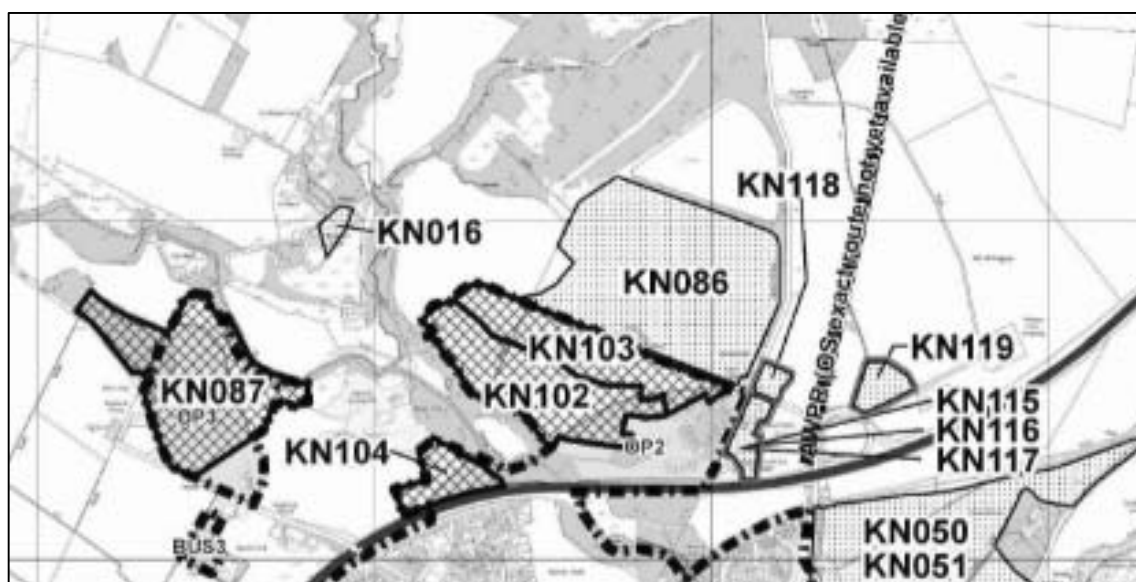


Figure 3 – Extract from MIR Stonehaven Settlement Plan of Development Bids – Site KN115

Figure 4 provides an aerial photograph of site KN115 within the existing context of the surrounding land uses. The AWPR, together with the Junction Interchange and the A90 can clearly be seen. Notably, the newly constructed housing at Ury Estate can be seen directly to the west of the site. Figure 4 clearly demonstrates that the site is brownfield, comprising agricultural buildings and building hardstanding, together with the hardstanding area used for the AWPR car park, and which is currently being used as a car park and a temporary commercial uses by the company advancing the Stonehaven flood protection scheme.



Figure 4 – Aerial Photograph of Site KN115

The site was previously subject to a planning application for a supermarket development (application reference APP/2015/2094). The application was refused by Aberdeenshire Council on 30 June 2016, in favour for the proposed supermarket and hotel development Ury Estate (Planning Permission APP/20163716). The planning application for the supermarket confirms that there are no constraints to the proposed supermarket development. The application also confirms that the proposed supermarket could be suitably accessed and accommodated on the road network (with the AWPR being operational). Equally, the application confirms the site was free from flooding and drainage constraints. It is therefore submitted that the site is available, free from constraints and therefore fully deliverable.

Assessment

Site KN115 has been promoted through a Bid submission to the Local Development Plan 2021. The BID information confirms that there are no constraints to the development of the site for a foodstore. There is a recognised need for a suitably sized foodstore in Stonehaven, which will serve the existing and future residents of the town and those in the surrounding rural areas. It has been accepted by Aberdeenshire Council that there are no suitable sites within or adjacent to the town centre that could accommodate a foodstore of the size required.

Site KN115 is located directly adjacent to the Council's planned area for expansion of Stonehaven. It is situated adjacent to the strategic and local road networks, which will enable easy access to the Stonehaven residents and to the surrounding rural areas. It is easily accessible by pedestrians, cyclists and public transport. It is a logical location for a foodstore and an obvious extension to Stonehaven.

Site KN115 presents the Council with an opportunity to fully address Stonehaven's long established foodstore deficiency.

Site Ref KN118 – Land East of East Lodge, New Mains of Ury, Stonehaven

Site KN118 has been promoted through the LDP BID process as suitable site for a hotel and restaurant development.

The Site

This site is located to the north of Stonehaven. Ury Estate, the planned expansion area for Stonehaven, is located directly to the west of the site and the AWPR is located directly to the east. The B979 aligns the sites southern and western boundaries. Agricultural land bound the site to the north. The AWPR aligns the eastern boundary of the site.

Figure 5 confirms the location of the site in relation to the Ury Estate. Figure 6 provides an up-to-date assessment of the site in terms of the current surrounding land uses. Notably, the housing of the Ury Estate can be seen to the south west of the site. The AWPR and associated Junction Interchange can be seen to the east of the site. The AWPR Suds ponds are located to the south of the site, together with site KN115, which is being promoted for a supermarket development.

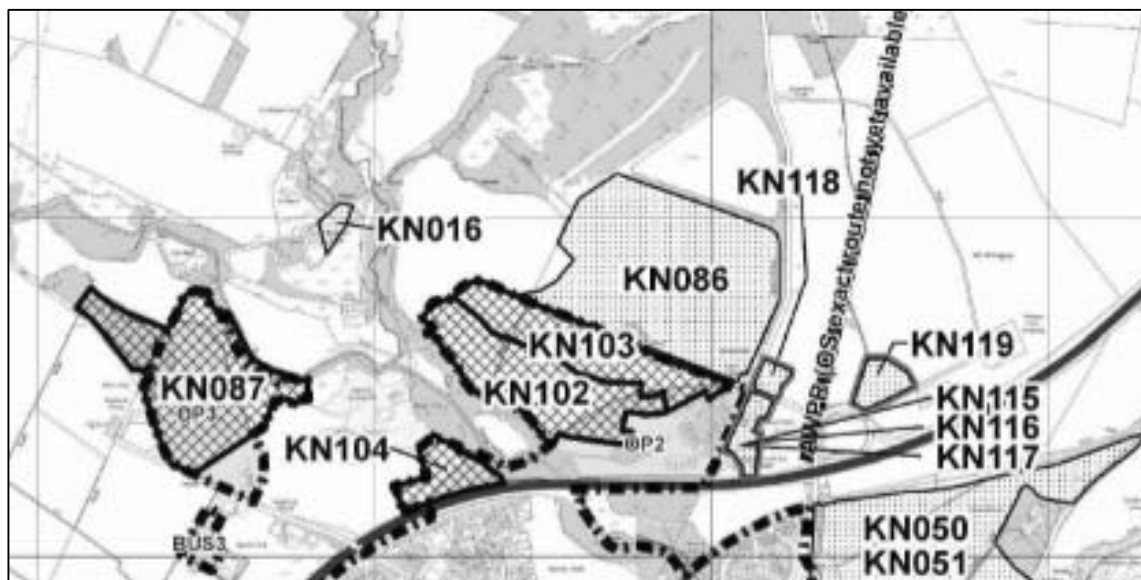


Figure 5 – Extract from MIR Stonehaven Settlement Plan of Development Bids – Site KN118



Figure 6 – Aerial Photograph of Site KN118

Site KN118 presents an obvious site for a hotel and restaurant development. The site lies adjacent to the AWPR and the associated AWPR/A90 Junction Interchange. The site is well located to Stonehaven and is easily accessible by car and sustainable modes of transport.

There are no hotel facilities on the Aberdeenshire stretch of the A90 southwards, and northwards there is nothing until Aberdeen airport. The proposed development will address this deficiency.

Aberdeenshire Council's Officer assessment of the Bid submission confirms that Site KN118 is a logical location for a hotel and restaurant development, and will serve both Stonehaven and tourists visiting the North East of Scotland.

The submitted Bid for site KN118 confirms that there are no constraints to the development of this land.

The proposed development in-itself will generate a significant number of employment opportunities for the surrounding area.

It is concluded that site KN118 for a hotel / restaurant development present Aberdeenshire Council with the opportunity to direct development to the right place, as advocated by SPP. In this regard, it is requested that the Council review the case for a hotel and restaurant development on site KN118.

Site Ref KN119 – Land East of Megray Burn, New Mains of Ury, Stonehaven

Site KN119 is promoted for a roadside services development.

The site

The site is located to the north of Stonehaven and is located directly adjacent to the AWPR / A90 junction interchange, as illustrated by both figures 7 and 8 below.

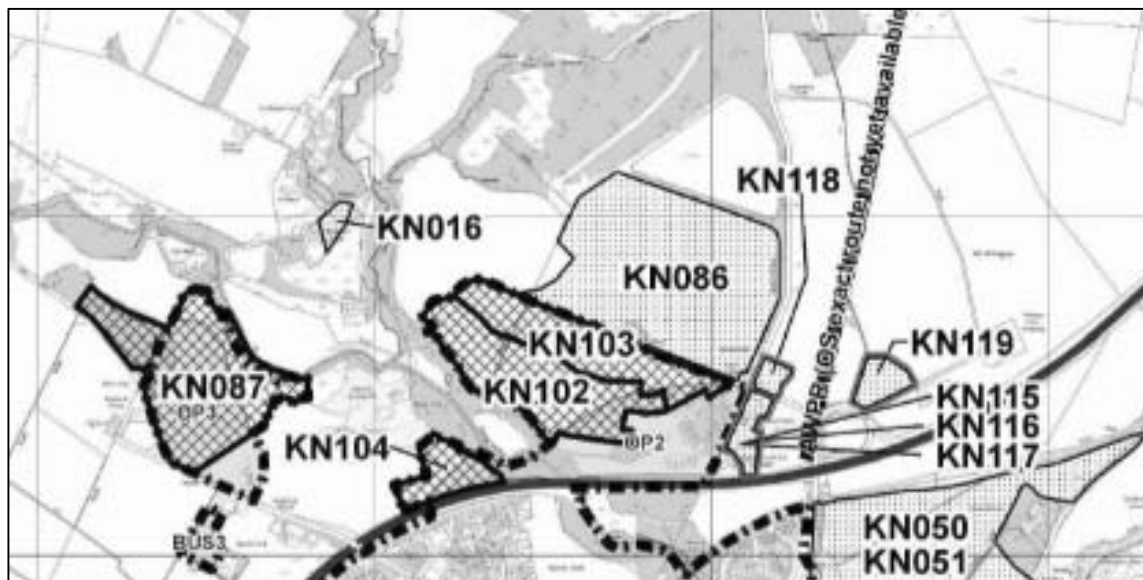


Figure 7 – Extract from MIR Stonehaven Settlement Plan of Development Bids – Site KN119



Figure 8 – Aerial Photograph of Site KN119

The Proposed Development

There are currently no roadside service facilities located on the A90 or AWPR. The nearest facility that offers fuel and restaurant facilities is the Stracathro Services at Brechin, which is 23 miles south of the subject site. The Stracathro facilities are very dated and are very much seen as a “truckstop” for HGV’s and commercial trucks. Stracathro Services do not cater for the requirements of the modern road user. Going north on the 46 km of the AWPR there are no roadside services adjacent to the new road. There is a clear deficiency of modern roadside services on the A90.

It is envisaged that the proposed development will provide a roadside services facility, that comprises a Petrol Filling Station (PFS) and associated drive-thru restaurant facilities. Access will be taken from the A90/AWPR Stonehaven Junction Interchange, via the Megray Road.

The proposed development will accord with the requirements of Planning Advice Note 75 ‘Planning for Transport’ (PAN 75), which provides the only national policy for roadside services. PAN 75 provides the Governments criteria for roadside services on trunk roads and motorways, and require such developments to comprise:

- Free short term parking for commercial and private vehicles;
- Fuel;
- Free toilets;
- A picnic area;
- Facilities accessible to disabled people;
- Telephones;

The proposed development can accommodate all the above requirements. In addition, PAN 75 further advises that it would be desirable for roadside services to provide: -

- Catering on site;
- A retail unit open during all service areas hours
- Tourist Information;
- Cash Dispenser
- Overnight Accommodation

The proposed development can provide all the above additional requirements (with the overnight accommodation being proposed on site KN118 – see above section)

Given the location of the subject site being located directly adjacent to the A90/AWPR strategic road network, it is considered that it is the right location for a roadside services development. Such a development would fully accord with the provisions of SPP, which advocates a presumption in favour of the right development in the right place. Indeed, there is current interest in the site by a national roadside service provider.

Assessment

Given the proximity to the AWPR/A90 interchange, together with the lack of modern roadside facilities on the A90 between Dundee and Ellon, site KN119 presents an obvious opportunity for a roadside services development.

It is clear that the proposed development should be seen in the context of the AWPR and associated interchange with the A90, together with the associated 24-hour lighting. A Landscape Assessment has been produced to assess the potential impacts of the proposed development on the surrounding area

(the conclusions are summarised within the MIR Representation). The landscape Assessment considers the visual implications of the proposed roadside development. It concludes that any visual impact will be minimal and over time, through the maturity of the AWPR strategic planting the site will be further screened.

A Transport Statement has been undertaken by SYSTRA to assess the proposed development in terms of accessibility and accommodation on the surrounding strategic network. The TS confirms that the proposed roadside services development would not result in any negative impact on the workings of the AWPR / A90 or the Junction Interchange. The Transport Assessment further confirms that while the proposed developments' primary purpose will be to service existing road users, the site is also accessible to Stonehaven (especially to the planned area of urban expansion to the north of the settlement at Ury Estate) by pedestrians, cyclists and public transport. In this respect, the site is well connected to Stonehaven.

It is concluded that site KN119 for a roadside services area presents Aberdeenshire Council with the opportunity to provide much needed services in the right place, as advocated by SPP.

4.0 CONCLUSION

It is requested that Aberdeenshire Council considers the above comments towards the policies of the Draft Proposed Local Development Plan 2021, together with the comments in relation to the Stonehaven Settlement Statement.

If is further requested that Aberdeenshire Council considers the inclusion of site KN115 for a supermarket development; site KN118 for a hotel and restaurant development; and site KN119 for a roadside services development, within the forthcoming Proposed Local Development Plan 2021.